



**Upper Neuse River Basin Association Board of Directors Meeting Agenda
November 15, 2023, 9:30 AM to Noon
Butner Town Hall with remote access option (see last page)**

Materials related to this Board of Directors (BOD) Meeting will be placed on the Upper Neuse River Basin Association (UNRBA) website prior to the meeting unless noted otherwise on the [Meeting page](#). See items under the November 15, 2023, meeting date.

- I. Opening—Sig Hutchinson, Chair
 - A. Introductions, Note Announcements
 - B. Roll Call for Quorum
 - C. Identification of any Conflicts
 - D. Review and Approval of Agenda

- II. Action Items for UNRBA Board of Directors
 - A. Approval of [September 20, 2023, Draft Board Minutes](#)
 - B. Approval of the [Treasurer's Report](#)
 - C. Approval of [UNRBA Meeting Dates for 2024](#)
 - D. Appointment of the Officer Nominating Committee
 - E. Appointment of the Personnel Committee
 - F. **Approval for Submittal of Recommendations for a Revised Nutrient Management Strategy**

Item Summary (Forrest Westall): The UNRBA Board of Directors approved the [UNRBA Concepts and Principles for the Reexamination](#) and [Consensus Principles II](#) at the September 20, 2023, meeting. The UNRBA provided a template resolution for local governments to use to approve Consensus Principles II at the local level. Presentations to local governments and utilities have been completed. Signed resolutions have been received from all the local governments and utilities in the Association, and each passed their resolution unanimously. The UNRBA has compiled these resolutions and drafted a cover letter for consideration by the UNRBA Board. [The UNRBA Board will consider approval to submit these documents to DWR at the November 15, 2023, Board meeting; submittal will occur following the meeting.](#)
 - G. **Approval of the Contract to Update the UNRBA Technical Website**

Item Summary (Forrest Westall): The UNRBA has been setting aside funding to update the Association's technical website where data, documents, and meeting history are provided. The software used to develop the website (Druple) is in version 7 and cannot be upgraded. The new version is 10, and the website will have to be updated using this version. The technical website and public facing website will be merged during this process. Monitoring data collected previously by the UNRBA will be provided for download but the program used for statistical and graphical analysis will not be updated. This software is no longer completely functional and cannot be upgraded at a reasonable cost.

The Executive Director and support staff are working on a preliminary layout for the website to provide to the contractor. At their September meeting, the Board was briefed and notified that \$20,000 has been accumulated to support this work. The Executive Director requested, and the Board authorized the use of up to \$10,000 from contingency to increase the contract to \$30,000 if necessary. [The Executive Director has negotiated a contract for approval by the Board, authorizing the Chair to sign on behalf of the Board.](#)
 - H. **Motion to Recess the Regular Session of the UNRBA Board to Sit as the Compliance Group Committee**

III. Action Items for the Compliance Group Committee (CGC)

A. Approval of the FY2022-2023 Summary Report for Interim Alternative Implementation Approach (IAIA)

Item Summary (Forrest Westall): Implementation of the IAIA began July 1, 2021. Year one ended June 30, 2022 and a summary report of jurisdictional activities meeting the requirements submitted in November 2022 ([UNRBA FY2021-2022 IAIA Joint Report,11-16-2022](#)). Year two of the program ended June 30, 2023.

Participants submitted annual reports to DWR to assess individual compliance. Local government annual reports reflect the FY2022-23 investment commitments as well as any FY2021-22 rollover amounts that exceeded the minimum annual requirement. Copies of annual reports were provided to the UNRBA for summary reporting. The PFC reviewed the draft FY2022-23 summary tables on November 7th. A cover letter and final summary report has been provided to the UNRBA Compliance Group Committee for review and approval at today's meeting for submittal to DWR and the Environmental Management Commission. [The CGC will vote on approval of this report and cover letter and authorization of the Chair to sign the letter on behalf of the Board; submittal will occur following the meeting.](#)

B. Motion to Recess the Compliance Group Committee to Resume Regular Session of the UNRBA Board

IV. Status Reports and Informational Items

A. FY2025 Budget Discussion

Item Summary (Forrest Westall): The UNRBA is moving into a period of supporting the use of CPII in the development of revised Falls Lake Rules. This will involve continued engagement, negotiation, and support of the Division of Water Resources (DWR's) rules readoption process. This will change the focus of the organization but will clearly require significant effort and technical support throughout the process. The UNRBA will need to maintain a collaborative relationship between DWR, EMC, and the General Assembly to support an effective readoption process. Working closely with DWR, the UNRBA will need to engage effectively and consistently in efforts for redrafting of the rules and provide technical support and promote public input to stakeholders and DWR. We hope this process will go smoothly, but it is already clear that the UNRBA will need to work diligently to keep Consensus Principles II and the technical data analysis and modeling before the agencies and stakeholders. The recommendations developed lay out a path that is innovative and puts the management efforts for nutrients in the Falls Lake watershed at the forefront of watershed management strategy in the state and nation. Due to the scientific findings and realities of this watershed, the revised strategy will need to forge a path that is a departure from structure of previous nutrient management efforts. This new approach will need significant support to develop rules that make sense, are effective in maintaining uses in Falls Lake, and that garner broad support by the regulatory agencies, the membership of the UNRBA, environmental interest groups, and other stakeholders. The UNRBA should remain committed to working through this with DWR and the staff responsible for developing revised rules. In addition, the UNRBA will proceed with working on receiving approval of a specific 303(d) assessment methodology for Falls Lake and for continuing the development of a site-specific chlorophyll-a standard. At this point, we do not have a specific budget proposal, however, FY2024's Modeling and Regulatory Support was reduced to create replacement of the \$180,000 fund balance allocated to respond to extensive input received in the model development efforts in FY 2023. We anticipate that the budget will be reduced but will need to get a better feel for this following submittal of our recommendations for a revised strategy and to gage the path moving forward. We need to see

the Collaboratory Report on Falls Lake and better understand the process DWR plans to follow. We have recommended that a spring-early summer workshop/symposium be held to present the consolidated recommendations and discuss the readoption of the Falls Lake Rules. This will help to further define the budget needs for FY 2025.

