

# Path Forward Committee Meeting Butner Town Hall, December 5, 2023



# Agenda

- Opening Comments, Agenda Review/Revisions
- Updating the UNRBA Technical Website
- Budget Considerations for FY 2025
- Board Changes
- Personnel Committee
- Modeling and Regulatory Support Status
- Approval of Recommendations for a Revised Nutrient Management Strategy and Developing a Petition for a Site-Specific Chlorophyll-a Water Quality Standard and Falls Lake Assessment Methodology
- Approval of UNRBA FY2022-2023 Summary Report for Interim Alternative Implementation Approach (IAIA)
- Communications Support
- Other Status Items
- Discuss January and February Meeting Dates
- Closing

# **Opening Comments, Agenda Review/Revisions**

# Updating the UNRBA Technical Website

# Updating the UNRBA Technical Website

- The UNRBA has been setting aside funding to update the Association's technical website where data, documents, and meeting history are provided.
- The software used to develop the website (Drupal) is being updated to version 10
- The technical website and public facing website will be merged during this process.
- At their November meeting, the Board authorized the Chair to sign a contract to begin this work for an amount up to \$20,000.
- At their September meeting, the Board authorized the use of up to \$10,000 from contingency to increase the contract to \$30,000 if necessary.
- The UNRBA monitoring database will be available online using simple file access with no data base sign-in or data analysis capabilities.

# **Budget Considerations for FY2025**

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- The UNRBA is moving into a period of supporting the use of CPII 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.
- At their November meeting, the Board indicated that it made sense to maintain the current funding levels to support the rules readoption process.



# Board Changes

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- At their November meeting, the Board appointed the Nominating Committee and authorized them make recommendations for Board officers.
- Officer recommendations from the Nominating Committee will be made at the January Board meeting.

# Personnel Committee

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- At their November meeting, the Board appointed the Personnel Committee to review the Executive Director services.
- One component of that discussion will deal with future activities of the UNRBA.

# **Modeling and Regulatory Support Status**

# WARMF Watershed Model Report

- A final draft of the [watershed modeling report and appendices](#) was distributed to the MRSW, DWR, subject matter experts, PFC, Board, and the participants in the UNRBA Technical Stakeholders Workshop
- Final reviews and comments were requested by October 15<sup>th</sup>
- We have received review comments from DWR and third-party model reviewers.
- The report was finalized and distributed to the PFC ahead of this meeting.
- At their November meeting, the Board confirmed that the PFC can review and approve for submittal the technical work products to DWR.
- [The PFC will discuss the final revisions \(redline\) to the watershed modeling report and vote on approval to finalize and submit to DWR.](#)
- The final set of WARMF model files for the watershed and lake was previously submitted to DWR.

# Lake Model Report and EFDC Model Training

- The lake model report addresses all three UNRBA lake models as well as lake model sensitivity and scenario evaluations
- Technical details are described in model-specific appendices
- The EFDC model training was held November 9<sup>th</sup>
- The main lake report and EFDC model appendix were distributed to trainees as well as the MRSW, PFC, DWR, and subject matter experts/third-party reviewers in mid-October
- The WARMF Lake appendix has been reviewed by the Executive Director and the Co-Chairs. It will be distributed after this meeting to the PFC, MRSW, DWR, and subject matter experts for review and comment.
- We are targeting February or March to finalize the lake modeling report pending completion of the statistical modeling.

# UNRBA Statistical/Bayesian Modeling

- The third lake model is the Statistical/Bayesian/Decision Support model which is based on an extensive data base dating back to the late 1980s after the lake was filled
- Based on input from Marty Lebo's data analysis and the types of data available in different areas of the lake, the modelers shifted the boundary between the upper and middle segment from Interstate 85 to Fish Dam/Cheek Road
- Segment boundaries for the statistical model have been revised to align with available data and analysis by Marty Lebo.
- The PFC discussed this change at their November meeting
- The revised draft of the main lake report will summarize the lake data using the revised segments.
- Appendix C (statistical modeling) to the lake modeling report will be drafted with these segments



