

UNRBA Board of Directors: May 21, 2025, Board Minutes

The Board of Directors of the Upper Neuse River Basin Association (UNRBA) met at 9:30 A.M. on Wednesday, May 21, 2025, via an in-person and conference call/webinar. Meeting attendees are listed below.

Name	Affiliation
Wendy Jacobs (Chair)	Durham County
Jane Harrison (Vice Chair)	City of Raleigh
Russ May (Secretary)	Granville County
Ryan Eaves (Treasurer)	Durham County
Forrest Westall (Executive Director)	UNRBA
Georgana Kicinski	City of Creedmoor
Reggie Hicks	City of Durham
Carl Rist	City of Durham
Sandi Wilbur	City of Durham
Michelle Woolfolk	City of Durham
Ed Buchan	City of Raleigh
Wesley Poole	Orange County
Scott Schroyer	SGWASA
Jennifer Ganser	Town of Butner
Meaghun Darab	Town of Hillsborough
Terry Hackett	Town of Hillsborough
Jim Wrenn	Upper Jurisdictions
Nancy Daly	Wake County
Donna Myers	American Rivers
Alix Matos	Brown & Caldwell
Aarin Miles *	City of Durham
Anna Smith *	City of Durham
Carolyn Bachl *	City of Raleigh
Kathy Cooper *	City of Raleigh
Dustin Brewer *	Durham County
Barry Baker *	Granville County
Marilyn Carter *	Orange County
Sherry Wilborn *	Person County
Katherine Cathey *	Person County
Nick Nolte *	Town of Wake Forest
Kevin Kirsch *	Town of Wake Forest
Robert Hornik *	Upper Jurisdictions
Don Mial *	Wake County
Lauren Strader *	Brown & Caldwell
Dan McLawhorn *	DFM Law Office
Carleen Evans *	Winston, Williams, Creech, Evans, and Co., LLP
Wanda Allen *	
Pam Andrews *	

*Attended meeting virtually

Welcome and Recognition -

The Chair, Wendy Jacobs, called the meeting to order and welcomed all those in attendance and those participating through remote access. Wendy asked if any of the Board Directors have any “conflict of interest” issues with any agenda items, and no conflicts were identified. The Chair called the roll and 12 of 14 members were present for a quorum. The Chair asked if there were any amendments to the agenda. Being none, Meaghun Darab made the motion to approve the agenda, seconded by Georgana Kicinski, and approved by the Board.

Action Items -

Approval of Minutes, March 19, 2025, Board Meeting – The Chair asked the Board if there were any edits or corrections to the draft minutes provided. Russ May made the motion to approve the minutes, seconded by Jane Harrison, and approved by the Board.

Treasurer’s Report – Ryan Eaves presented the Treasurer Report for the period ending May 1, 2025. The checking account balance at the close of the statement was \$332,742.74, and the savings account balance was \$1,274,058.43. Following review of the report, Georgana Kicinski made the motion to approve the Treasurer’s Report as presented, seconded by Scott Schroyer, and approved by the Board.

Approval of Authorization for the Chair to Submit a Letter of Clarification to the NC Environmental Management Commission (EMC), Department of Environmental Quality (DEQ), and the Division of Water Resources (DWR) Concerning DWR’s Presentation to the EMC on May 8, 2025, in Reference to the UNRBA’s Falls Lake Rules Readoption Process – Forrest Westall reviewed DWR’s status update on the UNRBA’s rules readoption process to the EMC on May 8, 2025. He expressed disappointment that DWR provided incorrect and misleading information to the EMC. As a result, he proposed a letter of clarification from the UNRBA authorized by the Board. Forrest reviewed the letter distributed to the Board ahead of the meeting and provided a summary of the points that it clarifies. The Board supported the action and the need for a letter. Members identified some recommended additions to the letter. Following discussion, Marilyn Carter made the motion to authorize the Chair to execute a letter, with the identified revisions, on behalf of the UNRBA to clarify the UNRBA’s efforts and intentions with the rule development process; Georgana Kicinski seconded, and the Board approved. The letter, with the requested revisions, will be provided to the Board prior to it being signed by the Chair.

