



# UNRBA Board Meeting May 20, 2020

**Remote Access Only  
(see next slides)**



# Remote Access for UNRBA Board Meetings

Equipment Type	Access Information	Notes
Computers with microphones and speakers	<a href="#">Join Microsoft Teams Meeting</a> <b>Please mute your microphone unless you want to provide input.</b>	Press control and click on this link to bring up Microsoft Teams through the internet. You can view the screen share and communicate through your computer's speakers and microphone
Computers without audio capabilities, or audio that is not working	<a href="#">Join Microsoft Teams Meeting</a> (888) 404-2493 Passcode: 228 349 066# <b>Please mute your phone unless you want to provide input.</b>	Follow instructions above <b>Turn down your computer speakers, mute your computer microphone, and dial the toll-free number through your phone and enter the passcode</b>
Phone only	(888) 404-2493 Passcode: 228 349 066# <b>Please mute your phone unless you want to provide input.</b>	Dial the toll-free number and enter the passcode

# Remote Access Guidelines

- This meeting will open 30 minutes prior to the official meeting start time to allow users to **test equipment** and ensure communication methods are working
- If you dial in through your phone, mute your microphone and turn down your speakers to **avoid feedback**
- Unless you are speaking, please mute your computer or device microphone and phone microphone to **minimize background noise**
- UNRBA meetings are open meetings; however, for this remote access meeting, please **limit the discussion to UNRBA Board Members** to facilitate moving through action items

# May 20, 2020 UNRBA Board Agenda

- Opening—Sig Hutchinson, Chair
- Action Items
  - Approval of March 18, 2020 Meeting Minutes
  - Approval of the Treasurer's Report
- Status Reports and Informational Items
  - Review of the Stage I Existing Development Interim Alternative Implementation Approach Program Development Schedule
  - Modeling and Regulatory Support (MRS) Status
  - Contract Development
    - Legal support
    - Communications
    - Executive Director Services
    - MRS
  - Ongoing DEQ Discussions/Issues including chlorophyll-a standard and 303(d) listing
- Closing Comments

# Opening—Sig Hutchinson

# Opening

- Introductions and announcements
- Roll call for quorum
- Identification of any conflicts
- Review and approval of agenda

# Action Items

**Approval of March 18, 2020  
Meeting Minutes**



## Treasurer's Report

4/9/2020

<b>Balance Forward: (per bank statement - 2/29/2020)</b>	Checking	\$	146,995.29
	Savings		991,426.78
<b>Debits:</b>			
McGill Asso. (Feb, Mar 2020 Invs)		\$	31,746.39
Brown & Caldwell (MRS, FY 20, Dec, 19, Jan, & Feb, Mar 20 Invs)			208,325.72
Hicks Wrenn, PLLC			504.00
Sauber Water Quality Consulting (Feb, Mar 2020 Invs)			7,910.00
MFG Consulting, LLC (Feb, Mar 2020 Inv)			250.00
Phthisic Consulting Inc. (Jan, 2020 Invs)			871.45
			-
	<b>Total Debits</b>	<b>\$</b>	<b>249,607.56</b>
<b>Credits:</b>			
Interest (checking)		\$	15.50
Interest (savings)			2,571.21
Transfer from Savings to Checking Account			185,000.00
<b>Account Balance (per bank statement - 4/30/2020)</b>	Checking	\$	82,403.23
	Savings		809,058.11
		<b>\$</b>	<b>891,461.34</b>
<b>Total UNRBA Account Balance :</b>			
<b>Outstanding invoices/deposits in process since the close of bank statement (4/30/2020):</b>			
<b>Debits:</b>			
McGill Asso. (April 2020 Inv)		\$	13,219.32
Brown & Caldwell (MRS, FY 20, April, 2020 Inv)			63,514.52
MFG Consulting, LLC (April, 2020 Invs)			75.00
Sauber Water Quality Consulting (April 2020 Inv)			840.00
<b>Credits:</b>			
Transfer from Savings to Checking		\$	100,000.00

