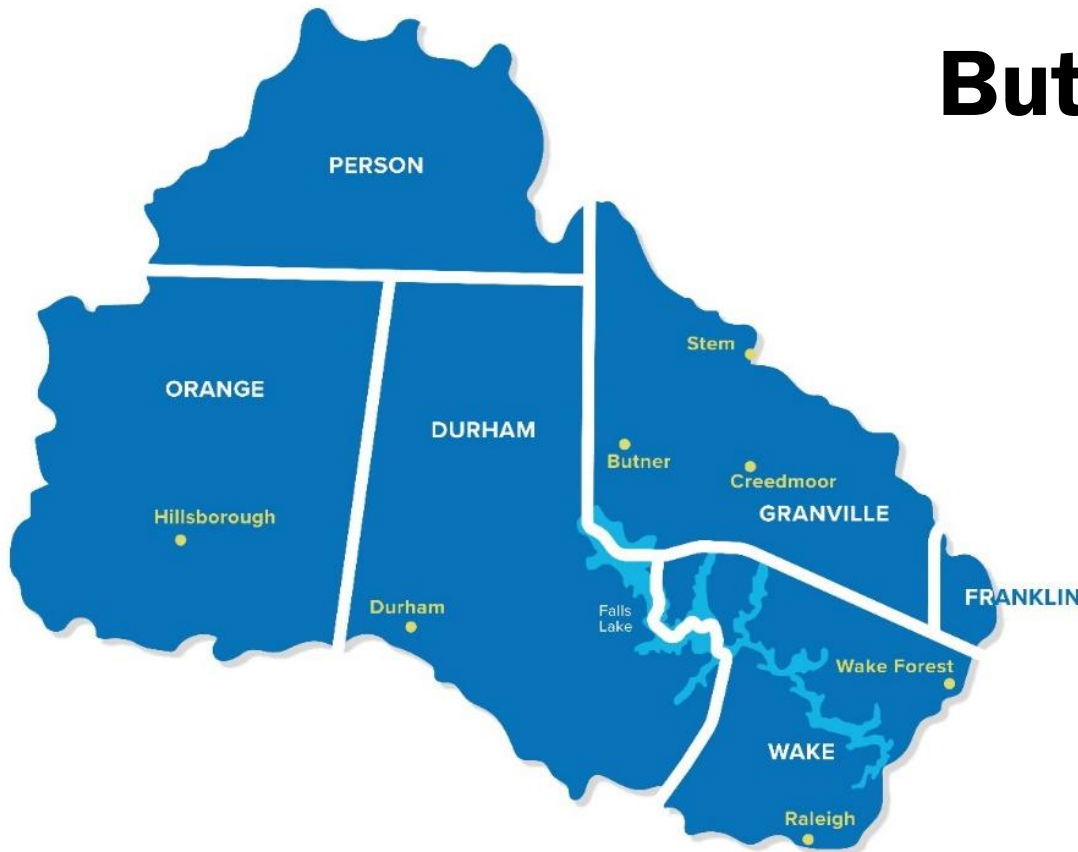




UNRBA Board Meeting March 19, 2025

Butner Town Hall



March 19, 2025, UNRBA Board Agenda

- **Opening—Jane Harrison, Vice Chair**
- **Action Items**
 - Approval of January 15, 2025, Meeting Minutes
 - Approval of the Treasurer's Report
 - Review and Approval of the Proposed Budget for FY2026 and Review 5-year Budget Projection
- **Status Reports and Informational Items**
 - Status of the Falls Lake Rules Readoption Process
 - Continued Rule Development for Jordan Lake and High Rock Lake Watersheds
 - Discussion of House Bill 382 and Impacts to Local Government Zoning Authority
 - Modeling and Regulatory Support Status and Evaluating a Falls Lake Assessment Methodology and Site-Specific Chlorophyll-a Water Quality Standard
 - Communications Support
 - Ongoing Discussions/Issues
- **Closing Comments**

