

# Path Forward Committee Meeting May 5, 2020

**Remote Access Only (see next slides)**



# Remote Access Options

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Computers without audio capabilities, or audio that is not working	<a href="#">Join Microsoft Teams Meeting</a> (888) 404-2493 Passcode: 371 817 961# <b>Please mute your phone</b> unless you want to provide input.	Follow instructions above <b>Turn down your computer speakers, mute your computer microphone,</b> and dial the toll-free number through your phone and enter the passcode
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# Remote Access Guidelines

- This meeting will open 30 minutes prior to the official meeting start time to allow users to **test equipment** and ensure communication methods are working
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# Agenda

- Opening comments
- Summary of UNC Collaboratory Jordan Lake Modeling, guest speaker, Daniel Obenour, UNC Collaboratory
- Status Updates
  - Status of IAIA
  - Modeling and Regulatory Support Status
- Other status items
- Closing comments

**Summary of UNC Collaboratory Jordan  
Lake Modeling, Guest Speaker:  
Daniel Obenour**

**Status of the UNRBA Stage I  
Existing Development (ED)  
Interim Alternative  
Implementation Approach (IAIA)**

# Status of the UNRBA Stage I ED IAIA

- The UNRBA Board endorsed a Program Description document on January 15, 2020
  - Provides basis for additional discussions on how such a program could be established and implemented
  - Preliminary evaluation that did not represent commitments from members to participate
  - Did not represent a final IAIA Program document.
- Two potential implementation approaches
  - Inclusion of the IAIA as a compliance approach in the Existing Development Stage I Model Program (MP)
  - Legislative action
- Schedule considerations - a preliminary prospective schedule was developed previously and was provided to the PFC and the Board aimed at IAIA Program implementation date of July 1, 2021

# Status of the UNRBA Stage I ED IAIA

- Preferred pathway is to implement with the IAIA under the existing rules
- UNRBA, DWR, and non governmental organization representatives discussed this approach
- Following coordination on the language for the Model Program to allow for an IAIA, DWR has developed and agreed to the attached draft language
- Draft language for insertion into the Model Program
  - Distributed to the PFC for review on April 22<sup>nd</sup>
  - Summarized in the following slides



# Summary of Draft IAIA Model Program Language

- States that an IAIA is available and will be **acceptable to DWR**
- Achieves **joint compliance** with the implementation of Stage I Existing Development
  - Does not require development of jurisdictional loads or local programs
  - Compliance would be measured by an agreed-to investment level by each participating jurisdiction
    - MP language does not specify level of investment
    - Investment levels would be established in the submitted Program document being developed by the UNRBA

# Summary of Draft IAIA Model Program Language

- The language only identifies the **general magnitude** of total required loading reductions under the ED Rule
- These are “compared” in relative terms to reductions already achieved in the watershed from the point sources
- **No specific jurisdictional loads would have to be developed by individual participants in the IAIA**
- The loading reductions of the point sources are cited as a total and there is no assignment of any credits
  - Any point source credits continue to be owned and controlled by the jurisdictional owner of the WWTP
  - The general information reported on the status of point source reductions is simply to provide DWR “reasonable assurance” that the estimated reductions for ED are being met in the watershed

# Summary of Draft IAIA Model Program Language

- Assurances for program participants and DWR
  - Compliance with the Rule under the IAIA is maintained as long as the overall investment in projects meets the investment commitments made in submitting the Program document/agreement
  - For DWR, the “reasonable assurance” of compliance is provided by
    - The relative difference between “estimates” of total loading reduction required for ED compared to load reductions achieved by WWTPs
    - Language has been crafted to only “generally” and “approximately” confirm this comparison
      - Does not result in credit allocation
      - Strikes a balance between the needs of the potential participants and DWR


# **Summary of Draft IAIA Model Program Language**

- The Model Program language does not address the details of the IAIA program
- Details will be described in the UNRBA Program Document

# **Status of UNRBA IAIA Program Document and Communications**

- Based on the Board-endorsed Program Description, the UNRBA IAIA Program Document will include specific provisions
  - Financial commitment levels
  - Eligible practices and actions
  - Reporting components
  - Interlocal Agreement(s) (under development with the Legal Workgroup)
  - General guidelines
- A preliminary draft Program Document has been provided to the PFC for review and input on April 29<sup>th</sup>
- IAIA was presented to the Nutrient Scientific Advisory Board on May 1<sup>st</sup>

## Prospective Development Schedule for UNRBA IAIA Program Implemented under the Falls Lake existing rules. Potential start date of July 1, 2021.



