



Upper Neuse River Basin Association (UNRBA) Board of Directors (BOD) Meeting Agenda  
March 16, 2022, 9:30 AM to Noon  
[Remote Access Only \(see last page for instructions\)](#)

Materials related to this BOD Meeting have been placed on the UNRBA website unless noted otherwise on the [Meeting page](#). See items under the March 16, 2022, meeting date. A direct link to the meeting presentation is provided [here](#).

- I. Opening—Sig Hutchinson, Chair
  - A. Introductions, Note Board Member Changes and Announcements
  - B. Roll Call for Quorum
  - C. Identification of any Conflicts
  - D. Review and Approval of Agenda

II. Initial Action Items of UNRBA Board of Directors

- A. Approval of [January 19, 2022 Draft Board Minutes](#)
- B. Approval of the [Treasurer's Report](#)
- C. Approval of the Budget for FY2023

Item Summary (Forrest Westall): Two budget options for FY2023 will be presented for discussion and [consideration of adoption by the Board](#). One option includes a communications budget of \$40,000 consistent with previous years. The second option increases the communications budget to \$60,000 (an addition of \$20,000) to allow for additional efforts as the UNRBA works with internal and external stakeholders to develop its recommendations for a revised nutrient management strategy. The meeting presentation includes tables of membership dues, fee schedules, and list of expenditures for both options.

**D. Board Decision on Surplus Property**

Item Summary (Forrest Westall): The UNRBA purchased an inflatable boat during the UNRBA Monitoring Program to assist with collection of bathymetric data along the lake shoreline and lake arms. The purchase was made when the contract was with Cardno, Inc. and the boat was transferred to the care of BC when the contract was executed with that firm. Since the monitoring program is no longer active, the boat is no longer needed. The PFC and MRSW discussed options for transferring the property to another organization and will develop recommendations to present to the Board. The first step in transferring the property is for the [Board to consider declaring the boat and associated equipment as surplus property](#). This item will be brought to the Board in May for a vote on whom to transfer the property to or whether or not to sell the property if no organization indicates they could put the boat to good use.

**E. Revised Engagement Letter for Dr. Martin Lebo**

Item Summary (Forrest Westall): Dr. Martin Lebo was previously contracted by the UNRBA to support the statistical evaluation of site-specific criteria in Falls Lake. Dr. Lebo has changed firms, so the contract with the original firm needs to be terminated and a final invoice needs to be provided to the UNRBA for final payment for work that has already been conducted. The UNRBA will need to execute a new contract with the new firm for this work to continue. [The Board will consider authorization of the Chair to execute the new contract within the previously allocated budget.](#)

**F. Approval of Revisions to the UNRBA Bylaws, Part 1**

Item Summary (Forrest Westall): At the January 19, 2022, meeting, the Board approved the Town of Stem rejoining the UNRBA. In order for Stem to participate in the UNRBA's program for complying with the Falls Lake

Stage I Existing Development Rule, the Interim Alternative Implementation Approach (IAIA), the [UNRBA Bylaws](#) describing the procedures for adding new members and becoming a participant in the IAIA require deleting the phrase “after the initial year” from Section 8.8, Addition of New Members. [The Board will take action on this revision to the Bylaws and refer the Town of Stem’s participation in the IAIA to the Compliance Group Committee \(CGC\).](#)

**III. Initial Action Items of the Compliance Group Committee (CGC)**

**A. Addition of Town of Stem to IAIA Program**

Item Summary (Forrest Westall): The UNRBA Board approved the Town of Stem’s request to rejoin the UNRBA in January 2022. Following the Board’s action today on the revision of the Bylaws (Section 8.8, Addition of New Members), provided the Board approves this revision, the CGC will consider Stem’s request to participate in the IAIA. Based on the Town’s request, the CGC must vote, unanimously to approve Stem’s participation in the IAIA. Following a recommendation from the Executive Director, [the CGC will vote on participation of the Town of Stem in the IAIA Program.](#)

**B. Consider Recommendation from the Path Forward Committee to Include Reporting Deadlines in the IAIA Program Document**

Item Summary (Forrest Westall): The current version of the IAIA Program Document does not include reporting deadlines for IAIA participants to submit their required annual reports to the Division of Water Resources (DWR). To streamline the reporting process and allow for CGC approval of the summary report, the Executive Director asked PFC members to vote by email on reporting dates (one vote per jurisdiction). The majority of votes were for submitting individual reports to DWR (with copy to UNRBA) by September 30<sup>th</sup> following the end of each fiscal year. A summary report based on the individual reports would be generated for consideration by the CGC at their following meeting in November and submittal to DWR by November 30<sup>th</sup>. [The CGC will vote on inclusion of reporting dates in the Program Document.](#)

