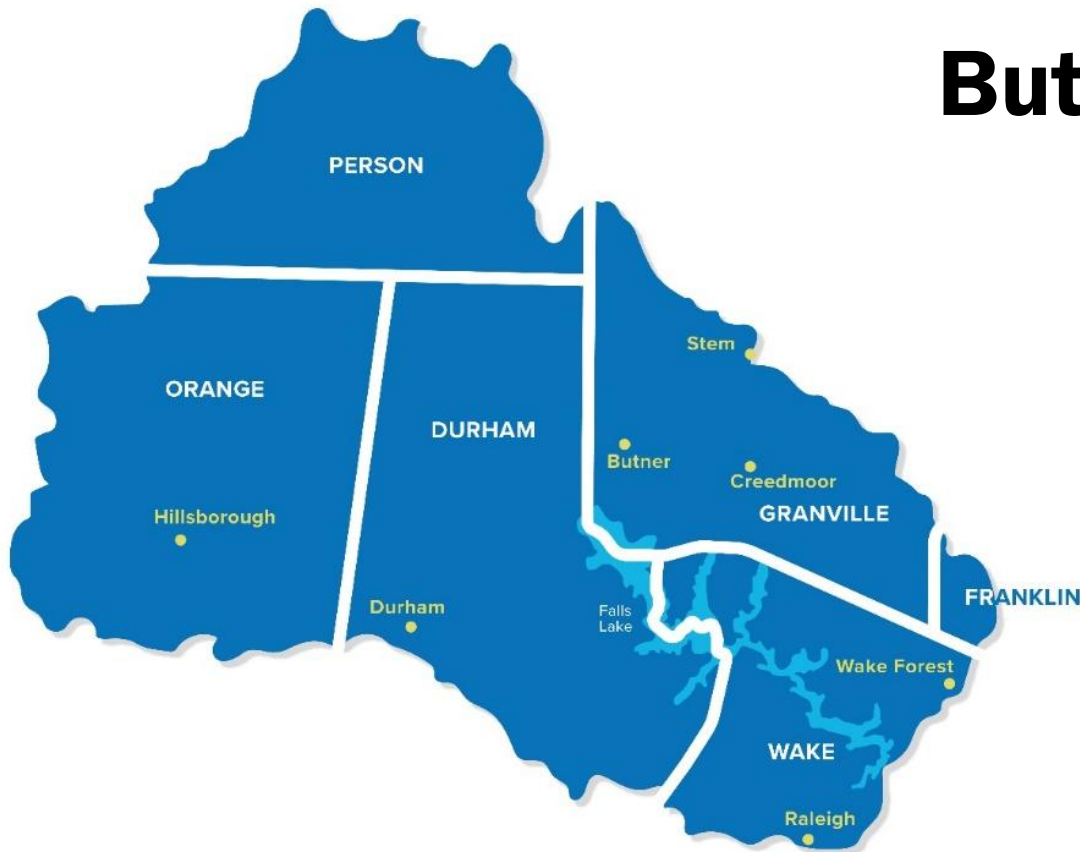




UNRBA Board Meeting June 18, 2025

Butner Town Hall



June 18, 2025, UNRBA Board Agenda

- Opening—Wendy Jacobs, Chair
- Action Items
 - Approval of [May 21, 2025, Meeting Minutes](#)
 - Approval of the [Treasurer's Report](#)
 - Approval of FY2026 Contracts and FY2025 Contract Amendment
- Status Reports and Informational Items
 - Status of the Falls Lake Rules Readoption Process and Extension of IAIA Program
 - Continued Rule Development for Jordan Lake and High Rock Lake Watersheds
 - Modeling and Regulatory Support Status and Evaluating a Falls Lake Assessment Methodology and Site-Specific Chlorophyll-a Water Quality Standard
 - Communications Support
 - Ongoing Discussions/Issues
- Closing Comments

Opening

Opening

- Introductions and announcements
- Roll call for quorum
- Identification of any conflicts
- Review and approval of agenda

