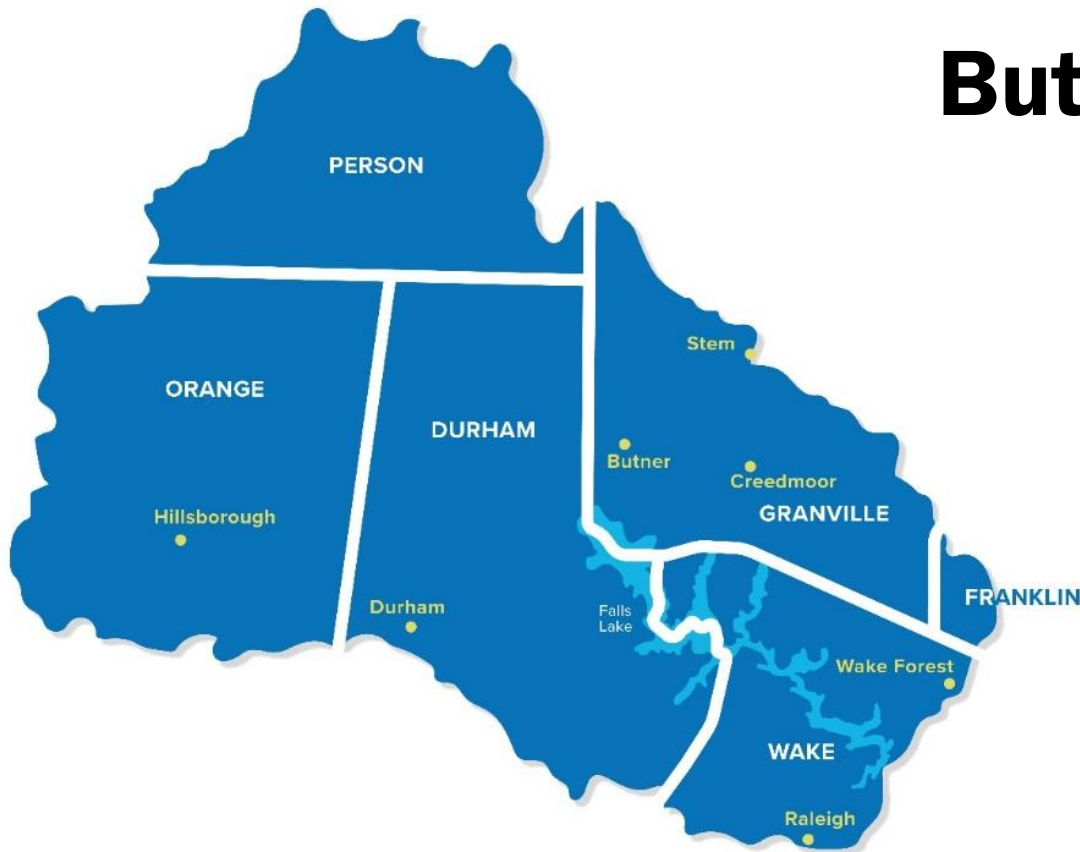




UNRBA Board Meeting March 20, 2024

Butner Town Hall



March 20, 2024, UNRBA Board Agenda

- **Opening—Sig Hutchinson, Chair**
- **Action Items**
 - Approval of January 17, 2024, Meeting Minutes
 - Approval of the Treasurer’s Report
 - Vote to Consider Approval of Proposed Legislative Change
 - Vote to Consider Approval of the Proposed Budget for FY2025
- **Status Reports and Informational Items**
 - Falls Lake Rules Readoption Process (Led by DWR)
 - Updating the UNRBA Technical Website
 - Modeling and Regulatory Support Status and Evaluating a Falls Lake Assessment Methodology Site-Specific Chlorophyll-a Water Quality Standard
 - Communications
 - Ongoing Discussions/Issues
- **Closing Comments**

Opening—Wendy Jacobs

Opening

- Introductions, Board member changes, and announcements
- Roll call for quorum
- Identification of any conflicts
- Review and approval of agenda

