

Path Forward Committee Meeting

May 7, 2024



Agenda

- Opening Comments, Agenda Review/Revisions
- DWR Proposed Changes to New Development Rules for the High Rock Lake Watershed
- DWR Interviews of Local Government Stormwater Staff
- Status of Updates to the UNRBA Website
- Falls Lake Rules Readoption Process
- Modeling and Regulatory Support Status
- Evaluation of Falls Lake Assessment Methodology and a Site-Specific Chlorophyll-a Water Quality Standard
- Communications Support
- Other Status Items
- Closing

Opening Comments, Agenda Review/Revisions

DWR Proposed Changes to New Development Rules for the High Rock Lake Watershed

DWR Proposed Changes to New Development Rules for the High Rock Lake Watershed

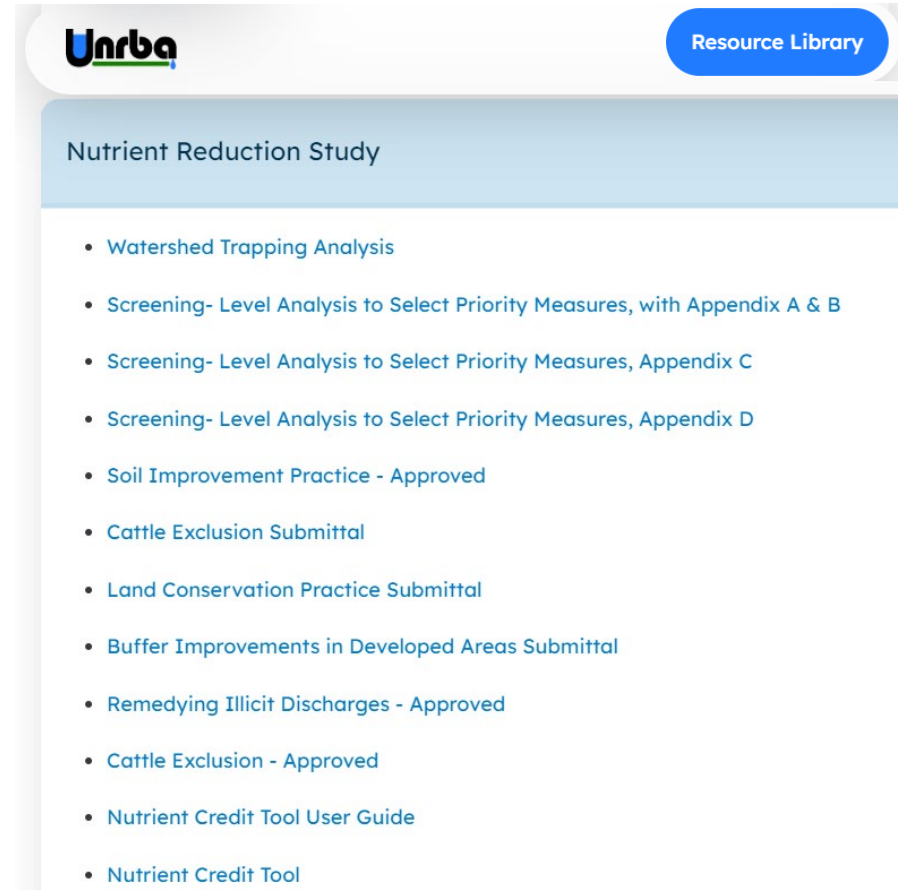
- The Division of Water Resources (DWR) has developed a draft proposal for changes to new development rules for the High Rock Lake Watershed.
- Stakeholders in the High Rock Lake watershed have not yet come to consensus on this proposal.
- Options in the proposal include requiring peak flow or volume reductions better than pre-development conditions depending on the intensity of the development.
- The most recent version was distributed to the PFC for review and discussion at their May meeting.
- DWR would appreciate feedback by mid-May from the UNRBA. Some comments have already been provided.
- Since this draft has potential to impact the components of the revised Falls Lake Rules, our input is important

DWR Interviews of Local Government Stormwater Staff

Status of Updates to the UNRBA Website

Status of UNRBA Website Updates

- Revised the draft content in response to PFC input
- Developed content pages with links to separate pdf documents that can be easily be updated
- The website developer is creating the resource library to which UNRBA reports and other important links will be housed.
- Once these links are active, the content pages will be updated to include the new links.
- This will be an iterative process
- We anticipate a beta version of the website ready for review by the June PFC meeting.



