

## UNRBA Board of Directors: March 15, 2017 Board Minutes

---

The Board of Directors of the Upper Neuse River Basin Association (UNRBA) met at 9:30 A.M. on Wednesday, March 15, 2017 at the Town of Butner's Town Hall. Meeting attendees are listed below.

Name	Affiliation
Sig Hutchinson (Chair)	Wake County
Lindsay Mize (Vice Chair)	South Granville Water and Sewer Authority
Jenn Weaver (Secretary)	Town of Hillsborough
Jimmy Clayton (Treasurer)	Person County
McKenize Gentry	Durham County
Barry Baker	Granville County
Tom Davis	Orange County
Michelle Woolfolk	City of Durham
James Bryan	Orange County
Ellen Reckhow	Durham County
Don O'Toole	City of Durham
Terry Hackett	Town of Hillsborough
Kenny Waldroup	City of Raleigh
Earl McGee	Orange County
Renee Price	Orange County
Melissa Hodges	Town of Butner
Sybil Tate	Person County
Carolyn Bachl	City of Raleigh
Darryl Moss	City of Creedmoor
Reggie Hicks	City of Durham
David Harris	Durham Soil & Water Conservation
Randy Cahoon-Tingle	City of Creedmoor
Owen Roberts	Granville County
Jim Wrenn	Representing Granville Co., Person Co., Butner, Creedmoor & SGWASA
Gregg Jones	Cardno
Ryan Eaves	Durham County
Dan McLawhorn	City of Raleigh
Thomas Jackson	City of Creedmoor
Peter Raabe	American River
Jeff Warren	UNC – NC Policy Collaboratory
Jay Sauber	Water Quality Consultant
Doug Durbin	Brown & Caldwell
Bob Hornick	Representing Hillsborough, Stem, Creedmoor, & Roxboro
Stephanie Fidler	Cardno
Alix Matos	Cardno
Matt Van de Bogert	Cardno

### Welcome and Recognition -

The Chair, Sig Hutchinson, called the meeting of the UNRBA to order, welcomed all attendees, and asked each attendee to introduce themselves. He asked if any of the Board Directors had any conflict of interest issues with any agenda items and no conflicts were identified. The Chair called the roll and 11 of 14 members were present for a quorum.

**Action Items -**

*Approval of Minutes from January 18, 2017 Board Meeting* - The Chair asked the Board if there were any edits or corrections to the January 18, 2017 minutes. Being none, Ellen Reckhow made a motion to approve the minutes as presented, seconded by Earl McKee, and approved by the Board.

*FY 2017 – 18 Budget and Membership Dues* – Forrest presented the recommended budget and membership fees for Fiscal Year 2017-18. At the January meeting the Board approved an executive director service increase of \$6,800, \$10,000 to perform an audit of this fiscal year, and \$30,000 for implementing the communications plan, \$800,000 for the monitoring program, and executive director service of (\$179,600 + \$6,000 (admin cost)) \$185,600 for a total budget of \$1,025,600. Following discussion Kenny Waldroup made the motion to approve the budget/membership fees as presented, seconded by Ellen Reckhow, and approved by roll call vote with all members present voting to approve.

**Status Updates -**

*Audit Report Update* – Forrest updated the Board on the audit process. The audit committee has reviewed the draft request for proposals (RFP) and the next step is to have the legal group review. Several CPA firms have been identified and if the Board members know of any other firms that do non-profit corporation audits to please let Forrest or Haywood know.

*Legal Group Report* – Don O'Toole and Dan McLawhorn reported to the Board that work was underway for a legal support request for qualifications (RFQ) to identify a legal team that can support the UNRBA's effort to pursue alternatives such as use obtainable standards. The prospective schedule is RFQ release in May with selection recommendation and Board approval at the September 20, 2017 Board meeting.

