



Upper Neuse River Basin Association (UNRBA) Board of Directors (BOD) Meeting Agenda
March 20, 2024, 9:30 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 March 20, 2024, meeting date.

I. Opening—Wendy Jacobs, 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. Action Items

A. Approval of [Minutes for January 17 2024](#)

B. Approval of the [Treasurer's Report](#)

C. Vote to Pursue Proposed Legislative Change to Expand Authority of Watershed Organizations in the Implementation of Watershed Management Rules

Item Summary (Forrest Westall): The UNRBA has been discussing proposal of a change to NC General Statute § 77-141. This change was recommended by Dan McLawhorn as part of his NC Collaboratory-funded [assessment of legislative changes](#) needed to allow a watershed organization to develop and implement a water quality protection plan approved by the Environmental Management Commission. This change would benefit development of revised rules for Falls Lake by providing the UNRBA with an approved framework to structure the revised rules and associated program. Establishing upfront that a watershed organization can develop and implement the program will ensure the efforts of the UNRBA associated with rules readoption are efficient. The Executive Director provided a draft of the proposed change ahead of the Board meeting. [The Board will vote on pursuing this initial change during the upcoming short session of the NC Legislature.](#)

D. Vote to Approve Dr. Marty Lebo's Contract

Item Summary (Forrest Westall): Dr. Marty Lebo continues to support the UNRBA in the development of a complete regulatory framework for Falls Lake. Marty provides important subject matter expert support on the technical basis for chlorophyll-a, a possible revised standard, and the standard assessment processes both now and in the future. We have included Marty in the FY 2025 budget, and he has completed his current work (he presented that at the [February meeting](#) of the PFC). The PFC has reviewed the scope of work and recommends approval of the proposed contract with a not to exceed of \$30,000 and a scope of work contracted at less than \$27,000. \$20,000 will be included in the budget for FY2025 with up to \$10,000 paid from contingency. [The Board will vote on Dr. Lebo's contract.](#)

E. Vote to Approve of the Proposed Budget for FY2025

Item Summary (Forrest Westall): The UNRBA is moving into support of the rules readoption process. This will change the focus of the organization but will require significant effort and technical support throughout the process. The UNRBA will need to forge a strong relationship between DWR, EMC, and the General Assembly to support an effective readoption process. Working closely with DWR, the UNRBA should strongly engage on redrafting of the rules and provide technical support and public input to stakeholders and DWR. We hope this process will go smoothly, but it is already clear that 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 recommendations developed lay out a path that is unique for Falls Lake and a departure from previous nutrient management efforts. This new approach will need significant support to develop rules that make sense and are effective in maintaining uses in Falls Lake. The UNRBA will remain committed to working through this with DWR and the staff responsible for developing revised rules. 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 their November meeting, the Board indicated that it made sense to maintain the current funding level to support the rules readoption process. The Executive Director and consultant team developed a preliminary draft budget that was reviewed by the PFC Co-Chairs and UNRBA Treasurer. Reductions to the proposed budget were made following this meeting. The PFC reviewed and discussed the proposed budget at a special meeting on February 27th. The proposed budget was then reviewed and approved by the PFC at their March 5th meeting. The Board will review the draft scope items and budget for the project as well as the impact on the total dues for FY2025 (accounting for other contracts like the Executive Director services, administrative items, etc.). [The Board will vote on the proposed budget and associated tasks for the MRS&C project for FY2025.](#)

III. Status Reports and Informational Items

A. Interviews by researchers at the Science and Technologies for Phosphorus Sustainability (STEPS) Lead Researcher, Jay Rickabaugh. Appalachian State University

Item Summary (Forrest Westall): A researcher from NC State University, Dr. Aston Merck, reached out to the Executive Director about a research effort about phosphorous sustainability. She is working with Profs. Dr. Jay Rickabaugh and Dr. Kelly Chernin of Appalachian State University on a study of regional governance and environmental management. Their work is part of the Science and Technologies for Phosphorus Sustainability (STEPS) Center, which is a research center funded by the National Science Foundation focused on improving phosphorus management (Grant No. CBET-2019435). The [STEPS Center](#) is a convergence research community of diverse and leading scientists that addresses the complex challenges in phosphorus sustainability by integrating disciplinary contributions across the physical, life, social, and economic sciences. They are interested in talking with member representatives of the UNRBA as part of a STEPS project on how policymakers in public sector organizations approach complex environmental challenges. They would like to learn more about how the UNRBA works with other public sector organizations to improve environmental quality in North Carolina. The Executive Director and support staff were interviewed by the researchers following the PFC meeting on March 5th. The research team has also reached out to several UNRBA members. Local governments that have not yet been contacted may be soon. If you would like contact information for the researchers, please contact the Executive Director.