Feb 2020: DWR provides draft language in the Falls Lake Existing Development Model Program to allow an IAIA  
UNRBA and members review and provide comments.

Mar and Apr 2020:

UNRBA develops draft IAIA Program including investment levels, reporting requirements, etc.

Apr 2020: Meeting with DEQ leadership to discuss IAIA and impacts on other practices like land conservation

May 2020: Internal review of UNRBA IAIA

Develop revised draft for external review; provide status presentation to UNRBA Board

June 2020: DWR reviews UNRBA IAIA Program document

July 2020: DWR provides a revised draft Model Program for UNRBA review

August 2020: UNRBA reviews DWR Model Program and finalizes IAIA Program



Sep 2020: DWR finalizes draft Model Program

Presentation of IAIA Program to UNRBA Board; DWR/UNRBA information update to EMC WQC



Oct 2020: Prepare for UNRBA/DWR/NGO presentation to EMC WQ Committee



Nov 2020: UNRBA Board action to submit, or not, to the EMC for approval in January

Present Model Program with IAIA to EMC WQ Committee; DWR information update to full EMC



Jan 2021: Model Program submittal to full EMC for approval



July 2021: Submit and begin implementation of either the IAIA (with signatures of participants) or individual jurisdictions submit their own Local Programs

# **Modeling and Regulatory Support (MRS) Status**



# Modeling and Regulatory Support Status

- Amendment 2 of FY2020 Contract has been executed
  - Increases budget for communications activities associated with February 2020 Regulatory Forum
  - Provides budget for out of scope expenses associated with the Forum
  - Allows for submittal of packaged MRSW and PFC slides to satisfy interim reporting requirements while technical report continues to be drafted
- Development of scope of work and contract for FY2021
  - MRSW reviewed scope of work during May 5<sup>th</sup> meeting
  - Primary goals
    - Complete water quality calibration of the WARMF watershed model
    - Setup and calibrate hydrology of WARMF lake model
    - Begin water quality calibration of EFDC lake model
    - Begin coding model structure of UNRBA statistical model
    - Support communications (draft scope in progress)

# Other Status Items

# Communications

- Current contract is completed with completion of the Forum; new contract not in place
- Will place on future PFC agenda to discuss priorities and work scope for 2020-2021
  - Forum follow up will continue
    - Local government meetings as requested (as possible under current meeting constraints)
    - Follow up on information requests and distribution
    - Evaluate best ways to utilize UNRBA resources to support member needs
  - IAIA communication/coordination
    - Consultation with DWR and individual jurisdictions to finalize the Program document (investment levels, etc.)
    - Status update with DEQ and impacts to other practices
    - Presentation to EMC WQC

# UNC Collaboratory Jordan Lake Modeling Reports

- In April we heard from Jonathan Miller on the Jordan Lake Watershed modeling
- Today we heard from Daniel Obenour on the Jordan Lake modeling
- We anticipate presentation on Jordan Lake EFDC modeling from Jim Bowen at the June 2<sup>nd</sup> PFC meeting

# Ongoing Items

- MOA for re-examination
- Coordination with the UNC Collaboratory
- 2019 UNRBA Data Report meeting—  
Schedule for face to face when possible
- IAIA Program meeting with DEQ/DWR  
(depending on availability and ongoing  
COVID-19 Response)
- 303(d), chlorophyll-a listing, and lake  
segmentation
- Legal support

# **Future Meetings as Currently Scheduled:**

## **Next BOD Meeting**

May 20, 2020, 9:30 AM to Noon  
Butner Town Hall

## **Next MRSW Meeting**

June 2, 2020, 9:00 AM to 10:30 AM  
Butner Town Hall

## **Next PFC Meeting**

June 2, 2020, 10:40 AM to 1:10 PM  
Butner Town Hall

# Closing Comments Additional Discussion