Upper Neuse River Basin Association (UNRBA) Board of Directors (BOD) Meeting Agenda
November 18, 2026, 10:30 AM to Noon
In Person Meeting at Butner Town Hall, Camp Butner Room
Remote Access Option (see last page for instructions)

Materials related to this BOD Meeting have been placed on the UNRBA website unless noted otherwise on the Meeting Page. See items under the November 18, 2026, meeting date.

I. Opening—Russ May, Secretary
- **A. Introductions and Announcements**
- **B. Roll Call for Quorum**
- **C. Identification of Conflicts**
- **D. Review and Approval of Agenda**
- **E. Review Voting Hierarchy Established in Bylaws**

II. Action Items of the UNRBA Board of Directors
- **A. Approval of September 16, 2026, Draft Board Minutes**
- **B. Approval of the November Treasurer's Report**
- **C. Preliminary Report from the Personnel Committee and Consideration of the Budget for FY2028**
- **D. Appointment of the 2027 Officer Nominating Committee**
- **E. Approval of the 2027 Meeting Dates**
- **F. Motion to Recess the Regular Session of the UNRBA Board to Sit as the Compliance Group Committee**

III. Action Items of the Compliance Group Committee (CGC)
- **A. Consider approval of the UNRBA FY2025-2026 (Year 5) Annual Summary Report**
- **C. Consider approval of the Draft Cover Letter to DWR and EMC**
- **D. Motion to Recess the Compliance Group Committee to Resume Regular Session of the UNRBA Board**

IV. Status Reports and Informational Items

A. Status of the Falls Lake Rules Readoption Process

Item Summary (Forrest Westall): Under the adaptive management provision of the rules, the UNRBA developed a detailed re-examination process that was approved and completed. This effort required the investment of over $11 million since 2011 to support collecting data and building watershed and lake models to re-examine the nutrient load reduction requirements in the 2011 Falls Lake Nutrient Management Strategy Rules. This is an unprecedented effort by local government, using local funds, to improve the nutrient management program for Falls Lake and support the readoption of rules that are based on good science and effective policy. After our high-level recommendations for revised rules were submitted to DWR and the Environmental Management Commission (EMC), the UNRBA began working intensively with stakeholders and DWR from December 2024 through May 2025 to draft rules. More than 20 meetings were held to discuss stakeholder feedback and incorporate into the rules. At the May 2025 EMC meeting, DWR announced that they were drafting their own rules. DWR provided their drafts to the UNRBA for review in August 2025. The UNRBA provided updated draft rules to incorporate appropriate language from the rules drafted by DWR. In September 2025, to work on resolving key differences between the DWR and UNRBA rules, leadership from UNRBA, DEQ, DWR, and the EMC began discussing options for a joint set of rules to submit to the EMC Water Quality Committee (WQC)—to begin the formal rulemaking process. In February 2026, DWR provided drafts of four rule sections for review by the UNRBA: Purpose and Scope, Existing Managed Lands, New Development, and Agriculture. Critical issues related to the need for changing the nutrient loading allocations for municipal wastewater treatment facilities in the

watershed (Durham, South Granville Water and Sewer Authority, and Hillsborough) resulted in ongoing discussions about how to address this situation.

In April 2026, DWR provided revised drafts of the Purpose and Scope, Existing Managed Lands, and New Development Rule as well as a draft Wastewater Rule for our review. The PFC and Board reviewed DWR's drafts and discussed the improvements and outstanding issues at both of their May meetings and the June PFC meeting. In July 2026, DWR provided updates drafts with responses to some UNRBA comments and edits. On July 20, 2026, UNRBA member representatives met with DWR to discuss the outstanding issues on the draft Falls Rules. Discussions have continued during the August and September PFC and Board meetings with DWR providing feedback on the issues raised based on their internal meetings. On October 14th, John Huisman (DWR) provided updated draft rules which were discussed during the November PFC meeting. Preliminary UNRBA comments on the drafts were provided to the Board ahead of this meeting and will be briefly discussed. Input will be compiled and re-circulated within the UNRBA as needed and then provided to DWR ahead of a meeting to discuss.

The Executive Director team's recommendation is that the concerns noted in DWR's draft should be addressed and revised before DWR moves the rules to the EMC. The PFC and Board discussed this at their meetings and agreed that significant revision to DWR's rules is still needed, particularly the wastewater rule which limits economic growth and development. DWR staff indicated their commitment to continue working with the UNRBA on refinements to the rules. The PFC and Board agreed that any final draft rules for EMC consideration must include an appropriate wastewater rule. It is not in the best interest of thoughtful water quality management to proceed with the rules as currently drafted by DWR. We will notify the Board of updates or efforts by DWR to further revise the draft rules and let the Board know if there are planned notices or presentations to the Environmental Management Commission or Water Quality Committee.