Action Items of UNRBA Board of Directors

**Approval of May 21, 2025,
Meeting Minutes ([link](#))**

Approval of the Treasurer's Report

6/10/2025

Balance Forward: (per bank statement - 04/30/2025)		Checking	\$	332,742.74
		Savings		1,274,058.43
Debits:				
	WSP, Inc (April Invoice)		\$	1,565.00
	Brown & Caldwell (April Invoice)			39,775.66
	Brown & Caldwell (May Invoice)			39,233.07
	McGill Assoc (April Invoice)			12,075.52
Total Debits			\$	92,649.25
Credits:				
	Interest (checking)		\$	37.13
	Interest (savings)			3,250.18
				<hr/>
Account Balance (per bank statement - 05/31/2025)		Checking	\$	240,130.62
		Savings		1,277,308.61
				<hr/>
Total UNRBA Account Balances:			\$	<u>1,517,439.23</u>
Outstanding invoices/deposits in process since the close of bank statement (05/30/2025):				
Debits:				
	Winston, Williams, Creech & Evans (April Invoice)		\$	950.00
	WSP (May Invoice)			1,370.00
				-
Credits:				
	Transfer from Savings to Checking		\$	-
				<hr/>
Current Account Balances:		Checking	\$	237,810.62
		Savings		1,277,308.61
				<hr/>
Total UNRBA Account Balance :			\$	<u>1,515,119.23</u>

Contracts and Agreements For FY2026

Overview FY2026 Contracts and FY2025 Contract Amendment

- Three contracts to support the UNRBA efforts in FY2026
 - Executive Director Services
 - Modeling, Regulatory Support, and Communications (MRSC)
 - Website maintenance and hosting
- One contract amendment for FY2025 to extend Dr. Martin Lebo's contract
- The Executive Director has provided the contract documents to Aarin Miles at the City of Durham who has provided an advisory contract review for the UNRBA.

Board Approved Budget Expenditures for FY2026

Executive Director Services	\$231,700 ★
Legal Support Fund	\$100,000
Technical Contractor and Subconsultants:	\$385,000 ★
<i>Complete Rules Readoption and Fiscal Analysis</i>	\$182,000
<i>Develop Joint Compliance Program, Revise Bylaws, Implement Program</i>	
<i>Develop Site-specific chlorophyll-a criteria</i>	\$25,000
<i>Support Implementation of Current Rules, Compare Programs</i>	\$25,000
<i>Communications: meetings, workshops, status meetings</i>	\$60,000
<i>Monitoring Program (preliminary planning, coordination)</i>	\$13,000
<i>Technical Support, Modeling, Data Analysis, and Reporting</i>	\$60,000
<i>Project management</i>	\$20,000
Subject Matter Expert - Site-specific chlorophyll-a criteria	\$25,000
Accounting and financial services	\$13,000
Administrative costs, insurance, tax forms, etc.	\$12,300
<i>Website improvements</i>	\$3,500
<i>Website hosting and maintenance</i>	\$5,500 ★
<i>UNRBA Audit</i>	
<i>Insurance (two policies)</i>	\$2,200
<i>Lobbying and registration fees and costs</i>	\$1,100
Total	\$767,000

★ Contracts to be considered by the Board June 18, 2025.

FY2026 Executive Director Services Contract

- Contract with McGill Associates approved by the Board during the January 2025 Board meeting
 - Executive Director compensation (\$130/hour) \$206,700
 - Travel and other reimbursable support costs \$22,000
 - Other support services \$3,000
 - **Total: \$231,700**
- Board vote on approval of the FY2026 Executive Director Services Contract for \$231,700 and authorize Chair to sign on behalf of the Board

FY2026 Modeling and Regulatory Support and Communication Support Contract

- Managed by Brown and Caldwell with four subcontractors
 - Dynamic Solutions – EFDC Lake Modeling
 - Systech Water Resources – WARMF Modeling
 - KDV Decision Analytics – Statistical/Bayesian Modeling
 - Brindle Creek – Economic Evaluations
- Total MRS&C contract is \$385,010
 - Brown and Caldwell \$318,000
 - Brindle Creek – \$60,000
 - Modeling subcontractors will be allocated budget as directed by the Executive Director from the Brown and Caldwell budget (Dynamic Solutions, Systech Water Resources, and KDV Decision Analytics)
 - The PFC reviewed this budget and contract and recommended the Board approve

