



Upper Neuse River Basin Association (UNRBA) Board of Directors (BOD) Meeting Agenda  
May 20, 2026, 10:30 AM to Noon

**PLEASE NOTE: MEETING BEGINS AT 10:30 AM**

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 May 20, 2026, meeting date.

- I. Opening—Wendy Jacobs, Chair
  - A. Introductions and Announcements
  - B. Roll Call for Quorum
  - C. Identification of Conflicts
  - D. Review and Approval of Agenda
  - E. Review Voting Hierarchy Established in Bylaws
- II. Action Items
  - A. Approval of [March 18, 2026, Draft Board Minutes](#)
  - B. Approval of the [Treasurer's Report](#)
  - C. Consideration of the Barnes & Thornburg Engagement Letter
- III. Status Reports and Informational Items

**A. Status of the Falls Lake Rules Readoption Process**

Item Summary (Forrest Westall): The UNRBA has invested over \$11 million since 2011 collecting data and building watershed and lake models to re-examine the nutrient load reduction requirements in the 2011 Falls Lake Nutrient Management Strategy Rules. After our high-level recommendations for revised rules were submitted to DWR and the Environmental Management Commission (EMC), the UNRBA began working intensively with stakeholders and DWR from December 2024 through May 2025 to draft rules. More than 20 meetings were held to discuss stakeholder feedback and incorporate into the rules. At the May 2025 EMC meeting, DWR announced that they were drafting their own rules. DWR provided their drafts to the UNRBA for review in August 2025. The UNRBA provided updated draft rules to incorporate appropriate language from the rules drafted by DWR. In September 2025, to work on resolving key differences between the DWR and UNRBA rules, leadership from UNRBA, DEQ, DWR, and the EMC began discussing options for a joint set of rules to submit to the EMC Water Quality Committee (WQC)—to begin the formal rulemaking process. In February 2026, DWR provided drafts of four rule sections for review by the UNRBA: Purpose and Scope, Existing Managed Lands, New Development, and Agriculture. Critical issues related to the need for changing the nutrient loading allocations for municipal wastewater treatment facilities in the watershed (Durham, South Granville Water and Sewer Authority, and Hillsborough) resulted in ongoing discussions about how to address this situation.

In April 2026, DWR provided revised drafts of the Purpose and Scope, Existing Managed Lands, and New Development Rule as well as a draft Wastewater Rule for our review. The PFC reviewed and discussed the improvements and outstanding issues associated with DWR's draft rules at their May 5, 2026 [meeting](#). For the Board meeting, we will provide a higher-level review of these concerns and the UNRBA's proposals for ensuring continued management of nutrients in the watershed and Falls Lake. The Executive Director team's recommendation is that the concerns noted in DWR's draft should be addressed and revised before DWR moves the rules to the EMC. The PFC discussed this at the May meeting and agreed that significant revision to DWR's rules is needed. DWR staff indicated their commitment to continue working with the UNRBA on refinements to

the rules. The PFC agreed that any final draft rules for EMC consideration must include an appropriate wastewater rule. [The Executive Director will seek feedback from the Board members on the current state of the rules DWR has proposed.](#)

The Executive Director presented the challenges with wastewater rule at the May 13, 2026, EMC WQC meeting. DWR also presented their recommendations for the wastewater rule. Links to the UNRBA and DWR presentations are here: [UNRBA](#) and [DWR](#). The Executive Director will summarize the EMC WQC discussion during the meeting.

**For additional information and background on the history of the Falls Rules Readoption Process, please see the last page(s) of this agenda.**

**B. Status of IAIA Extension and Reminder for Year-End Reports**

Item Summary (Forrest Westall): In November 2025, the UNRBA submitted a letter to the Director of the NC Division of Water Resources (DWR) and the Chair of the NC Environmental Management Commission (EMC) requesting extension of the Stage I Existing Development Interim Alternative Implementation Approach (IAIA) Program. Leadership from DWR has confirmed with their lawyers and the Chair and Executive Director of the EMC that the EMC does not need to approve extension of the IAIA Program. UNRBA's modification of the Bylaws is sufficient documentation for extension of the Program. This item was included in the May EMC meeting as an information item; Forrest will summarize the presentation during the meeting.

The fifth year of the IAIA ends June 30, 2026. IAIA participants are required to submit annual reports to DWR (John Huisman) by September 30<sup>th</sup> each year. The PFC discussed the process for providing these annual reports to DWR with a copy to Forrest and Alix to compile the UNRBA Annual Summary Report. The summary report will be reviewed and considered for approval by the UNRBA Compliance Group Committee at their November 18, 2026, meeting. The UNRBA Annual Summary Report is due to DWR by November 30<sup>th</sup> each year.

**C. FY2027 Budget and Contract Process**

Item Summary (Forrest Westall): At the March meeting, the Board approved the budget for FY2027 and sources of funding proposed by the PFC. The PFC reviewed the scope of work for the Modeling and Regulatory Support and Communications Support Project at their May meeting. The Executive Director is working with the contractors to develop draft contracts and scopes of work for review by the PFC at their June meeting. These contracts include the Brown and Caldwell contract for the Modeling and Regulatory Support and Communications Support Project; the WSP contract for subject matter expert services provided by Dr. Martin Lebo; and the Jones & Company contract for financial services. Ownership of the current firm providing financial services (WWCEJ & Company) has been sold to Jones & Company; however, staff currently working for the UNRBA will remain engaged as employees with the new firm. Following review by the PFC, the contracts and scopes of work will be finalized for approval by the Board at their June meeting.

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

Item Summary (Forrest Westall): We continue to monitor DWR's draft proposal for nutrient management rules for the High Rock Lake Watershed and their rules readoption process for the Jordan Lake Watershed.