B. Falls Lake Rules Readoption Process (Led by DWR)

Item Summary (Forrest Westall): The UNRBA submitted the [UNRBA Concepts and Principles for the Reexamination](#) and [Consensus Principles II](#) to DWR and the EMC on November 22, 2023. The NC Collaboratory submitted their final report in December 2023. These submittals trigger the initiation of the Falls Lake Rules Readoption Process led by the NC Division of Water Resources (DWR). The Board will be briefed on recent meetings with DWR Planning staff regarding next steps and planning for the rules readoption process as well as

a recent planning meeting of the UNRBA Board Officers and PFC Co-Chairs. The Board will also be briefed on upcoming meetings as well as the anticipated schedule for rules readoption.

C. Updating the UNRBA Technical Website

Item Summary (Forrest Westall): The UNRBA has been setting aside funding to update and merge the Association’s technical and public facing websites. 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 PFC has reviewed draft website content and a preliminary mockup of the home page for the new website. The website developer is proceeding with the structural organization of the website.

D. Modeling and Regulatory Support Status and Evaluating a Falls Lake Assessment Methodology Site-Specific Chlorophyll-a Water Quality Standard

Item Summary (Alix Matos): Modeling files for the WARMF watershed model, WARMF lake model, and EFDC lake model have been submitted to the Division of Water Resources (DWR) for review and approval. The [watershed model report](#) has also been submitted to DWR.

The lake model report has been drafted. The Path Forward Committee (PFC) has reviewed and provided comments. DWR is still reviewing the draft report. This report addresses all three UNRBA lake models (WARMF, EFDC, and a statistical Bayesian model). Technical details are described in model-specific appendices. The UNRBA will submit the lake report to DWR for review and approval under Falls Lake Rule 15A NCAC 02B .0275 following this initial review and revision process.

The statistical model appendix is under development; model input for the statistical model is summarized in the main lake report. The statistical model supports evaluation of a Falls Lake 303(d) assessment methodology and evaluation of a site-specific chlorophyll-a standard. The statistical modeling team is working on the model and its application with Dr. Marty Lebo (UNRBA contractor) and Dr. Nathan Hall (NC Collaboratory). The preliminary statistical modeling supports the findings of the other two lake models regarding nutrient and chlorophyll-a levels in the lower part of Falls Lake. Work on the lower lake will continue, followed by middle and upper parts of the lake.

E. Communications Support

Item Summary (Forrest Westall): The UNRBA continues to coordinate with DWR on preparations for the rules review process, potential modifications to the water quality assessment methods, and development of a site-specific chlorophyll-a criteria for Falls Lake. The work with DWR will intensify greatly once DWR kicks off the Falls Lake rules readoption process. 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. Additional information and activities:

- Planning for a joint stakeholder workshop with DWR and UNRBA on the rules readoption process
- Planning for meetings/workshop with UNRBA and NC Collaboratory regarding the recommendations for a revised nutrient management strategy
- Presenting a Falls Lake session at the Water Resources Research Institute Annual Conference March 21, 2024
- Updating the fast facts, infographic, and slides for local governments to share and receive feedback on the UNRBA recommendations and how they can get involved in the rules readoption process

- American Rivers is still planning a “Neuse River of the Year” event for the upper part of the basin.

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.

F. Ongoing Discussions/Issues:

Item Summary (Forrest Westall):

- Intensive activity and management of expectations and resources—A lot to do
- DWR Neuse Watershed Model/Delivery Factors for WWTP, etc.
- DWR Proposed Changes to New Development Rules for the High Rock Lake Watershed
- DWR Inquiries and Issues Regarding Nutrient Credits
- Jordan Lake rules readoption process

G. Closing Comments—Board Members and Chair

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

Next Board Meeting: May 15, 2024, 9:30 AM to Noon

This schedule may be revised, and notices will be provided about any change.

Remote Access Instructions for UNRBA Board Meetings

This meeting will open 10 minutes prior to the official meeting start time to allow for users to test equipment and ensure communication methods are functioning.

Equipment Type	Access Information	Notes
Computers with microphones and speakers	Join Microsoft Teams Meeting Please mute your microphone unless you want to provide input.	Press control and click on this link to bring up Microsoft Teams through the internet. You can view the screen share and communicate through your computer’s speakers and microphone.
Computers without audio capabilities, or audio that is not working	Join Microsoft Teams Meeting (888) 404-2493 Passcode: Sent morning of meeting Please mute your phone unless you want to provide input.	Follow instructions above. Turn down your computer speakers, mute your computer microphone , dial the number through your phone and enter the passcode. See note below on pass code
Phone only	(888) 404-2493 Passcode: Sent morning of meeting Please mute your phone unless you want to provide input.	Dial the toll-free number and enter the passcode. The system issues a new phone passcode for each meeting. We will distribute the telephone passcode the morning of each meeting.

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