

**Path Forward Committee Meeting**  
**11:30 AM on November 3, 2020**  
**Remote Access Only (see next slides)**



# Remote Access Options

Equipment Type	Access Information	Notes
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# Remote Access Guidelines

- This meeting will open 10 minutes prior to the first meeting start time (e.g., MRSW) to allow users to **test equipment** and ensure communication methods are working
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# Agenda

- Opening comments
- Steps Toward Establishing the Interim Alternative Implementation Approach
- Summary UNRBA Comments on the Draft Falls Lake Model Program
- Modeling and Regulatory Support Status
- Communications Support
- Other items
- Closing comments

# **Steps Toward Establishing the UNRBA Stage I Existing Development (ED) Interim Alternative Implementation Approach (IAIA)**

# IAIA Program Status

- Core principles document and updated draft Program distributed July 17<sup>th</sup>
- PFC and Board members provided update on likely participation at August, September, and October meetings
- On September 16, 2020, the Board authorized legal representatives of likely participants (next slide) to work on an interlocal agreement or revisions to the UNRBA Bylaws to allow for the IAIA
- General feedback from the membership since September has been very positive.
  - Executive Director talked with representatives of Creedmoor and participated in the Franklin County Commissioners meeting on October 19<sup>th</sup>.
  - He is scheduled to be available at the Wake County Commissioners session on November 9<sup>th</sup>.

# Jurisdictions Likely to Participate in the IAIA

- Hillsborough
- Butner
- Person County
- City of Durham
- Durham County
- Granville County
- Creedmoor
- Orange County
- City of Raleigh
- Franklin County
- Wake County
- Wake Forest

**PFC to discuss recent local conversations on participation.**

# Proposed Revisions by the Legal Group to the UNRBA Bylaws to Allow for the IAIA

- Any local government that is an active Member in good standing of the Association who wants to participate in the IAIA may join the Compliance Group Committee
- The need for Administrative dues to support the program has not been determined, but the changes would allow dues if they are appropriate
- Quorum and voting requirements are specific to this committee
- Minimum investment levels and guidelines are established in the IAIA Program Document which may only be revised as specified in the revised Bylaws (these changes have been placed under the authority the Compliance Group Committee)
- Continued on next slide



# Proposed Revisions by the Legal Group to the UNRBA Bylaws to Allow for the IAIA, Cont.

- A member may join or leave the Group after its establishment
- Members may remove a participant that DEQ deems noncompliant with the Stage I Existing Development Rules

**PFC to discuss proposed revisions in preparation for submittal to the Board to support their discussion on November 18<sup>th</sup>.**

# Reporting Elements Described in the IAIA Program Document

- Funding option and partners
- Primary organization responsible for management and distribution of funds
- Types and locations of projects and activities planned and linkage to water quality in the watershed and the lake
- Status of projects and activities (e.g., permitting, clearing)
- Funds allocated (cash and in-kind)
- Estimated nitrogen and phosphorus reductions associated with projects and activities if quantifiable
- Other tracking metric, based on the information available for the action/project, for activities without State-approved nutrient credits (e.g., acres conserved, people educated)
- Anticipated timeline for completion

**PFC to discuss further at December meeting.**

# Prospective Schedule for Adoption of Program

- UNRBA Board to provide feedback on revisions to Bylaws and local discussions (November 18, 2020)
- PFC continue discussions on IAIA reporting elements at December 1, 2020 meeting
- Program Document to be finalized by the UNRBA Board and participants after EMC action and submitted at the end of June 2021
- Program start July 1, 2021

**Summary of UNRBA  
Comments/Concerns on the  
Draft Falls Lake Model  
Program**

# Summary of UNRBA Comments/Concerns

- Status
  - UNRBA compiled comments on the draft Model Program
  - Submitted to DWR on October 12, 2020
  - Executive Director meeting with DWR staff on November 6<sup>th</sup> to discuss
- UNRBA comment topics
  - Clarify what is required by Rule versus requested additional information
  - Member request for information referenced by DWR in the draft
    - Impervious areas at State and Federal lands
    - Watershed assessment resources
  - Clarification on nutrient measures and the catalogue

# Summary of UNRBA Comments/Concerns

- Requested data seems overly burdensome at the local program development stage
  - Additional data collection on malfunctioning systems (post 2013 inventories)
  - Updated inventories for “all” onsite and discharging sand filter systems installed in the interim period
  - Interlocal agreements for projects outside your jurisdiction
  - Detailed sub-watershed assessments to support prioritization of practices
  - List of suitable project sites including landowner contact for private lands and cost estimates for projects
  - “All” assumptions made in calculating increases in stormwater loading from existing development (ED)

# Summary of UNRBA Comments/Concerns

- Load estimation for onsite wastewater treatment systems was not part of the 2013 draft and local governments may not have been planning for this assessment
- Local governments are expected to account for loading from malfunctioning systems, but
  - DWR has not yet established a credit for repair
  - These loads are not accounted for by new development
- Areas of conflicting Rule language with draft
  - Loading from onsite wastewater treatment systems in Little River and Eno River should not be added to ED loads
  - Use of default pre-D loading rates to require development of a “total” load model by the local government

# Summary of UNRBA Comments/Concerns

- Delays in DWR credit development hinder compliance
  - Stream restoration
  - Buffer restoration in developed areas
  - Addressing malfunctioning onsite wastewater systems
  - Pet waste and fertilizer ordinances
- Clarifications regarding
  - Total, surface, groundwater, and onsite loading
  - Municipal planning boundaries, extraterritorial jurisdiction, police powers, and eminent domain
  - Including loading from forest in the accounting versus whole-parcel accounting
  - Accounted for properties vested before new D Rules
  - Removing new D development that occurred before 2012 from existing D accounting (cannot regulate twice)
- Exclusion of agritourism from existing development