Board vote on approval of the FY2026 Modeling and Regulatory Support and Communication Support Contract and authorize Chair to sign on behalf of the Board

FY2026 Website Maintenance and Hosting

- River Delta Consulting Services provides website maintenance and hosting services for UNRBA
- Board vote on approval of the FY2026 website maintenance and hosting contract with River Delta Consulting (up to \$5,500) and authorize Chair to sign on behalf of the Board

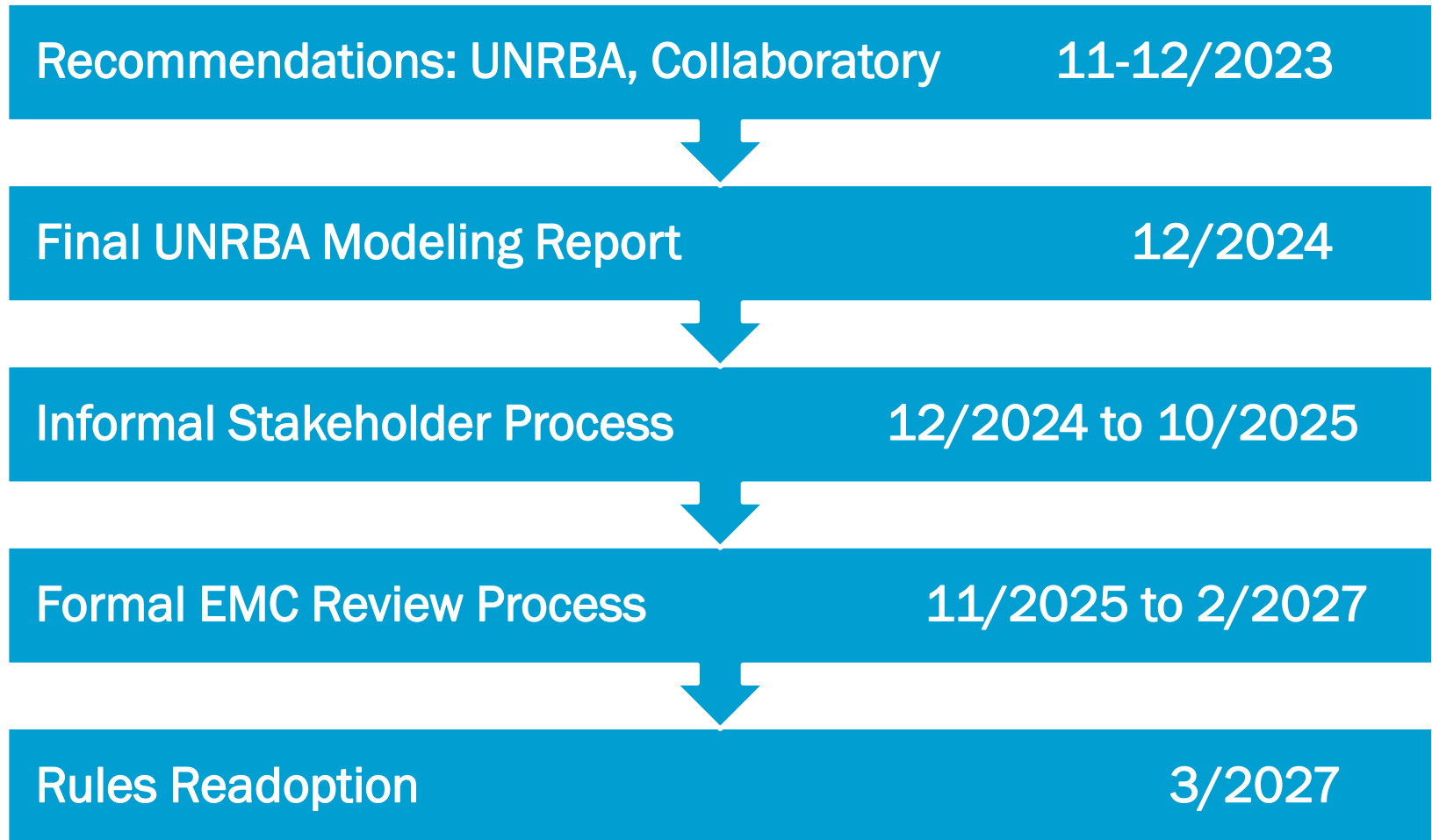
FY2025 Amendment to Dr. Martin Lebo's Contract