For additional information and background on the history of the Falls Rules Readoption Process, please see the last page(s) of this agenda.

B. Continued Rule Development for Jordan Lake and High Rock Lake Watersheds

Item Summary (Forrest Westall): We continue to monitor DWR's draft proposal for nutrient management rules for the High Rock Lake Watershed and their rules readoption process for the Jordan Lake Watershed.

C. Communications Support

Item Summary (Forrest Westall): The work with DWR on the revised Falls Lake Rules continues. As we have continued to do, we encourage our jurisdictions to identify additional communication needs and to request support from the UNRBA team as needed. Recent, ongoing, or upcoming activities are noted below:

- Existing information for jurisdictional use in developing presentations and handouts
  - Infographic
  - Fact Facts
  - UNRBA website and resource library
- Jurisdictions can identify additional meetings or presentation materials when support from the UNRBA team is needed
- Members can join DWR's list serve for Falls Lake
- Coordinating with DWR on an all stakeholders meeting prior to submission of rules to the EMC

- Providing status updates to the EMC
- Planning a meeting with staff from the NC Office of State Budget Management in coordination with DWR
- Planning additional meeting(s) with EPA

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. We also continue to look to our engaged membership representatives to use materials developed to help with communication within their jurisdictions. We remain available to assist with any presentations/meetings that are set up to discuss Falls Lake and the status of our work and the rules readoption process.

D. Ongoing Discussions/Issues:

Item Summary (Forrest Westall):

- NCSU streambank erosion loading website and spatial data will be distributed once posted
- Raleigh Watershed Protection Program land conservation prioritization model being updated by Triangle Land Conservancy (formerly the Upper Neuse Clean Water Initiative, UNCWI)
- Impacts on implementation of nutrient requirements in light of PFAS/PFOS and other emerging requirements on wastewater management costs to local governments

E. Closing Comments—Board Members and Chair

Next PFC Meeting: December 1, 2026, 9:30 AM to Noon, In Person or Virtual
Next Board Meeting: January 20, 2027, 9:30 AM to Noon, Butner Town Hall
This schedule may be revised, and notices will be provided about any change.

Background on the Status of the Falls:

As a reminder and per NC Session Law 2018-5, the Falls Lake Rules Readoption process was triggered by the NC Collaboratory report submittal in December 2023 and the UNRBA submittal of the UNRBA Concepts and Principles for the Reexamination and Consensus Principles II. This session law states that "provisions of the Falls Lake rules which establish Stage I reduction actions and goals shall remain in effect until the Falls Lake rules, as modified under subsection (d) of this section, become effective. The due dates for reduction actions and goals set to be completed by December 31, 2020, and the reduction actions and goals identified as Stage II in the Falls Lake rules are delayed until the Falls Lake rules, as modified under subsection (d) of this section, become effective."

The UNRBA submitted these two documents to the NC Division of Water Resources (DWR) and the Environmental Management Commission (EMC) on November 22, 2023. The UNRBA submitted their final watershed model report in December 2023 and final lake model report in December 2024. DWR has responded that the reports have been accepted and the models developed approved under the reexamination provision of the Falls Lake Rules.

Relative to rule readoption work, the UNRBA initiated an informal stakeholder process started in December 2024 with four rule workgroups. A summary of the drafts produced by the workgroups and later

updated by the PFC and stakeholders has been discussed by the PFC at their May 6, 2025; June 3, 2025; July 1, 2025; August 5, 2025; September 2, 2025; October 7, 2025; November 4, 2025; and December 2, 2025, meetings. At the May 2025 meeting of the EMC, we learned that DWR had begun preparation of a set of draft Falls Lake Rules. No notice was provided to the UNRBA that this effort was underway, nor was there any information provided to the Association on how DWR planned to use the information developed during the extensive workgroup process to provide preliminary draft (draft-draft) rules. A rule readoption status update was provided at the January 6, 2026, PFC meeting.

On June 24, 2025, DWR hosted a Falls Rules Readoption Stakeholder Meeting. DWR provided the UNRBA with their draft rules on August 25th. The Executive Director, support team, and PFC Co-Chairs met with DWR staff on August 28th, August 29th, and September 16th to discuss DWR's drafts. In September, the UNRBA updated their draft rules to include the DWR language that was consistent with Consensus Principles II and the concepts outlined in the draft rules developed through the workgroup process.