Opening

Opening

- Introductions and announcements
- Roll call for quorum
- Identification of any conflicts
- Review and approval of agenda

Action Items of UNRBA Board of Directors

**Approval of January 15, 2025,
Meeting Minutes ([link](#))**

Approval of the Treasurer's Report

Balance Forward: (per bank statement - 1/31/2025)		Checking	\$	224,781.14
		Savings		1,514,219.00
Debits:				
	McGill Asso. (2025 Invs)		\$	21,687.65
	Brown & Caldwell (FY 2025 Invs)			32,689.57
	Phthisic Consulting, Inc.			1,270.40
	WSP, Inc.			1,485.00
	Barnes & Thornburg (August, 2023 Inv)			1,245.00
	Smith Law (registration fee)			31.30
	Total Debits		\$	58,408.92
Credits:				
	Interest (checking)		\$	24.57
	Interest (savings)			3,468.04
	Transfer from Savings Acc't to Checking Acc't			250,000.00
Account Balance (per bank statement - 2/28/2025)		Checking	\$	416,396.79
		Savings		1,267,687.04
Total UNRBA Account Balances:			\$	1,684,083.83
Outstanding invoices/deposits in process since the close of bank statement (3/05/2025):				
Debits:				
	McGill Asso. (February 2025 Inv)		\$	19,489.85
	Phthisic Consulting, Inc. (Feb 2025 Inv)			1,270.40
	Brown & Caldwell Feb, 2025 FY 2025)			-
	River Delta Consulting (1st Qtr web maintenance)			1,200.00
	WSP, Inc. (February 2025 Invoice)			742.00
	Smith Law (registration fee)			1,004.00
Credits:				
	Transfer from Savings to Checking		\$	-
Current Account Balances:		Checking	\$	393,890.54
		Savings		1,267,687.04
Total UNRBA Account Balance :			\$	1,661,577.58

Review and Approval of the Proposed Budget for FY2026 and Review 5-year Budget Projection

Discuss Recommended UNRBA Budget for FY2026 and Five-Year Projection

- Unappropriated funds as of January 31, 2025
- Major efforts anticipated for 2026
 - Complete rules readoption and fiscal analysis
 - Develop joint compliance program, revise UNRBA Bylaws, and implement program
- Other efforts for 2026 likely to increase or continue in subsequent years
- PFC recommended budget for FY2026
- 5-year budget projection and concerns for future
 - Water quality monitoring
 - Development/turbidity
 - Emerging contaminants

Funds as of January 31, 2025

• Cash on Hand as of 6/30/24	\$2,013,282.92
• 2025 Expenditures through 1/31/2025	\$462,386.23
• Remaining on contracts and engagement letters	
• <i>Brown and Caldwell plus subcontractors:</i>	\$524,435.61
• <i>McGill (Executive Director Services</i>	\$ 78,456.13
• <i>WSP (Marty Lebo)</i>	\$ 17,000.00
• <i>Barnes and Thornburg</i>	\$ 45,842.00
• <i>Miscellaneous</i>	\$ 10,000.00
• Total Remaining Commitments	\$675,733.74
• Legal and Regulatory Support Fund	\$543,607.92
• Rainy day	\$100,000.00
• Contingency	\$110,000.00
• Unappropriated funds	\$121,555.03

Complete Rules Readoption and Fiscal Analysis

- Provide technical and cost support for justifying point source rule revision
- Provide support for keeping New Development Rules in place generally consistent with current requirements
- Expand circle of stakeholders to review draft rules
- Coordinate and respond to feedback
- Continue to work with DWR with a goal of jointly recommending a rule package
- Develop fiscal analysis of the proposed rules
 - Benchmark to the 2011 Rules
 - Integrate local cost data and information
 - Wastewater treatment
 - Stormwater treatment
 - Investment-based approach for existing managed lands
- Submit package to Environmental Management Commission for public hearing and comment period
- Finalize package for submittal to the Rules Review Commission

Begin Work on the Development of a Joint Compliance Program and Revisions to UNRBA Bylaws