Action Items of UNRBA Board of Directors

Approval of Draft Minutes for January 17 2024

Approval of the Treasurer's Report

Balance Forward: (per bank statement - 12/31/2023)	Checking	\$	286,595.06
	Savings		1,206,371.15
Debits:			
McGill Asso. (2023 Invs)		\$	37,201.07
Brown & Caldwell (MRS, FY 23 &24, 2023 Invs)			88,306.49
Barnes & Thornburg			-
WSP, Inc. (Invs, 2023)			-
MFG Consulting, LLC (2023 Invs)			420.00
			<hr/>
Total Debits		\$	125,927.56
Credits:			
Interest (checking)		\$	56.08
Interest (savings)			5,947.34
Transfer from Savings Acc't to Checking Acc't			-
			<hr/>
Account Balance (per bank statement - 2/29/2024)	Checking	\$	160,723.58
	Savings		1,212,318.49
			<hr/>
Total UNRBA Account Balances:		\$	1,373,042.07
			<hr/>
Outstanding invoices/deposits in process since the close of bank statement (2/29/2024):			
Debits:			
McGill Asso. (2023 Inv)		\$	-
MFG Consulting, LLC (2023 Inv)			210.00
Brown & Caldwell (October, FY 2024)			-
Credits:			
Transfer from Savings to Checking		\$	-
			<hr/>
Current Account Balances:	Checking	\$	160,513.58
	Savings		1,212,318.49
			<hr/>
Total UNRBA Account Balance :		\$	1,372,832.07
			<hr/>

Vote to Pursue Proposed Legislative Change

FALLS LAKE WATERSHED ASSOCIATION CHANGE

SECTION 1. G.S. 77-141 read as rewritten:

§ 77-141. Falls Lake Watershed Association criteria for creation; board of directors; purpose; meetings; and records.

...

(7) Developing and implementing a water quality protection plan to be approved by the Environmental Management Commission pursuant to N.C. General Statute § 143-214.14.

The Board will vote on pursuing this change during the upcoming short session of the NC Legislature.

Vote to Approve Dr. Marty Lebo's Contract

- Dr. Marty Lebo to continue to support the UNRBA in the development of a complete regulatory framework for Falls Lake.
- Marty provides important subject matter expert support on the technical basis for chlorophyll-a, a possible revised standard, and the standard assessment processes
- He has completed his current work (presented at the [February meeting](#) of the PFC).
- In March, the PFC reviewed the scope of work and recommended approval of the proposed contract with a not to exceed of \$30,000 and a scope of work contracted at less than \$27,000. \$20,000 would be included in the budget for FY2025 with up to \$10,000 paid from contingency. [The Board will vote on Dr. Lebo's contract.](#)

**Proposed Tasks and Budget for
the FY2025 Modeling and
Regulatory Support and
Communications (MRS&C)
Project**

Development and Review of the Proposed Tasks and Budget for FY2025 MRS&C

- The Executive Director and consultant team developed a preliminary draft budget that was reviewed by the PFC Co-Chairs and UNRBA Treasurer.
 - Reductions to the proposed budget and scope of work were made following this meeting.
- The PFC reviewed and discussed the draft budget at a special meeting on February 27th.
- The proposed budget was then reviewed and approved by the PFC at their March 5th meeting; additional minor reductions have been made to the budget and scope
- The following slides summarize the draft scope items and budget for the project as well as the impact on the total dues for FY2025

Proposed Tasks for the FY2025 MRS&C Project

- Planning for future monitoring and identification of data gaps for future modeling (adaptive management)
- Data analysis to address stakeholder questions and statistical modeling to evaluate designated uses and develop a Falls Lake 303(d) assessment process
- Status updates, project reporting, responding to DWR questions on reports
- Support implementation of current rules (IAIA, new development rules implementation, nutrient credits)
- Support rules readoption process and Falls Lake specific 303(d) assessment methodology
- Preliminary Evaluation of a Potential Site-Specific Chlorophyll-a Standard
- Fiscal analysis of proposed rule changes and support DWR's formal fiscal analysis
- Communications support

Proposed FY2025 MRS&C Tasks and Budget

Task	Total
520 Planning for future monitoring and identification of data gaps for future modeling	\$15,000
530 Data analysis and statistical modeling	\$110,000
540 Project reporting, responding to dwr questions on reporting, status updates (PFC, BOD meetings)	\$70,000
550 Support continued implementation of current rules	\$40,000
560 Support rules readoption process and Falls Lake specific 303(d) assessment methodology	\$140,000
570 - Preliminary evaluation of a potential site-specific chlorophyll-a standard	\$20,000
570 Fiscal analysis of proposed rule changes/support DWR's formal fiscal analysis	\$90,000
580 Communications support	\$60,000
630 Project management, miscellaneous expenses, attendance and travel for meetings, workshops, and forums	\$50,010
Total	\$595,010

Recommended Budget Expenditures for FY2025

Expenditures	Budget
Executive Director Services, Travel, and Other Support Services	\$243,390
Modeling and Regulatory and Communications Support	\$535,010
Dr. Marty Lebo	\$20,000
Communications Support	\$60,000
Legal Support	\$100,000
Administrative Costs	\$8,300*
Total	\$966,700

*Administrative costs include the audit as required by the Bylaws, 990 tax return preparation, general liability and officer and director's insurance, basic website support and hosting, lobbyist registration fees, and other expenses.