# Approval of the Treasurer's Report

# **Status Reports and Informational Items**

# **Review the Stage I Interim Alternative Implementation Approach (IAIA) Program Development Schedule**

# Status of the UNRBA Stage I ED IAIA

- The UNRBA Board endorsed a **Program Description** document on January 15, 2020
  - Provides basis for additional discussions on how such a program could be established and implemented
  - Preliminary evaluation that did not represent commitments from members to participate
  - Did not represent a final IAIA Program document.
- Two potential **implementation approaches**
  - Inclusion of the IAIA as a compliance approach in the Existing Development Stage I Model Program (MP)
  - Legislative action
- **Schedule considerations** - a preliminary prospective schedule was developed previously and was provided to the PFC and the Board aimed at IAIA Program implementation date of July 1, 2021

# Language to Allow the IAIA in the Model Program (Being Developed by DWR)

- Preferred pathway is to implement with the IAIA under the existing rules
- UNRBA, DWR, and non governmental organization representatives discussed this approach
- Following coordination on the language for the Model Program to allow for an IAIA, DWR has developed draft language
- Draft language for insertion into the Model Program
  - Distributed to the PFC for review on April 22<sup>nd</sup>
  - Summarized in the following slides
  - Recommended revisions based on PFC input will be provided to DWR for consideration

# Language to Allow the IAIA in the Model Program

- States that an IAIA is available and will be **acceptable to DWR**
- Achieves **joint compliance** with the implementation of Stage I Existing Development
  - Does not require development of jurisdictional loads or local programs
  - Compliance would be measured by an agreed-to investment level by each participating jurisdiction
    - MP language does not specify level of investment
    - Investment levels would be established in the submitted Program document being developed by the UNRBA

# Language to Allow the IAIA in the Model Program

- The language only identifies the **general magnitude** of total required loading reductions under the ED Rule
- These are “compared” in relative terms to reductions already achieved in the watershed from the point sources
- **No specific jurisdictional loads would have to be developed by individual participants in the IAIA**
- The loading reductions of the point sources are cited as a total and there is no assignment of any credits
  - Any point source credits continue to be owned and controlled by the jurisdictional owner of the WWTP
  - The general information reported on the status of point source reductions is simply to provide DWR “reasonable assurance” that the estimated reductions for ED are being met in the watershed

# Language to Allow the IAIA in the Model Program

- **Assurances** for program participants and DWR
  - Compliance with the Rule under the IAIA is maintained as long as the overall **investment in projects** meets the investment commitments made in submitting the Program document/agreement
  - For DWR, the “reasonable assurance” of compliance is provided by
    - The **relative difference** between “estimates” of total loading reduction required for ED compared to load reductions achieved by WWTPs
    - Language has been crafted to only “generally” and “approximately” confirm this comparison
      - Does not result in credit allocation
      - Strikes a balance between the needs of the potential participants and DWR



# Language to Allow the IAIA in the Model Program

- The Model Program language does not address the details of the IAIA program
- Details will be described in the UNRBA Program Document


# UNRBA IAIA Program Document and Communications

- Based on the Board-endorsed Program Description, the [UNRBA IAIA Program Document](#) will include specific provisions
  - Financial commitment levels
  - Eligible practices and actions
  - Reporting components
  - Interlocal Agreement(s)
    - Under development with the Legal Workgroup
  - General guidelines
- A preliminary draft Program Document has been provided to the PFC and legal workgroup for review and input on April 29<sup>th</sup>
- IAIA was presented to the Nutrient Scientific Advisory Board on May 1<sup>st</sup>

# Preliminary Input from the Legal Group on the UNRBA IAIA Program Document


- The UNRBA Bylaws do not allow for administration of the IAIA
- The participating members of the IAIA may be different than the members of the UNRBA
  - May require development of a separate organization with its own bylaws, voting, etc.
  - Meetings could be held jointly with only members of respective group voting
- Potential elimination of the UNRBA pool of funds
  - Simplify program implementation
  - Reduce administrative costs
  - Was not ever intended to be a large component of the Program
- Input is preliminary and additional discussion is needed

**Prospective Development Schedule for UNRBA IAIA Program Implemented under the Falls Lake existing rules. Potential start date of July 1, 2021.**



Feb 2020: DWR provides draft language in the Falls Lake Existing Development Model Program to allow an IAIA  
UNRBA and members review and provide comments.

