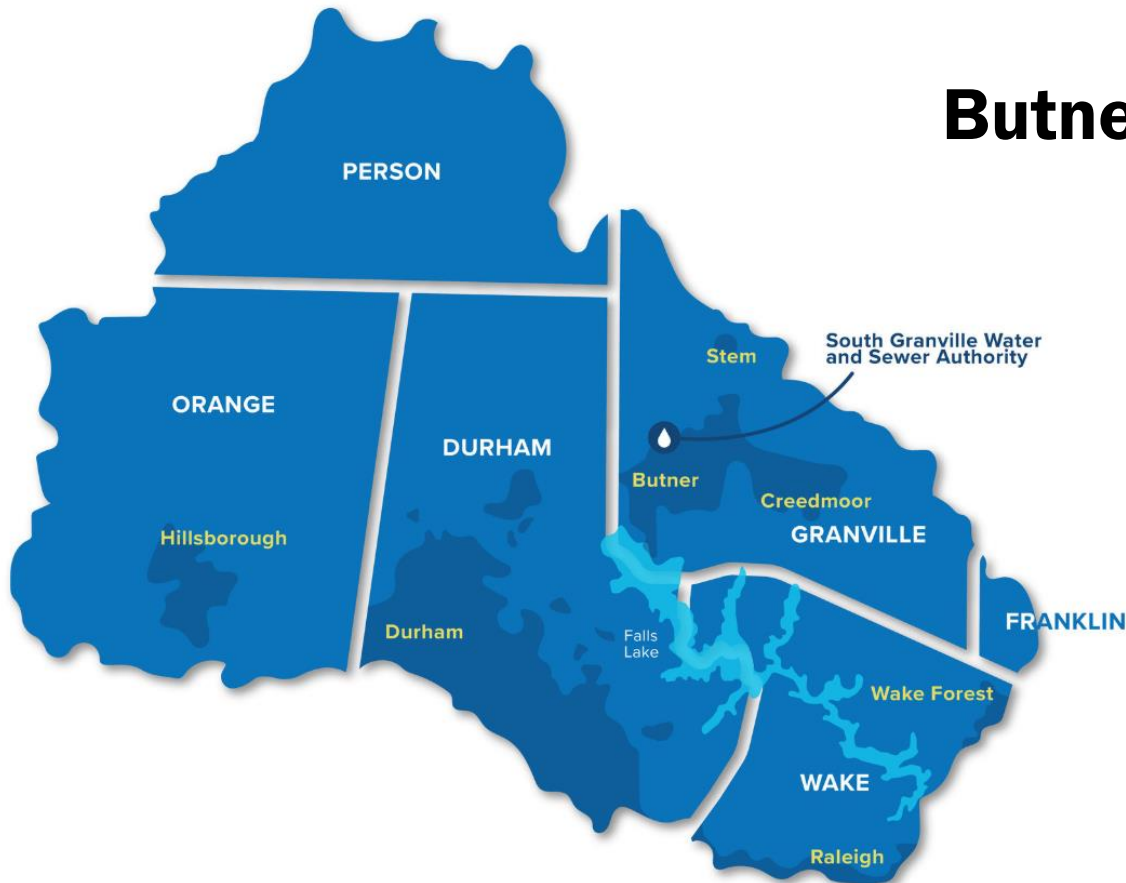




# UNRBA Board Meeting November 15, 2023

## Butner Town Hall



# November 15, 2023, UNRBA Board Agenda

- **Opening—Sig Hutchinson, Chair**
- **Action Items of UNRBA Board of Directors**
  - Approval of September 20, 2023, Meeting Minutes
  - Approval of the Treasurer’s Report
  - Approval of 2024 Board and PFC Meeting Dates
  - Appointment of the Officer Nominating Committee
  - Appointment of the Personnel Committee
  - Approval of Recommendations for a Revised Nutrient Management Strategy
  - Approval of the Contract to Update the UNRBA Technical Website
  - Motion to Recess the Regular Session of the UNRBA Board to Sit as the Compliance Group Committee (CGC)
- **Action Items of CGC**
  - Approval of FY2022-2023 Summary Report for the IAIA
  - Motion to Recess the Compliance Group Committee to Resume Regular Session of the UNRBA Board