Membership Fees Since FY2013

Fiscal Year	Budget
2013	\$259,381.00
2014	\$643,500.01
2015	\$811,999.98
2016	\$826,299.94
2017	\$978,800.02
2018	\$1,025,599.95
2019	\$1,136,265.01
2020	\$1,144,999.97
2021	\$1,152,850.05
2022	\$1,165,517.07
2023	\$1,192,892.05
2024	\$1,204,940.00
2025 (recommended)	\$966,699.98
Total	\$12,509,745.03

Membership Fees for Recommended FY2024-25 Budget

\$ 966,700.00 Projected Revenue

Date: 3/13/2024

Member	Base Rate (10%)	2023 Raw Water Demands (50%)			Jurisdiction's Land Area			FY 2024-25 Dues
	\$ 96,670.00 Member's Sub-Share of Cost	2012 Average Raw Water Demand (MGD)	\$ 483,350.00 (%)	Member's Sub-Share Cost	Jurisdiction's Acres Within Watershed	\$ 386,680.00 (%)	Member's Sub-Share Cost	Total Membership Dues
Town of Butner	\$ 6,905.00	NA			8,822	1.8	\$ 6,940.33	\$ 13,845.33
City of Creedmoor	6,905.00	NA			3,544	0.7	2,788.09	9,693.09
City of Durham	6,905.00	30.290	37	\$ 179,514.59	32,680	6.6	25,709.59	212,129.18
Durham County	6,905.00	NA			96,437	19.6	75,867.69	82,772.69
Franklin County	6,905.00	NA			5,284	1.1	4,156.96	11,061.96
Granville County	6,905.00	NA			71,698	14.6	56,405.34	63,310.34
Town of Hillsborough	6,905.00	1.567	2	9,286.87	3,666	0.7	2,884.07	19,075.94
Orange County	6,905.00	NA			121,358	24.7	95,473.22	102,378.22
Person County	6,905.00	NA			83,083	16.9	65,362.00	72,267.00
City of Raleigh	6,905.00	47.200	58	279,732.21	1,856	0.4	1,460.13	288,097.34
SGWASA	6,905.00	2.5	3	14,816.32	NA		-	21,721.32
Town of Stem	6,905.00	NA			506	0.1	398.07	7,303.07
Wake County	6,905.00	NA			61,669	12.5	48,515.45	55,420.45
Town of Wake Forest	6,905.00	NA			914	0.2	719.05	7,624.05
Total	\$ 96,670.00	81.557	100	\$ 483,349.99	491,517	99.9	\$ 386,679.99	\$ 966,699.98

Notes:

* Cost Allocation = 10% by uniform participation; 50% by raw water demands; and 40% by jurisdictional land area in UNRB.

** 2023 annual daily average raw water demand reported by user systems.

*** Jurisdictional areas obtained from members, January, 2023. Percentages are calculated based on total basin acres. The towns of Mebane and Franklin have a few acres but not enough to affect percentages. Municipal acreages do NOT include ETJs (although some municipalities may have some planning jurisdiction in ETJs, they do not collect tax revenue from these properties). SGWASA- and OAWS-owned acreages are included in their respective jurisdictional areas and are not calculated separately.

Comparison of Dues for FY2024-25 to FY2023-24

Member	Recommended Membership Fees FY2024-25	Current Membership Fees FY 2023-24
Town of Butner	\$ 13,845.33	\$ 17,257.46
City of Creedmoor	\$ 9,693.09	\$ 12,081.92
City of Durham	\$ 212,129.18	\$ 268,841.83
Durham County	\$ 82,772.69	\$ 103,171.74
Franklin County	\$ 11,061.96	\$ 13,788.14
Granville County	\$ 63,310.34	\$ 78,912.96
Town of Hillsborough	\$ 19,075.94	\$ 23,686.43
Orange County	\$ 102,378.22	\$ 127,608.99
Person County	\$ 72,267.00	\$ 90,076.96
City of Raleigh	\$ 288,097.34	\$ 352,107.62
SGWASA	\$ 21,721.32	\$ 29,721.40
Town of Stem	\$ 7,303.07	\$ 9,102.89
Wake County	\$ 55,420.45	\$ 69,078.63
Town of Wake Forest	\$ 7,624.05	\$ 9,502.97
Total	\$ 966,699.98	\$ 1,204,939.94

