

UNRBA Work Group Meeting

Discussion of Optional Falls Lake Implementation Approach



April 29, 2019



Agenda

- Initial comments
- Agenda Review/Revisions
- Overview of discussion from April 15th
 - Review objectives of optional implementation approach
 - Summarize potential core principles
- Implementation considerations
 - Eligible practices
 - Tracking information
 - Examples of minimum funding levels
 - Logistic steps to establish an optional approach
 - Political issues and questions
- Assign action items/individuals to develop information
- Schedule follow up meeting
 - Share information
 - Determine path forward
 - Identify appropriate vehicle
 - Develop plan to engage external stakeholders
- Closing comments/additional discussion

Initial Comments

Agenda Review/Revisions

- ...

Overview of Discussion on April 15th

Objectives of Optional Falls Lake Implementation Approach

- Implement projects in the watershed to improve water quality while the re-examination process unfolds
- Include participation by all UNRBA local governments
 - Some local governments have pre-existing plans for water quality improvement projects and practices
 - Some have set aside funds but not begun implementation
- Demonstrate commitment of the UNRBA to stakeholders

Summary of Potential Core Principles

- Minimum funding levels should be fair and equitable
- Participation with the UNRBA may be a requirement to participate in this alternative framework with exceptions for agriculture and state/federal agencies
- Consensus will be sought among UNRBA members and elected officials
- Will need to coordinate with regulators, legislators, and stakeholders
- Focus on investments or numbers of projects rather than counting pounds of nutrients
- Expand list of eligible practices (e.g., land conservation)
- Activities implemented under this framework should count toward the re-examination strategy
- Project prioritization should consider capital and long-term maintenance costs, location with respect to hot spots, and site opportunities

Implementation Considerations

Potential Eligible Practices

- Stormwater control measures
- Stream restoration
- Programmatic measures
- Infrastructure improvements
- Illicit discharge detection and elimination
- Reduction of sanitary sewer overflows
- Land conservation
- Grant funded projects
- **Other eligible practices - add here**

- If UNRBA decides to move forward, what practices are eligible under this framework?
- Should certain types of practices be limited in the amount that is eligible?

Accounting for Past Actions

- Estimate total expenditure since 2006 and subtract from banked money each year?
 - More complex accounting system
 - Limits additional implementation requirements
- Start now with minimum funding levels and account for all under new revised strategy?
 - Simplifies tracking
 - Count funds set aside for eligible practices moving forward
 - Ensure implementation progress
- **Other potential methods to consider**

Example Funding Levels

- On April 15th, the workgroup approved evaluation of funding levels using various approaches as a starting point for discussions
- All approaches would aim to be fair and equitable in the setting of minimum funding levels for participants
- These examples are for illustration purposes only and do not reflect a commitment of funding by the local governments

Example Funding Levels Based on Stormwater Utility Investment Levels

- The upper jurisdictions fund a stormwater utility that has set aside funds to invest in nutrient reducing practices
- One member of the stormwater utility may be used to set the basis for the funding levels of the other communities by scaling
- For this example, the community selected for the basis is Person County, and its annual investment level would be \$10,000
- The proposed UNRBA rate structure for FY2019-2020 was used to calculate the funding levels for the other member governments using this basis

Example Funding Levels Based on City of Raleigh Investment Levels

- The City of Raleigh sets aside \$2 million per year for the clean water initiatives
- This contribution may be used to set the basis for the funding levels of the other communities by scaling
- The proposed UNRBA rate structure for FY2019-2020 was used to calculate the funding levels for the other member governments using this basis

Example Funding Levels Based on Level of Impact

- An assessment of the level of impact for each jurisdiction may provide an additional basis on which to assess funding levels
- This approach would evaluate changes in impervious area, increase acreages covered under development permits, etc.
- This approach will be further considered after the workgroup has reviewed the examples today
- The methods, assumptions, and data sources will need to be defined before this method is evaluated