- The Board approved a not-to-exceed amount for this contract of \$30,000.
- An FY2025 contract amendment for Dr. Martin Lebo has been prepared
 - Existing Scope Budget is \$26,000
 - Expand the scope of work to include additional tasks, adding in \$4,000
 - Include evaluation of a stability metric to include in the draft Falls Rules
 - Support meetings with DWR regarding assessment of Falls Lake as proposed by UNRBA
 - PFC reviewed proposal and supports revision to the contract
- Board vote on approval of the FY2025 contract amendment for Dr. Martin Lebo (not-to-exceed \$30,000)

Status Reports and Informational Items

Status of the Falls Lake Rules Readoption Process and Extension of the IAIA Program

Rules Readoption Schedule



UNRBA: Upper Neuse River Basin Association
EMC: Environmental Management Commission

Rule Development Process

Draft-Draft-Draft

Four Workgroups

- 12/24 to 4/25
 - 18 workgroup meetings
 - 2 workshops
- Discussed concepts and challenges
- Developed initial drafts

Draft-Draft

PFC, Board, EMC informational items, and Expanded Stakeholders

- 5/2025 to 10/2025
 - Review initial drafts
 - Compile input
 - Collect fiscal data
 - Refine drafts for recommendation (UNRBA Board approval; DWR may have their own recommendations)

Draft → Final → Rules

Formal Process

- 11/2025 to 2/2027
- Present to WQC
- Present to EMC
- Public comment period
- Public hearings
- Rules to RRC with fiscal analysis

EMC: Environmental Management Commission
WQC: EMC Water Quality Committee
RRC: Rules Review Commission

Status of UNRBA Rule Development

- The UNRBA is extremely grateful to the workgroup members representing several interests in the development of draft-draft-draft rules
- The workgroups submitted four rule sections to the PFC and other stakeholders for discussion on May 6, 2025
- Written feedback was due May 20, 2025
- Compiled comments and revised drafts were provided to the PFC and stakeholders ahead of the June 3, 2025, meeting
- Our goal is to bring draft rules for the Board to discuss and consider at the September 18, 2025, meeting

Status of DWR Rule Development

- Staff from DWR Planning attended the June PFC meeting and confirmed they are drafting rules to submit to the EMC in November 2025.
- DWR has not shared their drafts or an outline of their concepts with the UNRBA.
- We have scheduled a meeting with DWR for June 20th to discuss our path forward with a focus on areas of difference.
- We hope that DWR and UNRBA identify a path forward to jointly submit a rule package to the EMC in November 2025
- DWR has scheduled an “all stakeholder” virtual meeting on June 24th (10 AM to noon) “to gather useful stakeholder input on concepts”
 - DWR indicates they will not be sharing draft rule language prior
 - DWR did not coordinate with the UNRBA on scheduling the meeting
 - Key UNRBA team members have schedule conflicts on that date
 - The meeting will be recorded

Letter of Clarification Submitted to EMC

- During the May 21, 2025, the Board discussed and approved the Chair execute on half of the Board a letter of clarification to the EMC regarding DWR's May 8, 2025, update to the EMC.
- The letter requested re-engagement of DWR in the UNRBA process and a schedule for the UNRBA to provide updates on our efforts to the EMC moving forward.
- The Chair of the EMC acknowledged receipt of the letter and extended appreciation to the UNRBA for their significant investment of resources in the study of Falls Lake and rules readoption.
- No response from DWR or DEQ
- Forrest will provide an update at the July meeting of the EMC or its Water Quality Committee.