The screenshot shows the UNRBA website's Resource Library. The UNRBA logo is in the top left, and a blue 'Resource Library' button is in the top right. The main heading is 'Nutrient Reduction Study'. Below this, a list of documents is displayed, each with a blue bullet point:

- [Watershed Trapping Analysis](#)
- [Screening- Level Analysis to Select Priority Measures, with Appendix A & B](#)
- [Screening- Level Analysis to Select Priority Measures, Appendix C](#)
- [Screening- Level Analysis to Select Priority Measures, Appendix D](#)
- [Soil Improvement Practice - Approved](#)
- [Cattle Exclusion Submittal](#)
- [Land Conservation Practice Submittal](#)
- [Buffer Improvements in Developed Areas Submittal](#)
- [Remediating Illicit Discharges - Approved](#)
- [Cattle Exclusion - Approved](#)
- [Nutrient Credit Tool User Guide](#)
- [Nutrient Credit Tool](#)

Potential Contract Amendment for Developer

- The UNRBA has been setting aside funding to update the website.
- The current contract for website updates is \$20,000.
- After the contractor has reviewed the draft material developed by UNRBA, he will assess if additional funds will be needed.
- At their September 2023 meeting, the Board authorized the use of up to \$10,000 from contingency to increase the contract to \$30,000 if necessary.
- If an amendment to the contract is needed, the Board will consider this at their May or June meeting.

Falls Lake Rules Readoption Process (Led by DWR)

Proposed Legislative Change

- On March 8, 2024, the UNRBA Officers discussed a legislative change based on the NC Collaboratory-funded study by Dan McLawhorn to support a watershed organization like the UNRBA developing and implementing a water quality protection plan.
- Mr. McLawhorn recommended these activities should be explicitly allowed by changing existing legislation ([§ 77-141](#)).
- The legal group of the UNRBA met to refine the language.
- The Board discussed this legislative change and draft language at their meeting on March 20, 2024, and approved moving forward with attempting this change during the legislative short session.
- The PFC received a copy of the language and will discuss during the meeting (**see next slide**)
- Granville County is assisting with contacting NC legislators to support adoption of this change during the short session.
- Staff from American Rivers have also indicated support for this particular change but noted other recommendations in the Collaboratory report warrant additional discussion. The noted items will be discussed as the rules readoption process continues.

Proposed Legislative Change

- (c) The purposes of the Association may include, but are not limited to:
- (1) Providing a forum for sharing information in order to assist local governments in complying with State and federal laws that pertain to the water quality in the Falls Lake watershed.
 - (2) Providing a mechanism for participating local governments to coordinate and fund common technical resources.
 - (3) Planning for and conducting water quality monitoring in the Falls Lake watershed in coordination with the Department of Environmental Quality.
 - (4) Coordinating with the Department of Environmental Quality in the development of a transparent and accessible system for recording and maintaining nutrient offsets and credits that complies with any rules adopted to protect and restore water quality in the Falls Lake watershed.
 - (5) Providing a public forum to review and discuss innovative approaches to restore, protect, and maintain water quality in the Falls Lake watershed.
 - (6) Conducting and evaluating scientific research that describes or predicts conditions related to or affecting water quality in the Falls Lake watershed, including the reservoir.
 - (7) Developing and implementing a water quality protection plan to be approved by the Environmental Management Commission pursuant to and as defined by N.C. General Statute § 143-214.14.