- Identify necessary revisions to Bylaws and operational procedures
 - Develop and review by PFC and Legal Group
 - Review and adoption by Board once rules are readopted
- Begin work to develop joint-compliance program document or Water Quality Protection Plan (WQPP)
 - Coordinate development with stakeholders
 - Regulated entities: UNRBA members, state / federal entities
 - Non-regulated entities: agriculture, landowners
 - Environmental advocacy groups
 - DWR/EMC
- Develop a plan for implementation
 - Provide member support
 - Facilitate partnering meetings
 - Set up template and compile annual report

Additional Tasks for FY2026

- Continue to develop additional science to support site-specific chlorophyll-a criteria
- Support implementation of current rules, compare programs
- Communications: meetings, workshops, status meetings
- Monitoring program (preliminary planning and coordination among members and DWR)
- Technical support, data analysis, and reporting
 - Proposed budget includes no new funds for modeling subcontractors for FY2026
 - Additional support would be covered by special assessment

PFC Recommended Budget Expenditures for FY2026

Contracts and Services	Former	PFC Recommended
Executive Director Services	231,700	231,700
Legal Support Fund	100,000	100,000
Technical Contractor and Subconsultants:	506,500	385,000
<i>Complete Rules Readoption and Fiscal Analysis</i>	228,000	182,000
<i>Develop Joint Compliance Program, Revise Bylaws, Implement Program</i>		
<i>Develop Site-specific chlorophyll-a criteria</i>	25,000	25,000
<i>Support Implementation of Current Rules, Compare Programs</i>	25,000	25,000
<i>Communications: meetings, workshops, status meetings</i>	60,000	60,000
<i>Monitoring Program (preliminary planning, coordination)</i>	24,000	13,000
<i>Technical Support, Modeling, Data Analysis, and Reporting</i>	105,000	60,000
<i>Project management</i>	39,500	20,000
Subject Matter Expert - Site-specific chlorophyll-a criteria	\$25,000	\$25,000
Accounting and financial services	24,000	13,000
Administrative costs, insurance, tax forms, etc.	12,300	12,300
<i>Website improvements</i>	3,500	3,500
<i>Website hosting and maintenance</i>	5,500	5,500
<i>UNRBA Audit</i>		
<i>Insurance (two policies)</i>	2,200	2,200
<i>Lobbying and registration fees and costs</i>	1,100	1,100
Total	899,500	767,000

Revised budget assumes **no budget for modeling subcontractors** to run scenarios with existing models or revise models in the next five years based on new data and information. The UNRBA would have short-term access to the modeling subcontractors to run scenarios through a contract extension of the FY2025 contract. **Additional support would be covered by special assessment.**

Five-Year Budget Projection

Contracts and Services	FY26	FY27	FY28	FY29	FY30
Executive Director Services	231,700	243,285	255,449	268,222	281,633
Legal Support Fund	100,000	100,000	100,000	100,000	100,000
Technical Contractor and Subconsultants:	385,000	385,000	415,000	805,000	805,000
<i>Complete Rules Readoption and Fiscal Analysis</i>	182,000	182,000			
<i>Develop Joint Compliance Program, Revise Bylaws, Implement Program</i>			125,000	100,000	100,000
<i>Develop Site-specific chlorophyll-a criteria</i>	25,000	25,000	25,000		
<i>Support Implementation of Current Rules, Compare Programs</i>	25,000	25,000	25,000	25,000	25,000
<i>Communications: meetings, workshops, status meetings</i>	60,000	60,000	60,000	60,000	60,000
<i>Monitoring Program (planning, coordination, implementation)</i>	13,000	13,000	100,000	500,000	500,000
<i>Technical Support, Data Analysis, and Reporting</i>	60,000	60,000	60,000	100,000	100,000
<i>Project management</i>	20,000	20,000	20,000	20,000	20,000
Subject Matter Expert - Site-specific chlorophyll-a criteria	\$25,000	\$25,000	\$25,000		
Accounting and financial services	13,000	13,650	14,333	15,049	15,802
Administrative costs, insurance, tax forms, etc.	12,300	12,465	17,638	12,820	13,011
<i>Website improvements</i>	3,500	3,500	3,500	3,500	3,500
<i>Website hosting and maintenance</i>	5,500	5,500	5,500	5,500	5,500
<i>UNRBA Audit</i>			5,000		
<i>Insurance (two policies)</i>	2,200	2,310	2,426	2,547	2,674
<i>Lobbying and registration fees and costs</i>	1,100	1,155	1,213	1,273	1,337
Total	767,000	779,400	827,420	1,201,091	1,215,446