Continued Engagement with DWR

- Follow up meeting with DWR held May 13, 2025, to lay out path forward
- Additional meeting scheduled for June 19, 2025
- Our goal remains to develop a joint set of rules
- Several key issues we may not be able to resolve ahead of the Board's consideration of draft rules in September 2025
- We will work to see if we can reach some level of consensus
- Continue to discuss these items and our approach for submitting either individual or joint Falls Rules to the EMC
- We have encouraged DWR to use our drafts as the basis of continued discussions and their markups
 - Avoid unnecessary confusion and difficulty in correlation of any competing drafts.
 - Identify differences and frame up our discussions of areas of disagreement.

House Bill 926

- Unknown source of proposed legislation (not NC HBA):
- MODIFY THE FALLS RESERVOIR WATER SUPPLY NUTRIENT STRATEGY RULES TO EXEMPT NEW RESIDENTIAL DEVELOPMENT DISTURBING LESS THAN ONE ACRE
- SECTION 9.(a) Definitions. – For purposes of this section and its implementation, "Falls Lake New Development Rule" means 15A NCAC 02B .0277 (Falls Reservoir Water Supply Nutrient Strategy: Stormwater Management for New Development).
- SECTION 9.(b) Falls Lake New Development Rule. – Until the effective date of the revised permanent rule that the Environmental Management Commission (Commission) is required to adopt pursuant to Section 9(d) of this act, the Commission shall implement the Falls 9 Lake New Development Rule as provided in Section 9(c) of this act.

House Bill 926

- SECTION 9.(c) Implementation. – Except as required pursuant to federal law or permit, no stormwater permit, management plan, or post-construction stormwater controls shall be required under the Falls Lake New Development Rule or local ordinances adopted thereunder for single family and duplex residential and recreational development that cumulatively disturb less than 1 acre, which is not part of a larger common plan of development. Notwithstanding any authority granted under the Falls Lake New Development Rule or pursuant to other statute or rule, no local government may establish requirements more restrictive than that established by this section.

House Bill 926

- SECTION 9.(d) Additional Rulemaking Authority. – The Commission shall adopt a rule to amend the Falls Lake New Development Rule consistent with Section 9(c) of this act. Notwithstanding G.S. 150B-19(4), the rule adopted by the Commission pursuant to this section shall be substantively identical to the provisions of Section 9(c) of this act. Rules adopted pursuant to this section are not subject to Part 3 of Article 2A of Chapter 150B of the General Statutes. Rules adopted pursuant to this section shall become effective as provided in 24 G.S. 150B-21.3(b1), as though 10 or more written objections had been received as provided in 25 G.S. 150B-21.3(b2).
- SECTION 9.(e) Sunset. – This section expires when permanent rules adopted as required by subsection (d) of this section become effective.

UNRBA's Proposal from Workgroup and PFC

(6) DEVELOPMENT EXCLUDED. The following development activities shall not be subject to this Rule :

(a) Activities of the North Carolina Department of Transportation (NCDOT) that are regulated in accordance with the provisions of NPDES Permit Number NCS000250;

(b) Projects disturbing less than:

(i) One-half acre for single family and duplex residential property and recreational facilities; and

(ii) 12,000 square feet for commercial, industrial, institutional, multifamily residential, multifamily commercial, or local government or non-DOT state or federal land uses with the following exception: Projects below 12,000 square feet that would replace or expand existing structures on a parcel, resulting in a cumulative built-upon area for the parcel exceeding twenty-four percent, shall be subject to Item (4) of this Rule;

UNRBA's Proposal from Workgroup and PFC

- (c) Development of an individual single-family or duplex residential lot that is not part of a multi-lot development, with a definition of built upon area as referenced in Item (4).
 - (i) Does not result in greater than five percent built upon area on the lot ; or
 - (ii) Does not disturb more than twelve percent built upon area and provides passive treatment of site runoff from built upon areas that is not directly discharged via a pipe or other impervious conveyance to an intermittent or perennial stream as defined in 02 NCAC 60C .0102 or jurisdictional wetland as defined in SL 2023-63. :
- (d) Existing development as defined in 15A NCAC 02H .1002;
- (e) Redevelopment as defined in G.S. 143-214.7(a1)(2); and
- (f) Agricultural activities subject to requirements of the Falls Existing Managed Lands rule, 15A NCAC 02B .0754.

