

Path Forward Committee (PFC) and Rules Review Meeting Agenda

October 7, 2025, 9:30 AM

Butner Town Hall, Camp Butner Room

Note: This is an in-person meeting. A remote option is provided on the last page of this agenda for those who cannot attend in person.

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. Status and Timeline of Falls Lake Rules Readoption Process

Item Summary (Forrest Westall): Per [NC Session Law 2018-5](#), the Falls Lake Rules Readoption process was triggered by the NC Collaboratory report submittal in December 2023 and the UNRBA submittal of the [UNRBA Concepts and Principles for the Reexamination](#) and [Consensus Principles II](#). These UNRBA documents were sent to NC Division of Water Resources (DWR) and the Environmental Management Commission (EMC) on November 22, 2023. The UNRBA submitted their [final watershed model report](#) in December 2023 and [final lake model report](#) in December 2024. DWR has responded that the reports have been accepted and approved under the reexamination provision of the Falls Lake Rules. Relative to rule readoption work, the UNRBA initiated an informal stakeholder process started in December 2024 with four rule workgroups. A summary of the drafts produced by the workgroups was presented to the PFC at their May 6, 2025; June 3, 2025; July 1, 2025; August 5, 2025; and September 2, 2025, meetings. On June 24th, the DWR hosted a Falls Rules Readoption Stakeholder Meeting.

On August 25th, DWR provided the UNRBA a copy of their draft rules, which included concepts not yet discussed. The Executive Director has met with DWR three times since. On September 24, he and the UNRBA Chair met with DWR and NC Department of Environmental Quality (DEQ) leadership and the EMC Chair. DWR and DEQ expressed views that are concerning during the meeting: providing a small allowance relative to the Stage I allocations of 30,000 pounds per year (essentially allowing the facilities to return to baseline levels of loading), retaining Stage I allocations as a long-term goal, and revisiting the issue under the next rules readoption process. After the meeting, DWR provided a meeting summary that was not consistent with the discussions and suggested retaining Stage I and Stage II allocations in the wastewater rule. As we have discussed, even meeting Stage I at permitted flow is not feasible and both would require reverse osmosis of purchase of hundreds of thousands of nitrogen offset credits. The Executive Director briefed the wastewater workgroup on this meeting on October 2, 2025.

The UNRBA has worked to merge some of DWR's draft rule language into the UNRBA rules where we believe the DWR draft provides improved or simplified language. We initiated a preliminary round of reviews of the merged files by the PFC in early September and have compiled feedback. Revised files were distributed ahead of this October 7th meeting for discussion by the PFC. We will be seeking support from the PFC for a set of the UNRBA's draft rules to present to the Board at their special meeting October 21, 2025 (virtual only).

At their September 17, 2025, meeting, the Board voted to allow the Executive Director to engage with Smith Anderson to develop an engagement letter for support on legal aspects of rule development and

to assist, if authorized by the Board the development of a petition of rulemaking as allowed by [15A NCAC 02I .0501](#). Based on the projected steps ahead, we anticipate that the formal review process managed by the Environmental Management Commission (EMC) would begin in January 2026. This process will allow stakeholders an additional opportunity to provide feedback. If all steps proceed successfully, readoption of revised rules through the Rules Review Commission is anticipated in March 2027.

There remain important, outstanding, unresolved issues between the DWR and UNRBA draft rules. Unless agreement on the critical points can be reached, we anticipate DWR will also take their own version of draft rules to the EMC. The UNRBA has worked diligently since December 2024, holding 30 workgroup, PFC, and stakeholder meetings to vet our draft rules and address concerns from a wide range of interests. We have continued to seek additional input and taken into consideration the draft rules developed by DWR. The rules we sent to the PFC ahead of this meeting reflect the input we have received over the last 10 months. We have provided detailed notations with our draft rules that include the comments received and how we addressed those comments. Provided that the PFC and the Board support a set of draft rules, we will be requesting letters of support from our external stakeholders and resolutions of support from the individual UNRBA members and the UNRBA as a whole. We will develop a template for this purpose similar to Consensus Principles II.