**Submittal of the  
Recommendations for a  
Revised Nutrient Management  
Strategy and Developing a  
Petition for a Site-Specific  
Chlorophyll-a Water Quality  
Standard and Falls Lake  
Assessment Methodology**

# Submittal of Consensus Principles II and UNRBA Recommendations for Revised Rules

- The UNRBA Board of Directors approved the [UNRBA Concepts and Principles for the Reexamination](#) and [Consensus Principles II](#) (CPII) at the September 20, 2023, meeting.
- All local governments and the utility have unanimously approved and signed resolutions to approve Consensus Principles II.
- At their November meeting, the Board unanimously approved submittal of the signed resolutions, a cover letter, and Consensus Principles II to DWR and the Environmental Management Commission (EMC).
- On November 22, 2023, the UNRBA submitted these documents to DWR and the Environmental Management Commission (EMC)
- On November 27, 2023, the American Rivers Southeast Regional Director submitted a letter of support for the UNRBA recommendations
- The next phase of work is the readoption of the Falls Lake Rules.

# Schedule for Rules Readoption

- The UNRBA will continue to identify opportunities to work with other stakeholders as we begin coordinating, collaborating, and supporting DWR in rules review process
- **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**

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

- The subject matter experts continue to evaluate other State's site-specific standards for chlorophyll-a and nutrient-related standards.
- 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 and other 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

**Submittal of the UNRBA  
FY2022-2023 Summary Report  
for Interim Alternative  
Implementation Approach (IAIA)**

# Submittal of the UNRBA FY2022-23 IAIA Summary Report

- Implementation of Stage I Existing Development Interim Alternative Implementation Approach (IAIA) began July 1, 2021.
- Year two of the program ended June 30, 2023.
- Participants submitted annual reports to DWR to assess individual compliance and copied the UNRBA for summary reporting
- At their November meeting, the Compliance Group Committee approved submittal of the summary report and cover letter to DWR and the EMC.
- Submittal occurred on November 22, 2023.

# Communications Support

# Communications Support

- 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
- The work with DWR will intensify greatly following submittal of the UNRBA's and NC Collaboratory's recommendations in December 2023.
- Additional meetings to gather input from NC Collaboratory staff, researchers, and representatives of NGOs are being planned.
- Jurisdictions should identify additional meetings where support from the UNRBA team is needed



# Responses to Questions about Development

- The UNRBA passed along the response developed for the City of Durham relative to the email to the City Council from Preserve Rural Durham.
- At the request of the Board at their November meeting, the UNRBA developed a question-and-answer style document to respond to recent questions regarding developments near Falls Lake and their impacts on lake water quality.

# Additional Information and Activities

- Planning for a joint stakeholder workshop with DWR and UNRBA on the rules readoption process
- Planning for a joint symposium with UNRBA and NC Collaboratory regarding the recommendations for a revised nutrient management strategy
- Planning for a Falls Lake session at the Water Resources Research Institute Annual Conference March 20 and 21, 2024
- A public-facing, two-page summary was developed and distributed to expand outreach and invite additional feedback on the final Concepts and Principles document.
- American Rivers is still planning a “Neuse River of the Year” event for the upper part of the basin.

# Coordination with Stakeholders

- 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.

# Other Status Items

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- DWR proposed changes to new development rules; Nutrient Scientific Advisory Board discussed on December 1<sup>st</sup>
- DWR Neuse Watershed Model Information Session / Delivery Factors for WWTP, etc.—stakeholder meeting December 5<sup>th</sup> (virtual meeting from 2 PM to 4 PM)

# **Discuss January and February Meeting Dates**

# **Discuss PFC Meeting Dates**

- January 2, 2024
- February 6, 2024

## **Future Meetings Currently Scheduled:**

**Next PFC Meeting: January 2, 2024, 9:30 AM to Noon**

**Next BOD Meeting: January 17, 2024, 9:30 AM to Noon**



# Closing Comments

## Additional Discussion