

## Path Forward Committee (PFC) Meeting Agenda

August 6, 2024, 9:30 AM

Butner Town Hall, Camp Butner Room

Note: we will be testing a new phone system with multiple microphones that we hope will improve the audio. We will have the conventional phone on standby if needed.

Materials related to the PFC Meeting will be placed on the UNRBA website unless noted otherwise: [UNRBA Meetings Page](#).

**I. Opening Comments, Agenda Review/Revisions — Co-Chairs Michelle Woolfolk and Terry Hackett**

**II. City of Durham State of Our Streams**

Item Summary (Anna Smith, Michelle Woolfolk): The City of Durham developed two videos to share the latest “State of Our Streams” performed by the City. There is a [short](#) version (less than one minute) and a [long](#) version (less than three minutes). We will preview a video during the PFC meeting and post a link on the UNRBA website.

**III. Modeling and Regulatory Support Status**

Item Summary (Alix Matos): The UNRBA submitted the final watershed modeling report and watershed modeling files to DWR and the EMC in December 2023. The Executive Director requested a formal statement from DWR as specified in Section (5)(f)(iii) of the [Falls Lake Rules](#) which require that “the Division shall assure that the supplemental modeling is conducted in accordance with the quality assurance requirements of the Division.” The UNRBA submitted and the Division approved the [UNRBA Modeling Quality Assurance Project Plan](#), and this document represents “the quality assurance requirements of the Division.” On July 31, 2024, Karen Higgins provided an email confirmation that the watershed modeling report met the provisions of the QAPP. The Executive Director has requested a formal response from the Director.

The UNRBA also submitted lake modeling files for two of three lake models (WARMF and EFDC) and a draft lake modeling report. DWR provided comments and we are finalizing a response to these comments and revisions to the report as appropriate. A final draft will be provided to the PFC for review, and the final will be submitted to DWR.

The EFDC model simulations for key parameters have been converted into videos for the May to October 2016 period. Examples of these videos will be shown during the meeting. Once PFC input has been received, the videos will be refined and posted to the UNRBA website and/or You Tube.

The third lake model (statistical/Bayesian) has recently been completed and results will be shared with the PFC during the meeting. Additional information about the statistical model has been incorporated in the redline version of the report. The redline report will be provided to the PFC and DWR in the next month. The UNRBA will submit the lake report and appendices to DWR for review and approval under Falls Lake Rule 15A NCAC 02B .0275.

We greatly appreciate that the NC Collaboratory is providing additional funding to Dr. Nathan Hall to review the statistical model and provide input on some of the ecological processes in Falls Lake.

**IV. Concerns with Development and Construction in the Falls Lake Watershed (Upcoming Board Discussion)**

Item Summary (Forrest Westall and Ryan Eaves): In June, the PFC discussed concerns with development in the Falls Lake Watershed being raised by several groups and in the context of the new development rules. The Chair of the June Board meeting suggested the Board take up this discussion in September. In July, the Executive Director met by phone with representatives from Sound Rivers, who had published a [blog](#) post discussed by the PFC in June. To prepare for the September Board meeting, the Executive Director has asked Ryan Eaves to present the Durham County development ordinance updates (proposed and adopted) during the August PFC meeting. The modeling team will be conducting additional data analyses on turbidity in Falls Lake related to other water quality measurements for discussion by the PFC and the Board in September.

**V. Year Three of the IAIA Ended June 30<sup>th</sup>**

Item Summary (Alix Matos): The third-year of the Stage I Existing Development Interim Alternative Implementation Approach ended June 30<sup>th</sup>. Annual reports from each participant are due to [John Huisman](#) at the Division of Water Resources (DWR) with a copy to the [Executive Director](#) and [Alix Matos](#) by September 30, 2024. The link to the template is [here](#). The PFC will discuss questions or issues as needed.

**VI. Continued Rule Development for Jordan Lake and High Rock Lake Watersheds**

Item Summary (Forrest Westall): We continue to monitor DWR's draft proposal for changes to new development requirements (post-construction stormwater controls) for the High Rock Lake Watershed and the rules readoption process for the Jordan Lake Watershed. We are concerned that these processes will impact the Falls Lake rules readoption process, both in timing and in "setting" an approach for nutrient management that could be inconsistent with the recommendations of the UNRBA. Based on the preliminary proposal on post construction stormwater requirements we have discussed previously, we remain concerned that seeking more aggressive development controls for the Falls Watershed will put at risk existing and future management efforts required under the Falls Lake Rules. The UNRBA seeks to ensure that productive programs continue in Falls and are not inadvertently put at risk by seeking new and potentially more restrictive requirements for new development.