UNRBA (Board Chair, Co-Chairs of the PFC, and the Executive Director and team), the Chair of the EMC, and leadership from the NC Department of Environmental Quality (DEQ) and Division of Water Resources (DWR) met to discuss key provisions of the Purpose and Scope Rule, Existing Managed Lands Rule, and New Development Rule on October 7, 2025. In October, the UNRBA revised its draft rules based on this discussion, our understanding of the points of agreement achieved, and redistributed this draft to the PFC, Board, and DWR. DWR referenced the UNRBA October drafts in their revisions to the drafts they had provided in August 2025. Meetings were held in December to discuss DWR's draft Existing Managed Lands Rule and New Development Rule and in February to discuss DWR's draft Purpose and Scope Rule. DWR provided updated drafts of these three rules in February along with their proposed Agriculture Rule. For a summary of the comments received from the PFC and Board during and following their March meetings see the April PFC meeting slides.

Leading up to the UNRBA's work with DWR staff, the UNRBA leadership has been meeting with DEQ/DWR leadership and the EMC Chair since September 2025 to discuss the Wastewater Rule and work toward a compromise that can provide the wastewater treatment plants (WWTPs) with enough nitrogen allocation to cover at least the next rules readoption cycle (10 to 15 years). These meetings have also reviewed the status of updating the other rules based on the meetings in September and October. Regardless of the results of these discussions and language in updated drafts from DWR, the UNRBA members with WWTPs will have to decide whether or not to accept any compromise that DWR is willing to put forward. As of the date of this agenda, DWR has yet to provide a proposed draft of the Wastewater Rule they are recommending for readoption.

Relative to the Wastewater Rule and during the October 7, 2025, meeting, DWR requested documentation of the amount of nitrogen load reduction that has been achieved since the baseline year (2006). UNRBA developed this documentation (shared with the PFC previously) which shows a reduction of nearly 400,000 pounds per year of nitrogen since the baseline year (2006). These reductions are the result of several factors, including reduction actions in the watershed, changes in air deposition, and reduced nutrient loading from lake sediments resulting from lower nutrient loading inputs from the watershed. Following DWR's review of that information (with really no feedback from DWR or any alternate information from the Division about alternate calculation methods), the UNRBA leadership met with DEQ and DWR Leadership and the EMC Chair on December 2, 2025, and January 13, 2026, to continue discussions. DWR noted that the conditions in the rules

would need to be evaluated in 10 years following this current pending readoption, as required by the General Assembly (all environmental rules must be reviewed every 10 years for applicability, continuation, or modification). The UNRBA and our members with WWTPs previously provided information on the need for increased nitrogen allocation moving into the future. During the December 2nd meeting, DWR requested additional information to justify why more nitrogen load allocation would be needed above the 2006 baseline loads to cover the next ten years. We worked with the WWTP operators on this document and provided it to DWR ahead of the January 13th meeting and to the Board ahead of their January meeting. During the January 13th meeting, DWR again requested additional information. They asked for more justification on the flow projections based on population growth and planning documents. In response, we worked with the WWTP operators to compile their planning information and engineering studies. Forrest provided an updated version of the projections document to the PFC and Board. The UNRBA met with DEQ and DWR Leadership on February 2, 2026, to continue discussions. DWR provided a draft Wastewater Rule for our review on April 22, 2026. The PFC discussed this latest draft at the May 2026 meeting. The Executive Director presented the challenges with wastewater rule at the May 13, 2026, EMC WQC meeting. DWR also presented their recommendations for the wastewater rule. Links to the UNRBA and DWR presentations at the May EMC meeting are here: UNRBA and DWR. Member representatives from the UNRBA met with DWR on July 20, 2026, to continue refining the draft rules. The UNRBA PFC and Board discussed this meeting and follow-up input from DWR at their August and September meetings.

Remote Access Instructions for UNRBA Board Meetings

Microsoft Teams Need help?
Join the meeting now
Meeting ID: 241 941 487 301 56
Passcode: Ja79mx6M

Dial in by phone
+1 213-379-5743,,635229769# United States, Los Angeles
(888) 404-2493,,635229769# United States (Toll-free)
Find a local number
Phone conference ID: 635 229 769#

Remote Access Guidelines

- If you dial in through your phone, mute your computer microphone and turn down your speakers to **avoid feedback**
- Unless you are speaking, please mute your computer/device microphone or phone microphone to **minimize background noise**
- UNRBA meetings are open meetings; however, please **limit the discussion to UNRBA Board Members** to facilitate moving through action items