# November 15, 2023, UNRBA Board Agenda

- **Status Reports and Informational Items**
  - FY2025 Budget Discussion
  - Modeling and Regulatory Support for the Re-examination of Stage II
  - Schedule for Rules Readoption and Developing a Petition for a Site-Specific Chlorophyll-a Water Quality Standard and Falls Lake Assessment Methodology
  - Communications Support
  - Ongoing Discussions/Issues
- **Closing Comments**

# Opening—Sig Hutchinson

# Opening

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

# **Action Items of UNRBA Board of Directors**

**Approval of  
September 20, 2023,  
Meeting Minutes**

# Approval of the Treasurer's Report

<b>Balance Forward: (per bank statement - 8/31/2023)</b>	Checking	\$	283,556.45
	Savings		1,194,335.32
<b>Debits:</b>			
McGill Asso. (2023 Invs)		\$	45,218.90
The Insurance Shoppe			1,221.00
Brown & Caldwell (MRS, FY 23 & 24, 2023 Invs)			99,659.01
Penn National Insurance			646.00
WSP, Inc. (Invs, 2023)			1,838.00
MFG Consulting, LLC (2023 Invs)			420.00
			<hr/>
Total Debits		\$	149,002.91
<b>Credits:</b>			
Interest (checking)		\$	71.74
Interest (savings)			6,002.83
Membership Fees (Deposit in MM Acc't)			352,107.62
Transfer from Savings Acc't to Checking Acc't			-
			<hr/>
<b>Account Balance (per bank statement - 10/31/2023)</b>	Checking	\$	486,732.90
	Savings		1,200,338.15
			<hr/>
<b>Total UNRBA Account Balance :</b>		<b>\$</b>	<b>1,687,071.05</b>
			<hr/>
<b>Outstanding invoices/deposits in process since the close of bank statement (10/31/2023):</b>			
<b>Debits:</b>			
McGill Asso. (2023 Inv)		\$	28,731.03
MFG Consulting, LLC (2023 Inv)			280.00
Brown & Caldwell (July & August, FY 2023 & 2024)			99,219.64
JMW Bookkeeping			650.00
WSP, Inc. (2023 Inv)			796.00
<b>Credits:</b>			
Transfer from Savings to Checking		\$	-
			<hr/>
<b>Current Account Balances:</b>	Checking	\$	358,502.23
	Savings		1,200,338.15
			<hr/>
<b>Total UNRBA Account Balance :</b>		<b>\$</b>	<b>1,558,840.38</b>
			<hr/>



# Approval of 2024 Meeting Dates

## Path Forward Committee:

January 2, 2024

February 6, 2024

March 5, 2024

April 2, 2024

May 7, 2024

June 4, 2024

July 2, 2024

August 6, 2024

September 3, 2024

October 1, 2024

November 5, 2024

December 3, 2024

## Board Meeting Dates:

January 17, 2024

March 20, 2024

May 15, 2024

June 19, 2024

September 18, 2024

November 20, 2024

PFC meeting dates may include a Modeling and Regulatory Support Workgroup (MRSW) meeting. The times of these meetings will be included in the invitations and announcements for these meetings. Please verify all meeting times on the UNRBA website at: <https://www.unrba.org/meetings> .

# **Appointment of Officer Nominating Committee**

# Appointment of Officer Nominating Committee

- Perspective Nominating Committee Members – appointment
  - Sig Hutchinson
  - Terry Hackett
  - Carolyn Bachl
  - Other proposed members as identified by the Board
- [Vote to appoint the Committee members](#)

# **Appointment of Personnel Committee**

# Appointment of Personnel Committee

- The Personnel Committee will meet in December to assess this year's activities and review the work provided under the Executive Director Services Contract
- Note: The Personnel Committee provides an invitation for participation and input from all UNRBA Board Directors, Alternates and PFC Members
- Previous membership:
  - Don O'Toole, Chair
  - Sig Hutchinson
  - Jenn Weaver
  - Wendy Jacobs
  - Ryan Eaves
  - Reggie Hicks
  - Carolyn Bachl
  - Jim Wrenn
  - Other proposed members as identified by the Board
- **Vote to appoint the Committee members**

