

## UNRBA Board of Directors: **Draft** *September 16, 2020 Board Minutes*

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The Board of Directors of the Upper Neuse River Basin Association (UNRBA) met at 9:30 A.M. on Wednesday, September 16, 2020 via conference call/webinar due to the COVID-19 issues. Meeting attendees are listed below.

Name	Affiliation
Sig Hutchinson (Chair)	Wake County
Jimmy Clayton (Vice Chair)	Person County
Jenn Weaver (Secretary)	Town of Hillsborough
Ryan Eaves (Treasurer)	Durham County
Reggie Hicks	City of Durham
Barry Baker	Granville County
Carolyn Bachl	City of Raleigh
Neena Nowell	City of Creedmoor
Jim Wrenn	Representing Granville Co., Person Co., Butner, Creedmoor & SGWASA
Sally Greene	Orange County
Dan McLawhorn	City of Raleigh
Tommy Morrow	Town of Butner
Javiera Caballero	City of Durham
Terry Hackett	Town of Hillsborough
James Bryan	Orange County
Ellen Reckhow	Durham County
McKenzie Myers	Wake County
Michelle Woolfolk	City of Durham
Del Mims	City of Creedmoor
Kenny Waldroup	City of Raleigh
Lori Oakley	Person County
Don O'Toole	City of Durham
David Stancil	Orange County
Christopher Sandt	Orange County
Nancy Daly	Wake County
Michael Orbon	Wake County
Bob Hornick	Town of Hillsborough
Jay Sauber	Water Quality Consultant
Alix Matos	Brown & Caldwell
Emily Bateman	Durham Soil & Water Conservation
Forrest Westall	UNRBA
Haywood Phthisic	UNRBA

### **Welcome and Recognition -**

The Chair, Sig Hutchinson, called the meeting of the UNRBA to order and welcomed all those connected to the meeting. The Chair asked if any of the Board Directors had any conflict of interest issues with any agenda items and no conflicts were identified. The Chair called the roll and 10 of 13 members were present for a quorum. Sig then asked if there were any revisions to the agenda, and Forrest noted an addition to the

agenda to discuss High Rock Lake. Jenn Weaver made a motion to approve the revised agenda, seconded by Ellen Reckhow, and approved by the Board.

**Action Items -**

*Approval of Minutes from June 17, 2020 Board Meeting* - The Chair asked the Board if there were any edits or corrections to the draft minutes provided. Being none, Ellen Reckhow made the motion to approve the minutes as presented, seconded by Sally Green, and approved by the Board.

*Treasurer's Report* – Ryan Eaves presented the Treasurer's Report for the period ending August 31, 2020. The checking account balance at the close of the statement was \$947,596.08 and the savings account balance was \$562,999.75. Following review of the report, Jenn Weaver made the motion to approve the Treasurer's Report as presented, seconded by Ellen Reckhow, and approved by the Board.

*Barnes & Thornburg Invoices for Additional Work* – Forrest reported that Barnes & Thornburg had additional work in the first engagement agreement (\$50,000) that exceeded that amount by \$4,722.94. The work was necessary, and Forrest recommended the Board authorize payment of the outstanding invoices. Following discussion, Kenny Waldroup made the motion to authorize payment of these invoices, seconded by Barry Baker, and approved by the Board. The Board noted that there should be specific constraints in the agreement with Barnes & Thornburg for the current work underway to adhere to the budget. Forrest stated that the current work is being done under an amount not to exceed and that he has discussed the importance of staying within the budget with Barnes and Thornburg.