Unappropriated Funds as of March 1, 2024

Draft Unappropriated Funds as of March 1, 2024 Report

Cash on Hand as of 6/30/2023:	\$	706,882.97
Membership Dues Received for FY 2023-24:		1,204,939.94
Interest Earned on Savings Account		<u>22,110.32</u>
Totals:		1,933,933.23

Expenditures Since June 30, 2023:

Brown & Caldwell	\$	374,650.38
McGill		170,547.66
MFG Consulting		2,161.99
WSP, Inc.		6,869.50
990 Tax Prep		650.00
Insurance		1,867.00
Smith Law		252.00
B & T		405.00
Sauber		2,800.00
PCi		<u>960.83</u>
FY 2024 YTD Expenditures	\$	561,164.36

Subtotal: \$ 1,372,768.87

B & C Remaining Contract:	\$	411,647.03
McGill Remaining Contract:		65,892.34
WSP, Inc Remaining Contract:		2,000.00
Miscellaneous Expenses:		<u>3,021.00</u>
Subtotal:	\$	482,560.37

Program Reserves:

Legal Reserve	\$	490,283.00
Website Reserve		18,000.00
Communications Program		<u>-</u>
Subtotal:	\$	508,283.00

Unappropriated Funds: \$ 381,925.50

Vote on Proposed Budget for FY2025

Status Reports and Informational Items

Falls Lake Rules Readoption Process (Led by DWR)

Recent Meetings

- A researcher from NC State University, Dr. Aston Merck, reached out to the Executive Director about a research effort about phosphorous sustainability. She is working with Profs. Dr. Jay Rickabaugh and Dr. Kelly Chernin of Appalachian State University on a study of regional governance and environmental management.
- Their work is part of the Science and Technologies for Phosphorus Sustainability ([STEPS](#)) Center
- They are interested in talking with member representatives of the UNRBA as part of a project on how policymakers in public sector organizations approach complex environmental challenges.
- The Executive Director and support staff were interviewed by the researchers following the PFC meeting on March 5th.
- The research team has also reached out to several UNRBA members.
- Local governments that have not yet been contacted may be soon.
- If you would like contact information for the researchers, please contact the Executive Director.

**Interviews by researchers at the
Science and Technologies for
Phosphorus Sustainability
(STEPS) Lead Researcher, Jay
Rickabaugh. Appalachian State
University**

Recent Meetings

- January 19th - Met with John Huisman and Rich Gannon (DWR) to discuss status and upcoming activities
 - DWR is reviewing UNRBA and NC Collaboratory submittals
 - DWR's role in approvals of UNRBA models and recommendations
 - DWR working on a schedule for UNRBA review
 - Joint regulatory forum
 - Planning for presentations to EMC and WQC
 - Watershed organization
 - How the UNRBA can support DWR's process
- January 31st - Met with Ellie Rauh (DWR) to discuss the IAIA and potential application in the Jordan Lake watershed
- February 2nd - DWR presented the Falls Lake IAIA to the Nutrient Scientific Advisory Board as a potential approach to base upcoming/revised existing developing rules in the Jordan Lake watershed
- February 22nd - DWR hosted a Jordan Lake One Water workshop to discuss existing Jordan Rules, challenges, and alternatives
- March 8th - UNRBA Board Officers discussed upcoming activities

Upcoming Activities

- The NC Collaboratory will provide funding to Dan McLawhorn to continue his policy-related evaluations and recommendations related to Falls Lake rules readoption, a new watershed organizations, etc.
- The Collaboratory will also be funding further research by Barbara Doll on stream bank nutrient loading and restoration efforts as well as Nathan Hall to support statistical modeling efforts
- Planning meetings with DWR to discuss schedule for rules readoption, joint forum, UNRBA support activities, etc.