# **Modeling and Regulatory Support (MRS) Status**

# Watershed Modeling

- Continue work on the Watershed Analysis Risk Management Framework (WARMF) watershed model for water quality simulations and summarized status of inputs during the MRSW meeting
  - Onsite wastewater treatment systems
  - Sanitary sewer overflows
  - Nutrient application rates
  - Wastewater treatment plants
  - Soil chemistry
  - Air chemistry and deposition
- Completed the model code revisions to simulate different types of onsite wastewater systems and drafting report for DWR to satisfy the grant requirements
- Coordinating with researchers at UNC Collaboratory on the model inputs for onsite systems

# WARMF Lake Modeling Decisions

- The MRSW reviewed revised recommendations on lake segmentation and calibration approach
- Considered feedback from internal and external stakeholders
- Finalized decision during the MRSW meeting this morning
  - Lake segmentation
  - Calibration approach (average condition or downstream condition)

# Formation of MRSW Subgroups

- The UNRBA Technical Stakeholder Workshop has been postponed to FY2021 due to COVID-19 (additional discussion during communications status update)
- Two MRSW subgroups were formed during the MRSW meeting to
  - Recommend scenarios for evaluation (**Scenario Screening Group**)
  - Recommend output summaries for comparing scenarios (**Model Scenario Output Group**)
- A third workgroup will be formed during the January PFC meeting to provide technical input to the legal team and statistical modeling team in terms (**Technical Liaisons to the Legal Group**)
- These three groups will provide recommendations to the MRSW and/or PFC for consideration

# Planning for DWR Meeting to Follow Up on EFDC Hydrodynamic Modeling

- During the August MRSW meeting, the modeling team presented preliminary modeling results for the hydrodynamic calibration of the Falls Lake EFDC model
- DWR modeling staff requested additional information about the model development and calibration
  - Additional performance criteria
  - Discussion of water balance assumptions
- Modeling team is continuing to work on model calibration
- Will compile the requested information and schedule a meeting with DWR to discuss next iteration
- MRSW and PFC members are welcome to participate in this remote meeting (not yet scheduled)

# Reporting Status

- Executive Director has provided comments on an interim draft of the hydrologic model development and calibration for the WARMF watershed model
- Modeling team is working to address these comments and include the model calibration output formats requested by the MRSW
- Modeling team anticipates a draft for review by the MRSW in November or December
- Deliverables associated with FY2020 need to be generated first (contract ends December 31, 2020)
  - 319 report to DWR regarding model code revisions for WARMF
  - Transition Monitoring technical memorandum

# **Plan for Development of a Site-specific Chlorophyll-a Standard**

# Planning for Development of a Petition for Site Specific Criteria

- The primary task for the legal team in FY2021 is to begin developing a petition for site specific criteria for Falls Lake
- This work will rely partially on the UNRBA Statistical Model of Falls Lake
- The legal team and the statistical modeling team are coordinating on this effort



# **Communications Support**

# Summary of UNRBA Activities for the UNC Collaboratory Interim Report

- The UNC Collaboratory is preparing their December 2020 interim report to the legislature on Falls Lake.
- Steve Wall requested that the UNRBA provide an overview of the work of the Association.
- The Executive Director and the UNRBA consultant team have prepared a summary document that the Collaboratory will post to their website and integrate into their report as appropriate.
  - Background of the Association, Falls Lake, and the Rules
  - Stage I Implementation Activities
    - Nutrient Credit Development Project
    - IAIA
  - Stage II Re-examination
    - Monitoring
    - Modeling
    - Stakeholder Involvement
    - Schedule

# Planning for Spring Symposium with the UNC Collaboratory

- Planning for the joint Collaboratory and UNRBA Symposium continues
- General plan is to have presentations by the Collaboratory Researchers and the UNRBA to
  - Summarize the research underway and how the UNRBA plans to incorporate it into the re-examination analyses
  - Review the schedule for completion of the Collaboratory's assessment of Falls Lake and the UNRBA's Re-examination of the Falls Lake Rules
  - Engage attendees to get needed input related to the issues important to stakeholders.

# Alternate Plan for the UNRBA Technical Stakeholder Workshop

- The UNRBA Technical Stakeholder Workshop has been postponed until FY2021 due to COVID-19 and the Collaboratory/UNRBA Symposium.
- The small group session of the Technical Workshop would have discussed potential scenarios to evaluate with the models
- The MRSW has formed a subgroup during their meeting that will include some participants from past technical workshops to receive this input
- The UNRBA will also seek to elicit input on potential scenarios during the joint Symposium pending development of the meeting plan with the Collaboratory

# Other Status Items

# Ongoing Items

- Ongoing DEQ/DWR Items
  - MOA
  - DWR 2020 Integrated Report and 303(d) assessments
  - 2019 UNRBA Data Report meeting
    - Schedule for face to face when possible
  - Follow up meeting on EFDC Hydrodynamic Calibration questions as discussed in the modeling status agenda item
  - Neuse Watershed Model Information Session / Delivery Factors for WWTP

# **Future Meetings as Currently Scheduled:**

## **Next BOD Meeting**

November 18, 2020, 9:30 AM to Noon  
Remote Meeting

## **Next PFC Meeting**

December 1, 2020, 11:30 AM to 1:15 PM  
Remote Meeting

## **Next MRSW Meeting**

February 2, 2021, 9:00 AM to 11:00 AM  
Remote Meeting

# Closing Comments

## Additional Discussion