Discussion Items from April 10th Meeting with DWR

- Proposed legislative change: DWR supportive/understanding
- DWR is reviewing UNRBA and NC Collaboratory submittals
- DWR's role in approvals of UNRBA models and recommendations as specified in the Falls Lake Rules
- DWR continues to work on a rules readoption schedule for UNRBA review
- Planning for joint DWR-UNRBA regulatory forum
- Planning for presentations to EMC and WQC
- Watershed organization and protection plan
- How the UNRBA can support DWR's Falls Lake rules readoption process

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
- **June to December 2024**
 - DWR to begin rule making and their stakeholder process
 - 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
- **2026/2027**
 - DWR anticipates rules readoption
 - **We hope to achieve rules readoption earlier**

Modeling and Regulatory Support Status

Watershed Model Report

- The UNRBA has submitted the final watershed modeling report and watershed modeling files to DWR and EMC.
- The Executive Director has requested a formal statement from DWR as specified in Section (5)(f)(iii) of the Falls Lake Rules which require that “the Division shall assure that the supplemental modeling is conducted in accordance with the quality assurance requirements of the Division.”
- The UNRBA submitted and the Division approved the UNRBA Modeling Quality Assurance Project Plan for this purpose.

Lake Model Report and Modeling Files

- The UNRBA has also submitted lake modeling files for two of three lake models (WARMF and EFDC). The third lake model (statistical/Bayesian) is under development.
- The lake model report addresses all three UNRBA lake models
- The modeling team has received comments on the draft report from PFC members and DWR and is responding accordingly
- The UNRBA will submit the lake report and appendices to DWR for review and approval under Falls Lake Rule 15A NCAC 02B .0275 following this initial review process.

Statistical/Bayesian Modeling Status

- The statistical model and appendix are under development
- Model input data is summarized in the main lake report.
- The NC Collaboratory will provide funding to Nathan Hall to continue serving as a subject matter expert on statistical model development
- Subject matter experts, Drs. Nathan Hall and Marty Lebo, are reviewing the model network (the linkages among drivers, responses, and outputs); the team met with them on March 28, 2024 to discuss
- On April 5, 2024, the Executive Director approved shifting \$10K from Brown and Caldwell's labor budget for statistical modeling and \$20K from Brown and Caldwell's labor under regulatory support for an increase in funding of \$30K for the statistical modeling team to continue their efforts. This shift will not affect the total budget for the project.

**Ongoing Evaluation of Falls
Lake Specific Assessment
Methodology and Site-Specific
Chlorophyll-a Criteria**

Evaluation of Falls Lake Specific Assessment Methodology and Site-Specific Chlorophyll-a Criteria

- Marty Lebo is continuing his work under his current contract to evaluate a Falls Lake Specific Assessment Methodology and Site-Specific Chlorophyll-a Criteria
- A contract amendment has been executed to continue his progress on this work
- The NC Collaboratory will provide funding to Nathan Hall to provide input on the ecological functioning of Falls Lake (algal species and edibility of higher trophic level organisms)
- The statistical model is being developed to support these efforts

Communications Support

Communications Support

- The UNRBA continues to coordinate with DWR
 - Rules readoption process
 - Potential modifications to the water quality assessment methods
 - Development of a site-specific chlorophyll-a criteria for Falls Lake
- The work with DWR will intensify greatly following submittal of the UNRBA's and NC Collaboratory's recommendations in December 2023.
- 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

Additional Information and Activities

- Updates to the fast facts and infographics documents
- Working on a slide deck for UNRBA members to present the recommendations for a revised nutrient management strategy
- Planning for a joint stakeholder workshop with DWR and UNRBA on the rules readoption process
- Planning for a synthesis workshop with UNRBA and NC Collaboratory regarding the intersection of research studies and insights for the rules readoption process
- Conducted a well-attended Falls Lake session at the Water Resources Research Institute Annual Conference on March 21, 2024
- American Rivers is still planning a “Neuse River of the Year” event for the upper part of the basin.

Coordination with Stakeholders

- The UNRBA will continue to identify opportunities to work with other stakeholders as we move through rules readoption.
- 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.

Other Status Items

Other Status Items

- DWR Neuse Watershed Model Information Session / Delivery Factors for WWTP, etc.
- Inquiries and Issues Regarding Nutrient Credits
- Jordan Lake rules readoption process
- Brown and Caldwell conducting evaluations of development intensity under an on-call contract with the City of Raleigh

Future Meetings Currently Scheduled:

Next BOD Meeting: May 15, 2024, 9:30 AM to Noon

Next PFC Meeting: June 4, 2024, 9:30 AM to Noon

Closing Comments

Additional Discussion