# Approval for Submittal of Recommendations for a Revised Nutrient Management Strategy

- On September 20, 2023 , the UNRBA Board of Directors approved
  - [UNRBA Concepts and Principles for the Reexamination](#)
  - [Consensus Principles II](#) (CPII)
- UNRBA provided a template resolution for local governments and utilities to use to approve CPII at the local level.
- Presentations to local governments and utilities were completed
- Signed resolutions have been received from all members; each passed unanimously:

Town of Butner  
Franklin County  
Creedmoor  
Granville County  
Orange County

SGWASA  
Person County  
Wake Forest  
City of Durham  
Durham County

Hillsborough  
Raleigh  
Town of Stem  
Wake County

- [The UNRBA compiled these resolutions and drafted a cover letter for consideration by the UNRBA Board to approval submittal these documents to DWR](#)
- NC Collaboratory report will also be submitted by December 2023

# Approval of the Contract to Update the UNRBA Technical Website

- The UNRBA has been setting aside funding to update the technical website
- The software used is Druple version 7 and cannot be upgraded. The new version is 10, and the website will have to be updated using this version. The technical website and public facing website will be merged.
- UNRBA monitoring data will be provided for download, but the program used for statistical and graphical analysis will not be updated. This software is no longer completely functional and cannot be upgraded at a reasonable cost.
- The Executive Director and support staff are working on a preliminary layout for the website to provide to the contractor.
- At their September meeting, the Board was briefed and notified that \$20,000 has been accumulated to support this work. The Executive Director requested, and the Board authorized the use of up to \$10,000 from contingency to increase the contract to \$30,000 if necessary.
- The contract will have an initial compensation amount that will be further defined after the contractor has been provided details of the revised website—the contract may have to come back to the Board in March
- **The Executive Director has negotiated an initial contract for approval by the Board at the November 15, 2023 meeting, authorizing the Chair to sign on behalf of the Board.**

**Motion to Recess the Regular Session of  
the UNRBA Board to Sit as the  
Compliance Group Committee**



# **Action Items of Compliance Group Committee (CGC)**

# Approval of FY2022-2023 Summary Report for Interim Alternative Implementation Approach (IAIA)

- Implementation of the IAIA began July 1, 2021, and year one (FY2021-2022) ended June 30, 2022
- Year two (FY2022-2023) of the program ended June 30, 2023.
- Each year participants submit annual reports to DWR to assess individual compliance including
  - Annual minimum investment requirement
  - Previous-year rollover amount if applicable
  - Current-year investment commitments and project info.
- Copies are provided to the UNRBA for summary reporting
- The PFC reviewed the draft FY2022-23 summary tables Nov. 7<sup>th</sup>
- A cover letter and final summary report has been provided to the UNRBA Compliance Group Committee for review and approval at today's meeting to submit to DWR and the Environmental Management Commission (summary tables follow)
- The CGC will vote on approval of this report and cover letter; submittal will occur following the meeting.

# IAIA Summary FY2021-22 and FY2022-23

<b>Participant</b>	<b>Annual Minimum Requirement</b>	<b>FY2021-2022 Funds Allocated</b>	<b>FY2022-2023 Funds Allocated</b>
Wake County	\$88,968	\$1,973,493	\$135,810
City of Raleigh	\$466,081	\$1,745,485	\$740,000
City of Durham	\$337,587	\$960,268	\$1,750,824
Orange County	\$161,943	\$342,878	\$9,538
Durham County	\$133,300	\$148,394	\$46,069
Person County	\$114,394	\$114,394	\$114,394
Granville County	\$100,453	\$100,453	\$100,453
Town of Hillsborough	\$34,221	\$41,871	\$58,730
Town of Butner	\$23,393	\$23,393	\$23,393
Franklin County	\$19,058	\$19,058	\$19,058
City of Creedmoor	\$16,926	\$16,926	\$16,926
Town of Wake Forest	\$13,692	\$13,692	\$13,692
Town of Stem	\$11,605	\$11,605	\$11,605
<b>Total</b>	<b>\$1,521,621</b>	<b>\$5,511,909</b>	<b>\$3,040,491</b>