Note: these budgets assume **no budget for modeling subcontractors** to run scenarios with existing models or revise models in the next five years based on new data and information. The UNRBA would have short-term access to the modeling subcontractors to run scenarios through a contract extension of the FY2025 contract. **Additional support would be covered by special assessment.** A placeholder budget amount of \$500,000 has been assumed for implementation of the monitoring program, with a ramp-up year of \$100,000 to develop and secure approvals of monitoring plans.

Total 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	\$966,700.00
2026 (revised)	\$766,999.98

Membership Fees by Member Since FY2024

Member	FY 2023-24		FY2024-25		Recommmeded FY2025-26
Town of Butner	\$	17,257.46	\$	13,845.33	\$ 10,963.81
City of Creedmoor	\$	12,081.92	\$	9,693.09	\$ 7,718.80
City of Durham	\$	268,841.83	\$	212,129.18	\$ 162,937.56
Durham County	\$	103,171.74	\$	82,772.69	\$ 66,403.16
Franklin County	\$	13,788.14	\$	11,061.96	\$ 8,763.99
Granville County	\$	78,912.96	\$	63,310.34	\$ 49,747.86
Town of Hillsborough	\$	23,686.43	\$	19,075.94	\$ 17,023.29
Orange County	\$	127,608.99	\$	102,378.22	\$ 80,774.72
Person County	\$	90,076.96	\$	72,267.00	\$ 55,692.58
City of Raleigh	\$	352,107.62	\$	288,097.34	\$ 233,623.29
SGWASA	\$	29,721.40	\$	21,721.32	\$ 17,530.31
Town of Stem	\$	9,102.89	\$	7,303.07	\$ 5,962.31
Wake County	\$	69,078.63	\$	55,420.45	\$ 43,810.59
Town of Wake Forest	\$	9,502.97	\$	7,624.05	\$ 6,047.71
Total	\$	1,204,939.94	\$	966,699.98	\$ 766,999.98

Key Provisions of the Rules: Potential Economic Impacts

2010 Fiscal Note Estimates for Existing Development, Slide 1 of 2

The highest costs of the rules was assumed born by local governments to the comply with the existing development stormwater water rule: Stage I plus Stage II = \$1 billion.

“.0278 Stormwater Management for Existing Development Costs

As illustrated in the summary cost tables, this rule and the wastewater rule will clearly impose the most significant costs of the strategy on local governments. While less uncertainty surrounds costs for the initial years of implementation, **it is likely that more cost-effective measures than structural stormwater BMP retrofits will emerge even during the course of Stage I.** More cost-effective load-reducing options are in various stages of development and quantification, but none were sufficiently well-developed to allow their use for these purposes. **We consider our use of BMP retrofits to provide conservative or high-end estimates.”**

Stage I and Stage II cost estimates on next slide

2010 Fiscal Note Estimates for Existing Development, Slide 2 of 2

“We estimated a total 10-year, Stage I cost of approximately \$225 million watershed-wide, in net present value terms, making annual costs less than \$22 million/yr assuming a constant rate of implementation beginning in year one.

Stage II estimates based on the same high-end BMP retrofit assumptions are approximately \$51 million/yr or a total of approximately \$776 million watershed-wide, in net present value terms, to meet the full reduction. A number of drivers, including the growing need for water conservation, the costs of conventional retrofit approaches under this rule, and the growing field of alternative options are expected to result in ultimate compliance costs significantly lower than these projections suggest.”