**C. Consider Addition of Hydrilla Removal as an Eligible Practice in the IAIA Program Document**

Item Summary (Forrest Westall): Orange County has submitted a proposed hydrilla reduction/control practice for investment credit under IAIA. DWR has now approved this practice for use under IAIA. Thanks to Orange County for identifying the potential for this practice to benefit water quality and quantity in the Falls watershed and for developing the supporting information that lead to this practice being added to the list of approved actions under IAIA for investment credit, and to DWR for their review, approval and support of this practice. The IAIA Program Document requires that additional practices be approved by DWR prior to consideration by the CGC for inclusion in the program. [The CGC will consider approval of this practice and inclusion in the Program Document during the meeting.](#)

**D. Recommendation for Approval of Revisions to Attachment B of the Bylaws, IAIA Program Document**

Item Summary (Forrest Westall): Following the CGC’s action on Parts A through C above, Attachment B of the Bylaws needs to be revised to reflect the following

- Addition of Stem to the participant list and inclusion of their annual investment commitment. As a note of clarification, the annual investments of the original list of UNRBA member participants have not been changed. Stem’s investment level was determined by applying the same calculation approach for developing the other participants’ investment levels.

- Submittal of individual local government IAIA annual reports to DWR with copy to the UNRBA by September 30<sup>th</sup>; compilation of summary report for consideration by the CGC in November with submittal to DWR by November 30<sup>th</sup>;
- Addition of Hydrilla removal as an eligible practice

These revisions to Attachment B have been developed for consideration by the CGC and final action by the Board. [The CGC will consider and vote on recommending approval of the revisions to the UNRBA Board.](#)

**IV. Subsequent Action Item of UNRBA Board of Directors**

**A. Approval of Revisions to the Bylaws, Part 2**

Item Summary (Forrest Westall): Anticipating the CGC's approval of revisions to the IAIA Program Document listed above in Section III, Part D, and because the IAIA Program is Attachment B of the UNRBA Bylaws, the Board will need to consider action on these revisions. [Following a recommendation from the Executive Director, the UNRBA Board will consider and vote on approval of the revised Bylaws.](#)

**V. Subsequent Action Item of the CGC**

**B. Submittal of Revised Program Document and Revised Resolution to DWR and the EMC**

Item Summary (Forrest Westall): Assuming approval of the Town of Stem to join the IAIA and approval of the Board to revise the Bylaws (approval parts 1 and 2 described above), the CGC will vote on the following: [1\) execution of a revised Resolution by the Chair to add the Town of Stem to the IAIA and 2\) submittal of the revised Resolution and revised UNRBA Bylaws to DWR and the Environmental Management Commission \(EMC\).](#)

**VI. Status Reports and Informational Items**

**G. Submittal of Letters Regarding Proposed Chlorophyll-a Site Specific Standards for High Rock Lake**

Item Summary (Forrest Westall, Jay Sauber): In July, the EMC voted to send the proposed High Rock Lake Site Specific Water Quality Standard out to public hearing. The official public notice was issued in the September 1st edition of the NC Register. The hearing was held virtually on October 28th and the comment period ended on November 15th. The proposal is precedent setting for site specific chlorophyll-a criteria in NC lakes and reservoirs and will likely affect the process followed for consideration of a request to establish a site-specific chlorophyll-a standard for Falls Lake. At the January 19, 2022 Board meeting, the Board authorized the Executive Director to contact and coordinate with the individual UNRBA member jurisdictions for the consideration of formal objection letters from these jurisdictions should a UNRBA letter be needed. Because a Hearing Officer Report has not been released and action on the proposal has yet to be brought to the EMC, it is possible that the action may be brought forward at the May or July 2022 EMC meetings scheduled for May 11th and 12th; and July 13th and 14th. The EMC could also schedule a special meeting to take action. The UNRBA Board is scheduled to meet on May 18th, June 15th and September 21st. Status report(s) of the adoption process will be provided to the Board at these upcoming meetings, and the Executive Director will identify any requested revisions to this authorization. However, the window for filing formal objection to the RRC is very narrow, and it may be necessary to act quickly. Should a letter be filed, the Executive Director will provide the letter to the Executive Committee for input and, once final, provide a copy to the Board members.

**H. Modeling and Regulatory Support (MRS) Status:**

Item Summary (Alix Matos): The Watershed Analysis Risk Management Framework (WARMF) model for the Falls Lake watershed has been calibrated for stream flows and water quality. The watershed modeling report is being reviewed by the Executive Director and the Chair of the Modeling and Regulatory Support Workgroup (MRSW).

The three lake water quality models (WARMF Lake, Environmental Fluid Dynamics Code (EFDC), and a Statistical/Bayesian model) are being developed considering the information generated by the watershed model (stream flows, nutrient concentrations, and delivered loads to Falls Lake). The modeling team will continue to reach out to Collaboratory funded researchers to consider and supplement the extensive database developed by the UNRBA, our members and DWR. The modeling effort will also include extensive vetting through identified SMEs, third-party reviewers, our membership representatives, and DWR as the lake modeling effort moves forward. The modeling team is working on the lake modeling report.