*Stage I Existing Development Interim Alternative Implementation Approach (IAIA) Program Development Schedule* - Forrest reported that the draft IAIA Program Document has been under development for several months and that drafts have been reviewed a number of times by the PFC and presented to the Board. He also pointed out that this document would constitute the operational guidance for the IAIA program and would have to be approved by the UNRBA's IAIA participants before it becomes final. Forrest also provided a prospective schedule for approval of the Model Program, as planned by DWR, and for the UNRBA to finalize the IAIA program components, the Program Document and administrative procedures to establish the program within the UNRBA. DWR and the UNRBA have reached substantial agreement on draft language for inclusion of an IAIA joint compliance option in the draft Model Program. The Model Program is under development by the Division and will be presentation to the Environmental Management Commission (EMC) for approval. This action is expected to occur at the January 202 meeting of the EMC. Forrest asked the Board for authorization to continue with finalizing the IAIA program. He requested that the Board Directors, with support from their staff, to seek tentative intent to participate in the program from the governing bodies of the UNRBA members prior to the November 18, 2020 Board meeting. The core principles of the IAIA and the prospective schedule for putting the program in place were reviewed and are covered in the meeting presentation which may be viewed at the slides posted on the UNRBA website (slides 12 through 17),t [UNRBA Board Meeting Presentation, September 18, 2020](#). Forrest also reviewed the slides presented to the EMC's Water Quality Committee meeting on September 6, 2020. Following discussion by the Board, Ellen Reckhow made the motion to move forward with completing the IAIA program materials and to authorize the Executive Director to work with the Legal Group to develop a draft interlocal agreement for participation in the IAIA, with the understanding that each participating jurisdiction, at the appropriate time, must receive approval from its governing body to participate in the IAIA. Javiera Caballero seconded the motion, and it was unanimously approved by roll call vote of those members present. The Board also discussed the need for reaching out to their governing bodies to confirm their jurisdiction's intention to participate in the IAIA, pending final review of the program and approval prior to submittal to the EMC, before the November Board Meeting. The Board also asked that the Legal Group be expanded to include legal representatives from UNRBA member governments not currently represented.

**Informational Items -**

*Modeling & Regulatory Support (MRS) Status* – Alix Matos with Brown & Caldwell reported to the Board that the modelers are moving forward with work on the WARMF (watershed model--Watershed Analysis Risk Management Framework) model code to incorporate critical information into the model (including atmospheric deposition, sanitary sewer overflows, wastewater treatment, nutrient application rates, and onsite wastewater treatment systems). There are continued discussions on lake segmentation for the WARMF Lake Model being developed. The MRSW (Modeling and Regulatory Support Workgroup) continues to provide overview of the modeling effort.

*Comments Submitted to EPA Federal Register Notice for Water Quality Criteria for Lakes and Reservoirs* - Jay Sauber, Water Quality Consultant supporting the UNRBA, reviewed the comments submitted in response to the public notice. The comments can be reviewed in the Meeting presentation posted to the UNRBA website (slides 30 through 32): [EPA Water Quality Criteria Comments](#) .

*DWR 2020 Integrated Report and 303(d) Assessments* – Jay reported that the DWR draft Integrated Water Quality Assessment Report and the 303(d) list for 2020 were previously expected earlier is now expected to be released in October or November 2020.

*High Rock Lake Recommendations by SAC* – Jay reviewed the work of the Scientific Advisory Council (SAC) under NC's Nutrient Criteria Development Plan and the evaluation of High Rock Lake in the Yadkin River basin and the SAC's recommendations. Those may be reviewed in the meeting presentation (slides 36 through 39) available on the website at <https://www.unrba.org/sites/default/files/UNRBA%20BOD%20Meeting%202020%2009%2016%20v5.pdf> .

*Ongoing DEQ Discussions/Issues* - Forrest noted that it is still planned to do a review of the 2019 Monitoring Program Report with DWR. A modeling status review is also planned with DWR in the next month or two. Others ongoing discussion items include the 303(d) assessment procedures, engaging DEQ about the technical stakeholder sessions coming up and MRSW meetings, and the need to continue efforts to develop a memorandum of agreement with DEQ (Department of Environmental Quality) regarding the re-examination rule provision.

The next scheduled Board meeting will be November 18, 2020 at 9:30 a.m. With no other business, the meeting was adjourned.