IAIA costs the members \$1.5 million per year to comply with existing development rules.

2010 Fiscal Note Estimates for Wastewater Treatment, Slide 1 of 3

The next highest costs of the rules was associated with the wastewater rule: Stage I plus Stage II = \$0.5 billion.

“.0279 Wastewater Discharge Costs

Cost estimates were developed using a variety of methods and sources of information. Estimates for implementation of conventional BNR technologies are based on methods and estimates developed for the Chesapeake Bay nutrient program. Those for advanced treatment are based on reference information for the wastewater industry.”

Stage I cost estimates on next slide

2010 Fiscal Note Estimates for Wastewater Treatment, Slide 2 of 3

“Cost estimates for **Stage 1** improvements are based on upgrading from existing treatment capability to full conventional **BNR by 2016** and additional capital improvements through 2020. Planning and design is scheduled for 2012-13 with construction to follow in 2014-2015. **We estimated a total 5-year net present value of Stage I cost of approximately \$249 million watershed-wide, making annual costs approximately \$25 million assuming a constant rate of implementation beginning in year one.**”

Stage II cost estimates on next slide

2010 Fiscal Note Estimates for Wastewater Treatment, Slide 3 of 3

“**Stage II** estimates based on the assumption that flows will steadily increase from current levels (50% of permitted flows) to full permitted flows by 2031 and that **membrane filtration and reverse osmosis** units will be added incrementally over that time: 20% of permitted capacity in 2020, another 30% in 2025, and the final 50% in 2030. The net present value of **Stage II cost of approximately \$229 million watershed-wide** to meet the full reduction requirements.”

Discussion of Budget for FY26 and Next Five Years

Vote on Approval of Proposed FY2026 Budget

Status Reports and Informational Items

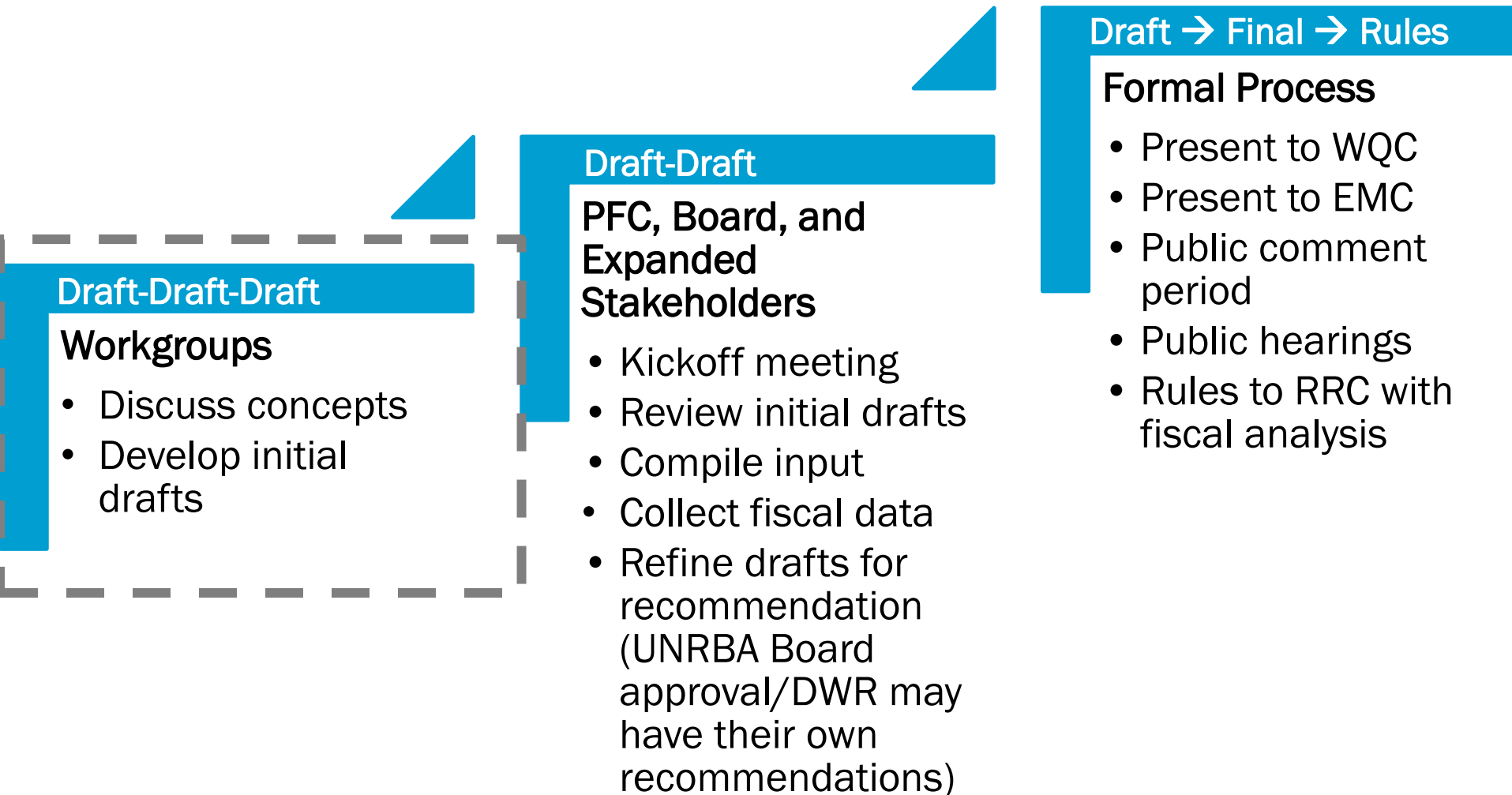
Status of the Falls Lake Rules Readoption Process