The Scenario Screening Workgroup discussed their recommendations for scenario evaluation at the March 1, 2022, MRSW meeting. The recommendations will be considered by the Path Forward Committee (PFC) at their May 3, 2022 meeting (the PFC meeting on April 5<sup>th</sup> has been cancelled due to the joint symposium with the NC Collaboratory on April 7<sup>th</sup>). A status of scenario selection will be presented to the Board at their May or June meeting depending on the PFC's input in May.

#### **I. DWR 2022 Integrated Report and 303(d) Assessments**

Item Summary (Jay Sauber): The DWR draft Integrated Water Quality Assessment Report and the draft 303(d) list for 2022 have been posted to the DWR website. Final will be submitted to EPA prior to April 1, 2022.

#### **J. Statistical Model Development and Regulatory Options for the Chlorophyll-a Water Quality Standard**

Item Summary (Forrest Westall): The UNRBA continues developing a statistical/Bayesian model to link the water quality in Falls Lake to its designated uses. This is a critical support effort to developing a petition for a site-specific chlorophyll-a standard for Falls Lake. The Technical Advisors Workgroup, MRSW, and PFC have identified local subject matter experts to provide data and information regarding satisfaction with the designated uses of Falls Lake (drinking water, recreation, aquatic life, and flooding). The modeling team will be coordinating virtual meetings with these experts to understand the types of data and information that are tracked with respect to designated uses to inform development of the statistical/Bayesian modeling.

Development of an appropriate chlorophyll-a standard for Falls Lake represents an important consideration for an effective revised Falls Lake management strategy. This effort is linked to the statistical modeling effort because this model will have the ability to simultaneously evaluate chlorophyll-a levels and potential impacts to designated uses in the lake. The modeling team and the legal team are also coordinating with Dr. Marty Lebo who has been identified as a Subject Matter Expert for assistance to the UNRBA for evaluating site-specific criteria for Falls Lake. The UNRBA is also coordinating with the Environmental Finance Center on their Year 3 effort funded by the UNC Collaboratory.

#### **K. Communications**

Item Summary (Forrest Westall):

- The UNRBA is planning a **technical stakeholders' workshop for Fall 2022** following calibration of the lake models and evaluation of preliminary scenarios to discuss the status of the modeling efforts and hear input on a revised nutrient management strategy for Falls Lake.
- A **joint symposium with the Collaboratory is scheduled for April 7, 2022 from 10AM to 4PM** at North Carolina Botanical Garden, Reeves Auditorium. The symposium is free, but registration is required. You can register at the following link: [https://unc.az1.qualtrics.com/jfe/form/SV\\_bgy9wmjpv4qIKXk](https://unc.az1.qualtrics.com/jfe/form/SV_bgy9wmjpv4qIKXk)
- We have also worked with the Collaboratory-funded researchers to develop an 80-minute session on Falls Lake that has been accepted for inclusion at the upcoming **Water Resources Research Institute's**

**Annual Meeting, March 23, 2022, 3PM.** Registration for the hybrid [2022 NC WRRRI Annual Conference](#) is now open.

- The Executive Director is planning a meeting with Danny Smith, the DWR Director, to discuss the work of the UNRBA and preliminary results on the Re-examination, process for site-specific water quality standard petition and the High Rock Lake site-specific rulemaking process.
- The UNRBA is planning meetings with DWR planning and modeling groups to review the technical work and discuss the general approach for the re-examination. We continue to engage DWR in the meetings of the MRSW and PFC and to seek the input of the agency on the model development work.
- The “open” nature of all of the UNRBA meetings is a key component of a transparent communications approach.
- We continue to emphasize the importance of seeking Board member input to help identify their needs related to communicating the work of the UNRBA to their jurisdictions and the citizens of their local governments.

**L. Ongoing Discussions/Issues:**

Item Summary (Forrest Westall):

- Intensive workgroup activity and management of expectations and resources—A lot to do between now and recommendations in 2023
- Ongoing DEQ/DWR Items—MOA, Neuse Watershed Model Information Session / Delivery Factors for WWTP, etc.—we plan to address in our follow-up meetings with DEQ/DWR

**M. Closing Comments—Board Members and Chair**

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Computers without audio capabilities, or audio that is not working	<a href="#">Join Microsoft Teams Meeting</a> (888) 404-2493 Passcode: 981 714 577# <b>Please mute your phone unless you want to provide input.</b>	Follow instructions above. <b>Turn down your computer speakers, mute your computer microphone</b> , dial the number through your phone and enter the passcode.
Phone only	(888) 404-2493 Passcode: 981 714 577# <b>Please mute your phone unless you want to provide input.</b>	Dial the toll-free number and enter the passcode.

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- If you dial in through your phone, mute your 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, for this remote access meeting, please **limit the discussion to UNRBA Board Members** to facilitate moving through action items