**VII. Falls Lake Rules Readoption Process**

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. As noted in other agenda items and in past discussions, the UNRBA seeks to remain engaged on every aspect of this process and how other actions or proposals may negatively impact our efforts to achieve a balanced and productive set of new rules. The following activities are ongoing:

- The UNRBA will continue to pursue a legislative change to § 77-141 that would explicitly support the concept of a watershed organization like the UNRBA developing and implementing a water quality protection plan. Both the PFC and Board have previously reviewed this change. Staff from DWR and American Rivers have indicated support for this specific change. The proposal did not make it into a short session bill, but we hope to see it included in future legislative sessions, perhaps as early as November.

- We hope and anticipate that DWR staff are developing a list of activities, milestones and actions for rules readoption, and a proposed plan for incorporating the assistance and engagement of the UNRBA in this process.
- The Executive Director and support team will continue to promote the position that it is important to continue the momentum on the rules readoption process. To continue moving forward, we have begun drafting a very preliminary set of proposed revisions to the rules to support the Rules Readoption process that are based on the UNRBA recommendations (using the two documents listed above). For the revised rules on existing land use in the watershed, we anticipate a similar approach to how the IAIA is structured in the Model Program as being currently implemented. The Legal Group (including legal advisors) will develop a strategy for moving this forward, and that strategy will be reviewed by the PFC. The process will certainly include stakeholder engagement and outreach to interest groups that have not had significant engagement to this point, as well as to all of our stakeholders. Workgroups will include UNRBA members, staff from DWR, representatives of agriculture, development, wastewater treatment plants, etc. To promote continued progress toward rule readoption, the workgroup process needs to begin soon. The UNRBA will coordinate the schedule of this effort with DWR so our efforts can be integrated with the overall process. Importantly, these workgroups need to include the work and input from the Collaboratory's report.

**VIII. Evaluation of a Specific Falls Lake 303(d) Assessment Methodology and Site-Specific Chlorophyll-a Criteria**  
Item Summary (Forrest Westall): The UNRBA continues to focus on our primary priority: coordination with DWR and stakeholders in the development of a revised management strategy through the rules review process. Noting that two additional goals remain under consideration: modifications of the 303(d)-water quality assessment method for chlorophyll-a in Falls Lake, and the development of a proposed site-specific chlorophyll-a criteria. As approved by the Board in June, Dr. Marty Lebo was provided with a new contract to continue this work and he is coordinating his efforts with the statistical modeling effort. Nathan Hall is also an important contributor to these discussions and evaluations.

**IX. Communications Support**

Item Summary (Forrest Westall): The work with DWR on the revised Falls Lake Rules continues and will become even more important in FY 2025. We still seek to have additional meetings to gather input from NC Collaboratory staff, researchers, and representatives of NGOs. 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:

- A template slide deck has been drafted for use by UNRBA members to present the recommendations for a revised nutrient management strategy; comments from the PFC will be used to finalize the slide deck
- Planning for a joint stakeholder workshop with DWR and UNRBA on the rules readoption process (tentatively scheduled for the November Board meeting date, but may have to be moved out if progress to set this up with DWR cannot be made)

- We continue to promote a synthesis workshop by the NC Collaboratory researchers regarding the overall relationships between the findings of various research studies completed and how those relationships relate to the rules readoption process and the regulatory framework for Falls Lake
- American Rivers has offered to coordinate a series of videos related to their 2023 designation of the Neuse River as “River of the Year” and how the work being done in the upper part of the basin helped contribute to that designation.

As continually noted, (and this is important!), the “open” nature of all UNRBA meetings remains a key component of our transparent communications approach. We always encourage member representatives and interested individuals to speak up about issues related to the Association’s work and to provide ideas and identify opportunities to better communicate our work, increase input on the UNRBA’s recommendations for a revised strategy and water quality assessment of Falls Lake.

**X. Other Status Items**

Item Summary (Forrest Westall): Brief statements on ongoing activities:

- DWR Neuse Watershed Model / Delivery Factors for WWTP, etc.
- Inquiries and Issues Regarding Nutrient Credits: soil improvement practice, repair/replacement of failing onsite wastewater treatment systems

**XI. Closing Comments— Co-Chairs Michelle Woolfolk and Terry Hackett**

**Next PFC Meeting: September 3, 2024, 9:30 AM to Noon**  
**Next BOD Meeting: September 18, 2024, 9:30 AM to Noon**

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



## Remote Access Instructions for PFC Meetings

Equipment Type	Access Information	Notes
Computers with microphones and speakers	<a href="#">Join Microsoft Teams Meeting</a> <b>Please mute your microphone unless you want to provide input.</b>	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	<a href="#">Join Microsoft Teams Meeting</a> (888) 404-2493 Passcode: 371 817 961# <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: 371 817 961#	Dial the toll-free number and enter the passcode. <b>Please mute your phone unless you want to provide input.</b>

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- If you dial in through your phone, mute your microphone, and turn down your speakers to avoid feedback.
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