Example Funding Levels Based on Stormwater Utility or Raleigh Investment Levels

Member	Proposed FY2019-2020 Fees	Percent of UNRBA Fees	Based on Stormwater Utility	Based on Raleigh Clean Water Initiatives
Butner	\$ 17,004	1.5	\$ 1,977	\$ 100,109
Creedmoor	\$ 12,101	1.1	\$ 1,407	\$ 71,238
Durham	\$ 247,053	22.2	\$ 28,723	\$ 1,454,453
Durham Co.	\$ 100,345	9.0	\$ 11,666	\$ 590,752
Franklin Co.	\$ 13,717	1.2	\$ 1,595	\$ 80,756
Granville Co.	\$ 75,424	6.8	\$ 8,769	\$ 444,037
Hillsborough	\$ 24,725	2.2	\$ 2,875	\$ 145,562
Orange Co.	\$ 122,064	11.0	\$ 14,192	\$ 718,617
Person Co.	\$ 86,009	7.7	\$ 10,000	\$ 506,351
Raleigh	\$ 339,719	30.5	\$ 39,497	\$ 2,000,000
SGWASA	\$ -	0.0	\$ -	\$ -
Wake Co.	\$ 66,728	6.0	\$ 7,758	\$ 392,844
Wake Forest	\$ 9,649	0.9	\$ 1,122	\$ 56,803
Total	\$ 1,114,538	100	\$ 129,579	\$ 6,561,521

Logistic Considerations for Establishing an Optional Approach Framework

- Determining best regulatory vehicle
 - Under Rules
 - New legislation
 - Bubble permit
 - Interlocal agreements

- What information needs to be compiled to inform the decision on the best vehicle?
- What are the options for managing the program and how do they vary based on the vehicle selected?
- Who will gather and evaluate this information to share at the next work group meeting?

Logistic Considerations for Establishing an Optional Approach Framework

- Ensuring participation
 - Drivers
 - Expectations
 - Schedules
 - Penalties
(e.g., not participating results in falling under the current rules)
- **Other logistical issues
(add to next slide)**

- How do other groups evaluate member participation?
- Who will gather and evaluate this information to share at the next work group meeting?

Logistic Considerations for Establishing a Bridge Framework

- Other logistical issues - add here

Political/Relationship Questions and Concerns

- Buy in from member governments / elected officials
- Local soil and water conservation districts
- Coordination with legislators
- Buy in from environmental /conservation groups
- Support from DEQ / executive branch
- EPA / congressional representatives
- Other state agencies (e.g., DOT, Dept. of Agriculture)
- Agricultural representatives
- Other stakeholders
- **Other political issues
(add to next slide)**

- If UNRBA decides to move forward, what communication materials are needed for these groups?
- Who should develop these?
- When is the appropriate time for scheduling meetings with each group?
- On what topics would the UNRBA seek input from external stakeholders?

Political/Relationship Questions and Concerns

- Other political issues - add here

Discussion about Moving Forward with the Optional Falls Lake Implementation Approach & Outstanding Issues

- Do the workgroup representatives think their communities would be willing to participate?
- Should we track actions back to 2006 or account for those later (under the re-examination) but focus on “new activities” under this approach?
- What are the outstanding issues and concerns from the workgroup representatives?
- What is the appropriate regulatory vehicle?
- What are the next steps in terms of discussions with DEQ, NGO’s, and legislators?
- **Other outstanding questions or issues (add to next slide)**

Discussion about Moving Forward with the Optional Falls Lake Implementation Approach & Outstanding Issues

- **Other outstanding questions or issues (add here)**

Action Items and Designees

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Schedule Follow Up Meeting

- Identify preliminary agenda topics for follow up
 - Share information from action items
 - Discuss path forward and next steps
 - Identify appropriate vehicle if alternative approach is selected
 - Develop plan to engage external stakeholders
 - **Other agenda topics**
- Discuss potential dates for next workgroup meeting

Closing Comments Additional Discussion