III. Review Draft-Draft Rules Following Integration of Some DWR Text and Subsequent PFC Review

Item Summary (Alix Matos): The UNRBA has incorporated some of DWR's draft rule language into our latest draft rules. During September, we sought review and feedback on the drafts. Annotations included in the drafts provided before today's PFC identify the latest comments and information on how those comments were addressed. We will review today the major changes resulting from this effort for each of the four rules: Purpose and Scope, New Development, Existing Managed Lands, and Wastewater. We will discuss the changes made to the latest UNRBA version of the New Development Rule consistent with House Bill 926 which has passed the House and the Senate. We will also review a comparison of the UNRBA and DWR draft rules that was requested from and provided to the Board (this information was provided again to the PFC ahead of this meeting). We will review the current draft of the rules with the goal of attaining PFC approval to present the drafts to the Board at their scheduled October 21st meeting.

IV. PFC Consideration of Approval to Submit Draft Rules to the Board

Item Summary (Forrest Westall): The UNRBA PFC had planned to consider approval of draft Rules to submit to the Board at their September 17th meeting. Given that we received DWR's draft Rules at the end of August, the PFC decided at their meeting on September 2nd to consider the agency's draft relative to the UNRBA drafts to incorporate appropriate language from DWR's draft rules. Following review by the PFC, as noted, in September, we provided revised UNRBA rules for review and consideration at this meeting and have called a virtual Board meeting on October 21st for the Board to consider providing draft rules to the EMC in November as an information item. We hope the EMC will be willing to set a timeline for public notice in early 2026. We would like to discuss and seek concurrence with the PFC on this approach.

V. Extension of IAIA Program and Annual Reports

Item Summary (Forrest Westall): The IAIA was developed as a five-year program with an option to extend the program until the Falls Rules are readopted. The five-year period ends June 2026, and the schedule for Falls Rules readoption prospectively is March 2027. However, this may be revised depending on the

UNRBA's strategy for moving the process forward. Thus, the IAIA program will need to be extended to maintain compliance with the existing rule.

We are planning to include a Compliance Group Committee (CGC) meeting during the November 19, 2025, UNRBA Board meeting, where the Committee will consider submitting a request to the EMC to approve an extension of the IAIA program for five additional 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). The current draft of the Managed Lands Rule allows up to a year for the submittal of a watershed protection plan to implement the revised rules.

As a reminder, year four of the program ended June 30, 2025. Individual annual reports were due to John Huisman, Forrest Westall, and Alix Matos by September 30, 2025. The latest version of the template is available [here](#). The UNRBA Annual Summary Report will be developed for consideration and approval by the CGC during the November 19, 2025, Board meeting. This joint report is due to John Huisman November 30, 2025.

VI. Planning PFC Workshop on Best Practices for Implementing Falls Rules

Item Summary (Forrest Westall): Granville County and Wake County have requested a comparison and best practices across local governments for their implementation of stormwater rules and regulatory requirements within the Falls Lake Watershed. Earlier this year, the PFC discussed a workshop approach for UNRBA members to discuss and gather information. We will continue planning for this workshop.

VII. Communications

Item Summary (Forrest Westall): In addition to the efforts described earlier, ongoing or upcoming activities are noted below:

- Additional stakeholders will be included when the draft-draft goes to the Board in October 2025
- Submittal of draft rules to the EMC (November 12, 2025)
- Planning a meeting with the new Secretary of DEQ
- Planning a meeting with staff from the NC Office of State Budget Management
- Planning a meeting with EPA

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. We also continue to look to our engaged membership representatives to use materials developed to help with communication within their jurisdictions. We remain available to assist with any presentations/meetings that are set up to discuss Falls Lake and the status of our work and the rules readoption process.

VIII. Other Items

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

Upcoming meetings

Next Board Meeting Scheduled for October 21, 2025; 9:30 AM to 11:30 PM (VIRTUAL)



Next PFC Meeting Scheduled for November 4, 2025; 9:30 AM to 12:00 PM

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	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: 371 817 961# 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.
Phone only	(888) 404-2493 Passcode: 371 817 961#	Dial the toll-free number and enter the passcode. Please mute your phone unless you want to provide input.

Remote Access Guidelines

- 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.