Informational Items -

Status of the Falls Lake Rules Readoption Process and Extension of IAIA Program – Forrest reviewed the Rules Readoption schedule and stakeholder process to develop “draft-draft-draft” rules. He indicated that the Path Forward Committee (PFC) reviewed this preliminary version of the rules at their May 6, 2025, meeting. Following that meeting, comments were requested by May 20, 2025. There were limited comments or concerns communicated. These comments will be compiled and discussed at the June 3, 2025, PFC meeting. Forrest indicated that the plan is for the PFC to approve a recommended set of draft rules at its September 2, 2025, meeting, for consideration by the Board at the September 17, 2025, meeting. Forrest also plans to seek Board approval of the recommended rules for submission to DEQ, DWR and the EMC. Forrest again noted DWR’s presentation to the EMC on May 8th and their reference to DWR’s efforts to develop their own set of rules. Those rules have not been shared with the UNRBA, and it was his understanding that other stakeholders have not had access to DWR’s draft. The Board discussed the significant amount of time and resources invested by UNRBA members in the study of the watershed and lake and the extensive stakeholder workgroup effort to develop recommendations and draft rule language. DWR was included in every workgroup and was consulted throughout this process. The Board expressed its concerns about DWR’s efforts to insert its own draft while the UNRBA is still working through the UNRBA

rules development process, which has always included DWR. The Board discussed a strategy for moving forward on schedule. Forrest noted that every effort will be made to push this process forward and is still committed to coordinating and collaborating with DEQ, DWR, EMC, and stakeholders to get appropriate revisions to the rules before the Board that reflect the UNRBA's recommendations from the Reexamination. Forrest also provided an update on the potential legislative change to General Statute 77-141 which been reviewed by legislative staff and DEQ staff. The legislative and DEQ staff have determined that the UNRBA is able to use the existing legislation without further modification. This allows UNRBA to submit a water quality protection plan under 77-141.

Forrest also reviewed the remaining duration of the Stage I Existing Development Interim Alternative Implementation Approach (IAIA) which ends June 2026. Given the rules will likely not be adopted until early 2027, the UNRBA may request an extension until the rules are readopted. The Compliance Group Committee will address this need at the November 2025 Board meeting.

Continued Rule Development for Jordan Lake and High Rock Lake Watersheds – Forrest discussed the potential impacts of DWR's draft proposal for the High Rock Lake nutrient management program, including changes to new development requirements (referred to by DWR as post-construction stormwater controls). Similar discussions are underway for the development of the revised Jordan Lake Rules. He noted that the UNRBA team is continuing to monitor these processes.

Discussion of House Bill 382 and Impacts to Local Government Zoning Authority – Forrest discussed Subpart III-K. of House Bill 382 which prohibits a local government to initiate down-zoning without the consent of all affected property owners. This bill applies to any ordinance or zoning change within 180 days of the day of adoption and any passed after the day of adoption. The Governor's veto of the bill was overridden on December 11, 2024, and the bill was passed. The Board discussed that Senate Bill 587 has been drafted to clarify House Bill 382.

Modeling and Regulatory Support and Chlorophyll-a Update – Alix Matos reported the WARMF watershed model, WARMF Lake model, and EFDC lake model reports have been submitted to DWR. She noted that Forrest has requested a formal statement from the Division that the watershed model has been reviewed and met quality assurance requirements of the Division as required in the Falls Lake Rule allowing a reexamination. DWR doesn't have specific quality assurance requirements but previously approved the UNRBA's Quality Assurance Project Plan (QAPP) for the modeling effort prior to the effort proceeding. DWR has issued emails concurring with the watershed and lake model development effort and final reports, indicating no additional comments associated with model and report review. DWR is working on a formal letter. Dr Marty Lebo will continue his work evaluating the need for a specific Falls Lake 303(d) assessment methodology and a site-specific chlorophyll-a criteria for the lake. Dr. Nathan Hall continues to support these efforts through statistical analyses of proposals.

Status of FY2026 Modeling and Regulatory and Communications Support Contract Development – Forrest reviewed that the UNRBA Board of Directors approved the UNRBA budget for FY2026 during the March 19, 2025, meeting. The contractor and Executive Director are developing the Modeling, Regulatory, and Communications Support Contract and Scope of Work for FY2026. The PFC will review the scope of work for this contract as well as web hosting and Executive Director Services during the June 3, 2025, meeting. The Board of Directors will review and consider approval of the contracts and scopes of work during the June 18, 2025, meeting.

Communication Support – In addition to the activities discussed earlier in the meeting, Forrest reviewed efforts to provide wider communication of the work of the UNRBA and our efforts to readopt the Falls Lake Rules. We have posted the UNRBA's water quality simulation videos based on the modeling; distributed the draft-draft-draft rules to the extensive PFC email list and additional stakeholders for discussion at the May 6, 2025, PFC meeting; planned for notice to additional stakeholders to be included when the draft goes to the Board in September; planning for meetings with DEQ, DWR, and the NC Office of State Budget Management

to continue progress on rules readoption; and made a presentation to the Durham Environmental Affairs Board on May 14th.

Other Items – Forrest listed other items the UNRBA is tracking including the NC State University UNRBA and Jordan Lake One Water research study and the impacts of PFAS/PFOS on treatment costs and local governments.

The next scheduled Board meeting will be June 18, 2025, at 9:30 A.M. at the Butner Town Hall.

With no other business, the meeting was adjourned.