# IAIA Summary by Project Type (FY2022 to 2023)

<b>Project Type</b>	<b>Total funds allocated (cash and in-kind)</b>	<b>Number of Projects</b>
Green infrastructure and other best management practices (BMPs)	\$1,694,815	8
Land conservation	\$740,000	1
Illicit discharge detection and elimination	\$215,591	5
Stormwater control measures (State-approved SCMs)	\$175,197	6
Programmatic measures	\$89,210	3
Administrative costs associated with the participation in the IAIA	\$55,313	2
Stream and riparian buffer restoration and enhancement	\$53,060	4
Hydrilla removal and control	\$17,306	3
<b>Total (missing information on one project type)</b>	<b>\$3,040,491</b>	<b>31</b>

**Motion to Recess the Compliance Group  
Committee to Resume Regular Session of the  
UNRBA Board**

# **Status Reports and Informational Items**

# **FY2025 Budget Discussion**

# Budget Considerations for FY2025

- The UNRBA is moving into a period of supporting the use of CP11 in the development of revised Falls Lake Rules. This will require
  - Significant effort and technical support throughout the process
  - A collaborative relationship among UNRBA, DWR, EMC, and the General Assembly
  - Effective and consistent engagement on redrafting the rules
  - Promotion of public input to the process
- The UNRBA will need to work diligently to keep Consensus Principles II and the technical data analysis and modeling before the agencies and the stakeholders.
- The Falls Lake recommendations are innovative and put the nutrient management efforts at the forefront of watershed management strategies in the state.
- This new approach will need significant support to develop rules that make sense and are effective in maintaining uses in Falls Lake.
- The UNRBA should remain committed to working through this with DWR and the staff responsible for developing revised rules.
- This will help define the budget needs for FY 2025



# Budget Considerations for FY2025

- In addition, the UNRBA will proceed with working on getting a specific 303(d) assessment methodology for Falls Lake and for continuing the development of a site-specific chlorophyll-a standard.
- At this point, we do not have a specific budget proposal for FY2025
- The budget for FY2024 Modeling and Regulatory Support was reduced to create replacement of the \$180,000 fund balance allocated to respond to extensive input received in the model development efforts in FY2023.
- We anticipate that the budget will be reduced for FY2025 but will need to get a better feel for this following submittal of our recommendations for a revised strategy and to gage the path moving forward.
- We need to see the Collaboratory Report on Falls and discuss the process DWR plans to follow.
- We have recommended that a spring-early summer workshop/symposium be done to present the consolidated recommendations and discuss the readoption of the Falls Lake Rules.

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

# Modeling Status

- The watershed and two lake models for Falls Lake have been completed
  - Watershed Analysis Risk Management Framework (WARMF) watershed and lake model
  - Environmental Fluid Dynamics Code (EFDC) lake model
- Extensive vetting through identified SMEs, third-party reviewers, our membership representatives, and DWR
- Model training workshops for the Division of Water Resources have been completed for these three models
- Modeling files have been submitted for WARMF watershed and lake and will be submitted in November for EFDC following the training held on November 9<sup>th</sup>
- The statistical/Bayesian model for Falls Lake is being reconfigured to align with recent data analysis provided by Dr. Marty Lebo regarding segmentation of Falls Lake

# Reporting Status

- The pre-submittal, final draft watershed modeling report was provided to the UNRBA Board, PFC, DWR, SMEs/third-party model reviewers and posted on the UNRBA website
  - Report is being revised to address most recent comments
  - Will be finalized for approval by the PFC at their December 5, 2023, meeting
  - We are seeking confirmation from the Board that the PFC may approve modeling products and reports for submittal to DWR in December.
- The draft lake model report and EFDC lake model appendix were distributed to the same group in mid October; the WARMF lake model appendix will be submitted in November
- Depending on the extent of reviewers' comments, we may provide a final draft lake model report in December or January
- The statistical modeling appendix will lag as the model is being reconfigured