Extension of IAIA and Submitting Year 4 Reports

- IAIA is approved as a five-year program with an option to extend until Falls Rules are readopted.
 - The five-year period ends June 2026
 - Likely rule readoption date is in March 2027
 - IAIA program will need to be extended.
- During the November 19, 2025, UNRBA Board meeting, we will include a Compliance Group Committee (CGC) meeting
 - Consider submitting a request to the EMC to approve an extension of the IAIA program
 - Five years, or
 - Until the Falls Rules are readopted and an updated watershed protection plan is developed and approved by the Commission (i.e., an updated [Program Document](#))
 - Annual reports from each individual participant are due by September 30, 2025, to DWR with a copy to Forrest and Alix to allow for generation of the UNRBA Annual Summary Report.

Continued Rule Development for Jordan Lake and High Rock Lake Watersheds

Continued Rule Development for Jordan Lake and High Rock Lake Watersheds

- Continue to monitor DWR's
 - Draft rules for the High Rock Lake Watershed
 - Rules readoption process for Jordan Lake Watershed
- Concerned that these processes could negatively impact
 - The Falls Lake rules readoption process and timeline
 - Could be inconsistent with the UNRBA's recommendations
- Seek to ensure that productive programs continue in the Falls watershed and are not inadvertently put at risk by seeking new and potentially more restrictive requirements which could generate considerable push back by stakeholders.

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

Awaiting Formal Statement from DWR on Modeling

- Modeling files and reports have been submitted to DWR for review and approval.
- Reports and summaries of key findings are available at <https://unrba.org/resource-library>.
- Email communications from DWR staff indicate the agency has no additional comments on these reports and accepts them as the final submittals.
- UNRBA developed its recommendations based on the conclusions reached in the modeling evaluation.
- The Executive Director has 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](#) for this purpose.

Status of the Falls Lake Assessment Methodology and Site-Specific Chlorophyll-a Criteria

- The Purpose and Scope workgroup decided to address 303(d) assessment in the draft rule.
- We continue to keep development of a site-specific chlorophyll-a standard as an important long-term goal.
- Dr. Martin Lebo is coordinating with the team on his continued evaluation of a Falls Lake-specific assessment methodology and site-specific chlorophyll-a.
- We greatly appreciate that the NC Collaboratory is provided additional funding to Dr. Nathan Hall to provide input on some of the ecological processes in Falls Lake (including algal species and edibility of higher trophic level organisms) related to development of a Falls Lake-specific assessment methodology and site-specific chlorophyll-a.

Communications Support

Communications Outreach and Preparation to Support Rule Readoption

- Continue to coordinate with DWR
 - Rules review process
 - Falls specific assessment method
 - Site-specific chlorophyll-a standard for Falls Lake
 - Fiscal note
- As part of our expanding stakeholder 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.
- 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.

Additional Information and Activities

- Status updates to the EMC
- Planning a meeting with the new Secretary of DEQ
- Planning a meeting with staff from the NC Office of State Budget Management

Ongoing Discussions/Issues

Ongoing Discussions/Issues

- Ongoing NC State University UNRBA and Jordan Lake One Water research study
- Impacts on implementation of nutrient requirements in light of PFAS/PFOS and other emerging requirements on wastewater management costs to local governments. DWR developing an implementation plan for control of these pollutants—EMC to review

Closing Comments

Next UNRBA PFC Meeting
July 1, 2025
Butner Town Hall
9:30 AM to 10:30 AM VIRTUAL ONLY

Next UNRBA Board Meeting
September 17, 2025
Butner Town Hall
9:30 AM to Noon