Mar and Apr 2020:



UNRBA develops draft IAIA Program including investment levels, reporting requirements, etc.

Apr 2020: Meeting with DEQ leadership to discuss IAIA and impacts on other practices like land conservation

May 2020: Internal review of UNRBA IAIA

Develop revised draft for external review; provide status presentation to UNRBA Board

June 2020: DWR reviews UNRBA IAIA Program document

July 2020: DWR provides a revised draft Model Program for UNRBA review

August 2020: UNRBA reviews DWR Model Program and finalizes IAIA Program

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graph TD; A[August 2020: UNRBA reviews DWR Model Program and finalizes IAIA Program] --> B[Sep 2020: DWR finalizes draft Model Program]; B --- C[Presentation of IAIA Program to UNRBA Board; DWR/UNRBA information update to EMC WQC]; C --> D[Oct 2020: Prepare for UNRBA/DWR/NGO presentation to EMC WQ Committee]; D --> E[Nov 2020: UNRBA Board action to submit, or not, to the EMC for approval in January]; E --- F[Present Model Program with IAIA to EMC WQ Committee; DWR information update to full EMC]; F --> G[Jan 2021: Model Program submittal to full EMC for approval]; G --> H[July 2021: Submit and begin implementation of either the IAIA (with signatures of participants) or individual jurisdictions submit their own Local Programs];
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Sep 2020: DWR finalizes draft Model Program

Presentation of IAIA Program to UNRBA Board; DWR/UNRBA information update to EMC WQC

Oct 2020: Prepare for UNRBA/DWR/NGO presentation to EMC WQ Committee

Nov 2020: UNRBA Board action to submit, or not, to the EMC for approval in January

Present Model Program with IAIA to EMC WQ Committee; DWR information update to full EMC

Jan 2021: Model Program submittal to full EMC for approval

July 2021: Submit and begin implementation of either the IAIA (with signatures of participants) or individual jurisdictions submit their own Local Programs

# **Modeling and Regulatory Support for the Re-examination of Stage II**

# Modeling and Regulatory Support Status

- The Modeling Team is working on documentation of the watershed model development and hydrologic calibration
- Execution of the UNRBA 319 application to support revisions to watershed model code for onsite wastewater treatment systems is near final
- The scope of work for FY2021
  - Has been reviewed by the MRSW and revised in response to comments
  - Is being reviewed by the PFC for discussion June 2<sup>nd</sup>
  - Will be presented to the Board for approval on June 17<sup>th</sup>
- The next Modeling and Regulatory Support Workgroup meeting is scheduled for June 2<sup>nd</sup> before the PFC meeting

# **Contract Development for FY2021**



# Contract Development for FY2021

- Legal support
  - Evaluation of site-specific standard for chlorophyll
  - Development of a plan for EPA engagement
- Communications
  - Utilize HDR and BC to support activities
- Executive Director Services
  - Approved in January
- Modeling and Regulatory Support
  - Monitoring program will cease June 30, 2020 to focus on modeling and regulatory support
  - Contract and scope of work are under development with input from the MRSW and PFC

# Ongoing DEQ Discussions/Issues

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- Scheduling meetings with DWR
  - Review the 2019 Annual Monitoring Program Report
  - Discuss modeling efforts
- Re-examination, 303(d) assessment procedures, need for a site-specific chlorophyll-a criterion(a), NC Numeric Nutrient Criteria Development Plan, the work of the Scientific Advisory Council, and the evaluation by the UNC Collaboratory
- Continue to engage DEQ in the technical stakeholder sessions and MRSW meetings to secure input to modeling as it is being developed
- Continue discussions with DEQ on the MOA—develop more specific information on submittal requirements under the Re-examination rule provision

# Closing Comments

**Next UNRBA Board Meeting is Scheduled  
for June 17, 2020 at the  
Butner Town Hall from 9:30 AM to Noon**

**The location and access for this meeting  
may be modified at a later date.**