Schedule for Rules Readoption

- The UNRBA will continue to identify opportunities to work with other stakeholders as we begin coordinating, collaborating, and supporting DWR in rules review process
- **January to May 2024**
 - UNRBA/DWR meeting to continue to discuss process for rule making and approval of UNRBA products
 - Regulatory Forum to present rule making process to UNRBA members and other stakeholders
 - Meetings with the Chairs of the Environmental Management Commission (EMC) and its Water Quality Committee
 - UNRBA annotate existing rule language to mark for potential changes and review with DWR
- **June to December 2024**
 - DWR to begin rule making and their stakeholder process
- **2026/2027**
 - DWR anticipates rules readoption
 - **We hope to achieve rules readoption earlier**

Updating the UNRBA Technical Website

Updating the UNRBA Technical Website

- The UNRBA has been setting aside funding to update and merge the technical website and public facing website
- At their November meeting, the Board authorized the Chair to sign a contract to begin this work for an amount up to \$20,000.
- At their September meeting, the Board authorized the use of up to \$10,000 from contingency to increase the contract to \$30,000 if necessary. [This request may be presented to the Board at the May meeting.](#)
- The PFC has reviewed draft website content and a preliminary mockup of the home page for the new website
- The website developer is proceeding with the structural organization of the website.

Mockup of the Home Page



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UPPER NEUSE RIVER BASIN ASSOCIATION

Mobilizing water quality stewardship throughout the Basin



Mockup of the About Us Tab



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Background

- Construction and Early Studies
- Uses of the Lake
- Balancing Nutrients
- The 2011 Rules
- The Chlorophyll-a Standard

Reexamination

- Requirements
- The UNRBA Framework
- The Need for Further Management
- The UNRBA's Recommendations
- Case Studies

The Association

- Mission
- Local Governments and Utilities in the Watershed
- Boaed of Directors
- Executive Director
- UNRBA Bylaws and Guidance Documents



Modeling and Regulatory Support Status

**Evaluating a Falls Lake
Assessment Methodology Site-
Specific Chlorophyll-a Water
Quality Standard**

Status of Modeling Files and Reporting

- Process-based modeling files have been submitted to the Division of Water Resources (DWR) for review and approval
 - WARMF watershed model
 - WARMF lake model
 - EFDC lake model.
- The [watershed model report](#) has also been submitted to DWR.
- The lake model report has been drafted to address WARMF lake, EFDC lake, and a statistical Bayesian model.
 - The Path Forward Committee (PFC) has reviewed and provided comments.
 - DWR is still reviewing the draft report.
 - The UNRBA will submit the lake report to DWR for review and approval under Falls Lake Rule 15A NCAC 02B .0275 following this initial review and revision process.

Statistical Modeling and Evaluation of Falls Lake Assessment Methodology and Site-Specific Chlorophyll-a Standard

- Statistical model is being developed to support evaluation of
 - Falls Lake specific 303(d) assessment methodology
 - Site-specific chlorophyll-a standard
- Working on the model and its application with Dr. Marty Lebo (UNRBA contractor) and Dr. Nathan Hall (NC Collaboratory).
- Model confirms findings of the other two lake models and NC Collaboratory research (i.e., nutrient and chlorophyll-a levels in the lower part of Falls Lake are relatively low)
- Work on lower lake will continue, then middle and upper lake
- We will use materials already developed on the status of chlorophyll-a standards across the country.
- Our consulting attorney, Barnes & Thornburg, will continue to be briefed and consulted.
- The UNRBA will coordinate with DWR, Collaboratory researchers, and other stakeholders throughout this process

Communications

Communications Outreach and Preparation

- Continue to coordinate with DWR on the rules review process, potential modifications to the water quality assessment methods, and development of a site-specific chlorophyll-a standard 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.
- 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

- Planning for a joint stakeholder workshop with DWR and UNRBA on the rules readoption process
- Planning for meetings/workshop with UNRBA and NC Collaboratory regarding the recommendations
- Presenting a Falls Lake session at the Water Resources Research Institute Annual Conference March 21, 2024
- Updating the fast facts handout, infographic handout, and slides for local governments to share and receive feedback on the UNRBA recommendations and how they can get involved in the rules readoption process
- American Rivers is still planning a “Neuse River of the Year” event for the upper part of the basin.

Ongoing Discussions/Issues

Ongoing Discussions/Issues

- Intensive activity and management of expectations and resources—A lot to do
- DWR Neuse Watershed Model/Delivery Factors for WWTP
- DWR Proposed Changes to New Development Rules for the High Rock Lake Watershed
- DWR Inquiries and Issues Regarding Nutrient Credits
- Jordan Lake rules readoption process
- Interviews by researchers at the Science and Technologies for Phosphorus Sustainability (STEPS) Lead Researcher, Jay Rickabaugh. Appalachian State University

Closing Comments

Next UNRBA Board Meeting
May 15, 2024
Butner Town Hall
9:30 AM to Noon