Dan led the discussion on issues relative to the schedule for Stage I and Stage II in the Falls Rules. He also noted the provision in the rules for the reexamination and the UNRBA's schedule for completing that effort. In the 2016 General Assembly Session, the Legislature adopted Session Law 2016-94 which modified the schedule for rule readoption for the Jordan and Falls Rules. This legislation also included funding and a schedule for the University of North Carolina to perform an evaluation of the Nutrient Management Strategies for Jordan and Falls. The Session Law directs the NC Environmental Management Commission to use the results of the UNC evaluations to determine appropriate changes to the rules prior to proposing rules for adoption. Due to several schedule conflicts between the Falls Rules, the Session Law, the deadlines for meeting Stage I and beginning Stage II, and the timeline for completion of the UNRBA Reexamination, the legal group recommended that the UNRBA authorize the group to finalize revisions to the Session Law and seek support in the General Assembly to have these revisions introduced for approval. The Board discussed the guidelines for these proposed revisions and it was determined that the following areas would be addressed in the revisions to be submitted:

- Implementation of Stage II would be held pending readoption of the Falls Lake Rules
- Completion of Stage I Existing Development and compliance with jurisdictional loads would not be required until the Falls Lake Rules are readopted
- The deadline for completion of the UNC evaluation of the Falls Lake Nutrient Strategy would be revised to allow the UNRBA to complete its Reexamination and that information would be considered by UNC before their report was finalized
- The EMC would not proceed with the Falls Lake Rules readoption until both the UNC report and the UNRBA Reexamination results are available for their consideration

Following discussion, Daryl Moss made a motion to authorize the legal group to finalize proposed revisions to SL 2016-94 that addressing the issues identified and develop a brief support document of talking points explaining the need for these revisions for submittal to the legislature. This motion was seconded by Jenn Weaver, and approved by the Board. It was stated that the final products would be distributed to the Board

and the Path Forward Committee.

*UNRBA Modeling & Regulatory Update* – Alix Matos with Cardno gave an update on the project and reviewed the goals and work completed during this first year. Items to be completed before September include developing the Model Quality Assurance Project Plan (QAPP) and continue work on the two year work plan.

*Nutrient Credit Project Update* – Alix Matos updated the Board on progress achieved in developing the nutrient credits. Bioretention Design Variants, Level spreader filter strips, and infiltration devices are approved. The Stormwater Program in the Division of Energy, Mineral and Land Resources have adopted these practices into their stormwater control measures. Soil improvements are awaiting the Director's signature. Cattle exclusion and illicit discharge credits are nearing the end of public comment period. Buffer improvements will be submitted to PFC for final review soon. Work on the Credit Tool is nearing completion.

*Monitoring Program Update* – Matt Van de Bogert with Cardno updated the Board on the Monitoring Program. Routine sampling is progressing as planned. No work occurred on the High Flow Sampling study in January or February due to low rainfall conditions and the Bathymetry/Sediment Mapping study is underway with completion in a few weeks.

*UNC Collaboratory Status Report* – Dr. Jeff Warren, Collaboratory Research Director, updated the Board on the work the Collaboratory, including the status of the UNC evaluation of the Jordan and Falls Nutrient Strategies.

*Cardno Management Structure* – Susan Reisbord, President of the Science and Environment Division for Cardno (via conference call), spoke to the Board on recent management changes and Cardno's commitment to the UNRBA's project. Stephanie Fidler with Cardno reiterated the commitment to this project and that she would be available as needed to support Alix and Matt. Cardno management reiterated that the recent management changes would have no impact on the cost of the UNRBA project and that all work would be completed and products produced in accordance with the contracts.

*Regulatory and Legislative Update* – Don O'Toole briefed the Board on legislative action.

**Treasurer's Report** – Jimmy Clayton presented the Treasurer's Report noting that the current balance in the checking account is \$544,788.28 and \$503,927.53 in savings.

**Executive Director Report** – Forrest briefly noted the following activities and items:

- \* Pending meeting with the DEQ leadership.
- \* WRRRI Conference – Falls Lake Session for public outreach research.
- \* EMC WQC meeting and EMC meeting, March 8<sup>th</sup> & 9<sup>th</sup> .
- \* Meetings on Nutrient Credit Project.
- \* Meeting with Orange County February 17<sup>th</sup> .

It was noted that the next scheduled Board meeting is May 17, 2017, 9:30 to 12 at Butner Town Hall. With no other business, the meeting was then adjourned.