B. Modeling and Regulatory Support (MRS) Status:

Item Summary (Alix Matos): The UNRBA developed a Watershed Analysis Risk Management Framework (WARMF) watershed model for Falls Lake to understand the sources of nutrient loading to Falls Lake and how watershed management activities affect delivered loads. The final draft watershed modeling report was distributed to the Modeling and Regulatory Support Workgroup (MRSW), Path Forward Committee (PFC), Board of Directors, Division of Water Resources (DWR), subject matter experts, third-party model reviewers, and the UNRBA Technical Stakeholders. Final reviews and comments were requested October 15, 2023. We have received review comments from subject matter experts/third-party model reviewers and DWR on the pre-submittal WARMF Watershed Modeling report. The report is being finalized to respond to these comments for review and consideration of approval at the December 5th meeting by the PFC. We have considerable work remaining to finalize these reports and for the sake of efficiency, review and approval by the PFC for submittal will allow us to meet our goals on submitting these reports as quickly as possible. [We are seeking confirmation from the Board that the PFC may approve modeling products and reports for submittal to DWR in December.](#) The final set of WARMF model files was previously submitted to DWR for review.

The lake model report addresses all three UNRBA lake models as well as lake model sensitivity and scenario evaluations. Technical details are described in model-specific appendices. The EFDC model training was held November 9th. The main lake report and EFDC model appendix were distributed in mid-October to the trainees, PFC, MRSW, DWR, and subject matter experts/third-party model reviewers for review and comment. The WARMF Lake appendix has been reviewed by the Executive Director and Co-Chairs of the PFC. It will be distributed to the PFC, MRSW, DWR, and subject matter experts for review and comment in November. The statistical model appendix is under development; model input for the statistical model is summarized in the main lake report. Segment boundaries for the statistical model have been revised to align with available data and analysis by Marty Lebo. The Executive Director and PFC Co-Chairs reviewed and supported this modification to the statistical model. The authorization to use this segmentation was provided to the modeling team. The PFC discussed this change at their November 7th meeting.

C. Developing a Petition for a Site-Specific Chlorophyll-a Water Quality Standard and Falls Lake Assessment Methodology

Item Summary (Forrest Westall): The UNRBA will continue to identify opportunities to work with other stakeholders as we begin coordinating, collaborating, and supporting DWR in the rules review process. The UNRBA continues to develop information to support a petition for a site-specific chlorophyll-a standard for Falls Lake and is working with Dr. Marty Lebo to integrate his results into the site-specific standard evaluation, statistical modeling, and regulatory support efforts. We will use materials already developed on the status of chlorophyll-a standards across the country. Our consulting attorney, Barns & Thornburg, will continue to be briefed and consulted. We are also using this information to develop a specific Falls Lake 303(d) methodology for the current standard.

D. Communications Support

Item Summary (Forrest Westall):

- The UNRBA continues to coordinate with DWR on preparations for the rules review process, potential modifications to the water quality assessment methods, and development of a site-specific chlorophyll-a criteria for Falls Lake. 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.
- A public-facing, two-page summary was developed and distributed to expand outreach and invite additional feedback on the final draft Concepts and Principles document. This document can be used by the local governments to distribute information to their mailing lists and to post to social media accounts. Printed copies are available for those jurisdictions requesting them.
- American Rivers is still planning a “Neuse River of the Year” event for the upper part of the basin. Staff confirmed this at the November 5th PFC meeting. The UNRBA is planning a press release to coincide with the timing of the event. This press release will also reference the successes of the IAIA and the efforts to develop consensus principles for a revised set of rules. Plans to develop videos and messaging for UNRBA members to distribute on their social media accounts is being planned to coincide with this event to streamline videography.
- The “open” nature of all UNRBA meetings remains a key component of a transparent communications approach. We continue to 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.

E. Ongoing Discussions/Issues:

Item Summary (Forrest Westall):

- Intensive activity and management of expectations and resources—A lot to do
- Ongoing DEQ/DWR Items— Neuse Watershed Model Information Session / Delivery Factors for WWTP, Jordan Lake rules readoption process, etc.—we plan to address in our follow-up meetings with DEQ/DWR.

F. Closing Comments—Board Members and Chair

Next PFC Meeting: December 5, 2023, 9:30 AM to Noon

Next Board Meeting: January 17, 2023

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

Remote Access Instructions for UNRBA Board 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 Phone passcode: sent morning of meeting 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 Phone passcode: sent morning of meeting Please mute your phone unless you want to provide input.	Dial the toll-free number and enter the passcode. The system continues to update the passcode because these meetings do not occur on a routine schedule. We will check the passcode the morning of the meeting and resend via email.

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**
- UNRBA meetings are open meetings; however, for this remote access meeting, please **limit the discussion to UNRBA Board Members** to facilitate moving through action items