**E. Communications Support**

Item Summary (Forrest Westall): The work with DWR on the revised Falls Lake Rules continues. 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:

- Reviewing existing information for jurisdictional use in developing presentations and handouts

- [Infographic](#)
- [Fact Facts](#)
- Presentation materials as requested
- DWR established a [list serve for Falls Lake](#)
- Coordinating with DWR on an all stakeholders meeting prior to submission of rules to the EMC
- Providing status updates to the EMC
- Planning for a workshop for UNRBA members on implementation of Falls New Development Rules

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.

**F. Ongoing Discussions/Issues:**

Item Summary (Forrest Westall):

- NCSU streambank erosion loading website and spatial data available soon
- Upcoming presentation by NC State University on the UNRBA and Jordan Lake One Water study
- Impacts on implementation of nutrient requirements in light of PFAS/PFOS and other emerging requirements on wastewater management costs to local governments

**G. Closing Comments—Board Members and Chair**

**Next PFC Meeting: June 2, 2026, 9:30 AM to Noon, In Person or Virtual**

**Next Board Meeting: June 17, 2026, 9:30 AM to Noon, Butner Town Hall**

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

**Background on the Status of the Falls:**

As a reminder and 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 the models developed 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 and later updated by the PFC and stakeholders has been discussed by the PFC at their May 6, 2025; June 3, 2025; July 1, 2025; August 5, 2025; September 2, 2025; October 7, 2025; November 4, 2025; and December 2, 2025, meetings. At the May 2025 meeting of the EMC, we learned that DWR had begun preparation of a set of draft Falls Lake Rules. No notice was provided to the UNRBA that this effort was

underway, nor was there any information provided to the Association on how DWR planned to use the information developed during the extensive workgroup process to provide preliminary draft (draft-draft) rules. A rule readoption status update was provided at the January 6, 2026, PFC meeting.

On June 24, 2025, DWR hosted a Falls Rules Readoption Stakeholder Meeting. DWR provided the UNRBA with their draft rules on August 25<sup>th</sup>. The Executive Director, support team, and PFC Co-Chairs met with DWR staff on August 28<sup>th</sup>, August 29<sup>th</sup>, and September 16<sup>th</sup> to discuss DWR's drafts. In September, the UNRBA updated their draft rules to include the DWR language that was consistent with Consensus Principles II and the concepts outlined in the draft rules developed through the workgroup process.

UNRBA (Board Chair, Co-Chairs of the PFC, and the Executive Director and team), the Chair of the EMC, and leadership from the NC Department of Environmental Quality (DEQ) and Division of Water Resources (DWR) met to discuss key provisions of the Purpose and Scope Rule, Existing Managed Lands Rule, and New Development Rule on October 7, 2025. In October, the UNRBA revised its draft rules based on this discussion, our understanding of the points of agreement achieved, and redistributed this draft to the PFC, Board, and DWR. DWR referenced the UNRBA October drafts in their revisions to the drafts they had provided in August 2025. Meetings were held in December to discuss DWR's draft Existing Managed Lands Rule and New Development Rule and in February to discuss DWR's draft Purpose and Scope Rule. DWR provided updated drafts of these three rules in February along with their proposed Agriculture Rule. For a summary of the comments received from the PFC and Board during and following their March meetings see the April PFC meeting [slides](#).

Leading up to the UNRBA's work with DWR staff, the UNRBA leadership has been meeting with DEQ/DWR leadership and the EMC Chair since September 2025 to discuss the Wastewater Rule and work toward a compromise that can provide the wastewater treatment plants (WWTPs) with enough nitrogen allocation to cover at least the next rules readoption cycle (10 to 15 years). These meetings have also reviewed the status of updating the other rules based on the meetings in September and October. Regardless of the results of these discussions and language in updated drafts from DWR, the UNRBA members with WWTPs will have to decide whether or not to accept any compromise that DWR is willing to put forward. As of the date of this agenda, DWR has yet to provide a proposed draft of the Wastewater Rule they are recommending for readoption.

Relative to the Wastewater Rule and during the October 7, 2025, meeting, DWR requested documentation of the amount of nitrogen load reduction that has been achieved since the baseline year (2006). UNRBA developed this documentation (shared with the PFC previously) which shows a reduction of nearly 400,000 pounds per year of nitrogen since the baseline year (2006). These reductions are the result of several factors, including reduction actions in the watershed, changes in air deposition, and reduced nutrient loading from lake sediments resulting from lower nutrient loading inputs from the watershed. Following DWR's review of that information (with really no feedback from DWR or any alternate information from the Division about alternate calculation methods), the UNRBA leadership met with DEQ and DWR Leadership and the EMC Chair on December 2, 2025, and January 13, 2026, to continue discussions. DWR noted that the conditions in the rules would need to be evaluated in 10 years following this current pending readoption, as required by the General Assembly (all environmental rules must be reviewed every 10 years for applicability, continuation, or modification). The UNRBA and our members with WWTPs previously provided information on the need for increased nitrogen allocation moving into the future. During the December 2<sup>nd</sup> meeting, DWR requested

additional information to justify why more nitrogen load allocation would be needed above the 2006 baseline loads to cover the next ten years. We worked with the WWTP operators on this document and provided it to DWR ahead of the January 13<sup>th</sup> meeting and to the Board ahead of their January meeting. During the January 13<sup>th</sup> meeting, DWR again requested additional information. They asked for more justification on the flow projections based on population growth and planning documents. In response, we worked with the WWTP operators to compile their planning information and engineering studies. Forrest provided an updated version of the projections document to the PFC and Board. The UNRBA met with DEQ and DWR Leadership on February 2, 2026, to continue discussions. DWR provided a draft Wastewater Rule for our review on April 22, 2026.

## Remote Access Instructions for UNRBA Board Meetings

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### 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