# **Schedule for Rules Readoption and Developing a Petition for a Site-Specific Chlorophyll-a Water Quality Standard and Falls Lake Assessment Methodology**

# Schedule for Rules Readoption

- **January to March 2024**
  - UNRBA/DWR meeting to discuss process for rule making and approval of UNRBA products
  - Regulatory Forum to present rule making process to UNRBA members and other stakeholders
  - Meetings with the Chairs of the Environmental Management Commission (EMC) and its Water Quality Committee
  - UNRBA annotate existing rule language to mark for potential changes and review with DWR
- **June to December 2024**
  - DWR to begin rule making and their stakeholder process
- **2026/2027**
  - DWR anticipates rules readoption
  - **We hope to achieve rules readoption earlier**
- The UNRBA will continue to identify opportunities to work with other stakeholders as we begin coordinating, collaborating, and supporting DWR in rules review process
- The UNRBA and members must engage on the readoption process

# Coordination on Site-Specific Chlorophyll-a Standard and Falls Lake Assessment Methodology

- We will use materials already developed on the status of chlorophyll-a standards across the country.
- Our consulting attorney, Barnes & Thornburg, will continue to be briefed and consulted.
- The UNRBA continues to work with Dr. Marty Lebo to complete his work and integrate his results into the site-specific standard evaluation, statistical modeling, and regulatory support efforts.
- We are also using this information to develop a specific Falls Lake 303(d) methodology with the current standard.
- The UNRBA will coordinate with DWR, Collaboratory researchers, and other stakeholders throughout this process

# Communications Support



# Coordination with DWR and EPA

- The UNRBA continues to coordinate with DWR
  - Preparations for the rules review process
  - Potential modifications to the water quality assessment methods
  - Development of a site-specific chlorophyll-a criteria for Falls Lake
- Staff from EPA Region 4 from the 303(d) TMDL unit and modeling unit attended the UNRBA Technical Stakeholders Workshop and EFDC model training
  - Provided encouraging feedback regarding the need for a site-specific standard for Falls Lake
  - We will schedule a follow up call to discuss

# Upcoming Regulatory Forum

- A regulatory forum is being planned for spring 2024 to discuss the next steps in the rules readoption process.
- Following submittal of the UNRBA and NC Collaboratory reports and recommendations in December 2023, we anticipate that DWR will begin to formulate a plan for readoption of the rules.
- We continue to seek engagement with DWR on that process and, as already mentioned to DWR, work cooperatively with them as the new rules are drafted.
- DWR has been very positive in their feedback.

# Coordination with Stakeholders and SMEs

- The UNRBA will continue to identify opportunities to work with other stakeholders as we move through rules readoption.
- The “open” nature of all UNRBA meetings remains a key component of a transparent communications approach.
- We encourage member representatives and interested individuals to speak up about ideas and opportunities to communicate our work and the importance of our recommendations on a revised strategy and a site-specific standard.
- A public-facing, two-page summary was developed and distributed to expand outreach and invite additional feedback on the final draft Concepts and Principles document.
- This document can be used by the local governments to distribute information to their mailing lists and to post to social media accounts.
- Printed copies are available for those jurisdictions requesting them.

# Coordination on River of Year Event

- American Rivers is still planning a “Neuse River of the Year” event for the upper part of the basin.
- The UNRBA is planning a press release to coincide with the timing of the event.
- This press release will also reference the successes of the IAIA and note the efforts to provide consensus principles for a revised set of rules.
- Plans to develop videos and messaging for UNRBA members to distribute on their social media accounts is being planned to coincide with this event to streamline videography.

# Ongoing Discussions/Issues

# Other Status Items

- Neuse Watershed Model Information Session – Delivery Factors for WWTP—Update provided by John Huisman
- Jordan Lake Rules Readoption process has started—Update provided by John Huisman

# Closing Comments

**Next UNRBA Board Meeting is Scheduled  
for January 17, 2023 (subject to meeting  
schedule decided during this meeting)**