Status of Falls Lake Rules Readoption

- The UNRBA and DWR held a joint forum in November 2024 to kick off the rules readoption process
- The UNRBA and DWR presented to the EMC on January 9th to brief the rule-making decision-maker and to formally “begin” rule-making
- UNRBA continues to consider a legislative change to [§ 77-141](#) to support a watershed organization developing a water quality protection plan under [§ 143-214.14](#).
- The UNRBA is engaging on every aspect of this process and how management options or proposals may impact our efforts to achieve a balanced, realistic, technologically feasible, and effective set of new rules.
- The UNRBA will continue to reference the scientific basis for appropriate rules as reflected in our 10-year evaluation and the work of the Collaboratory.

Related activities continued on next slide.

Rule Development Process



EMC: Environmental Management Commission

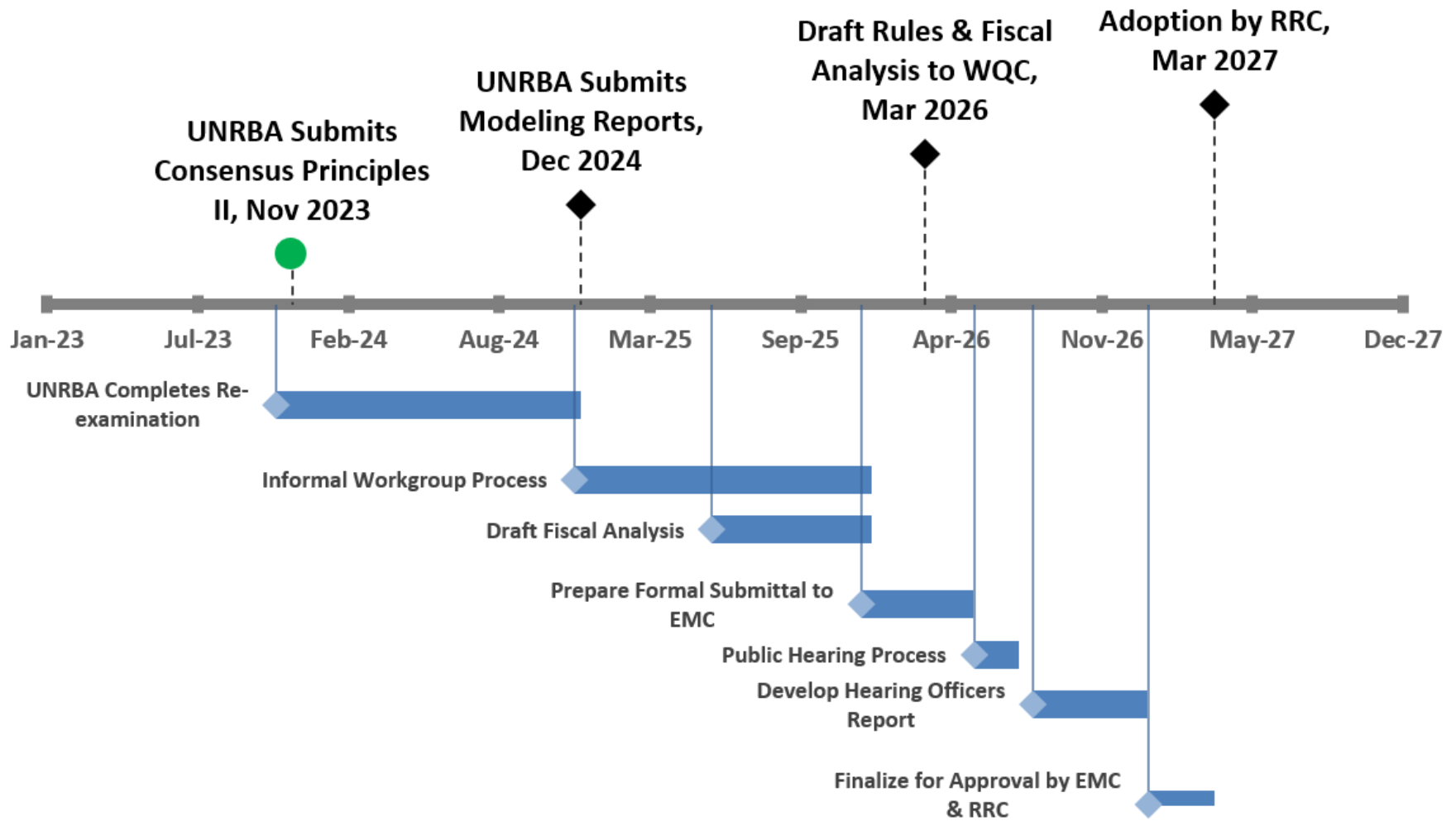
WQC: EMC Water Quality Committee

RRC: Rules Review Commission

Status of the Workgroup Process

- Each of the four Falls Lake Rules Review workgroups has met several times during December 2024 through March 2025
- Two workgroup workshops are planned to broaden input on each rule section (March 4th and April 1st) before taking to the PFC
- Anticipate bringing four draft-draft rules to the PFC at their May 6th meeting
- UNRBA and DWR will use feedback from the workgroup process to draft rule revisions (which may include options for different proposals) for review by the larger stakeholder group, the PFC, and the Board
- We hope DWR and UNRBA reach consensus on the proposed revisions, but if not, each may develop its own recommendations as we move through the process

Falls Readoption Schedule



EMC: Environmental Management Commission, WQC: EMC Water Quality Committee, RRC: Rules Review Commission

Continued Rule Development for Jordan Lake and High Rock Lake Watersheds

Continued Rule Development for Jordan Lake and High Rock Lake Watersheds

- Continue to monitor DWR's
 - Draft proposal for changes to post-construction stormwater rules for the High Rock Lake Watershed
 - Rules readoption process for Jordan Lake Watershed
- Concerned that these processes could negatively impact
 - The Falls Lake rules readoption process and timeline
 - Could be inconsistent with the UNRBA's recommendations
- Concerned that seeking more restrictive development controls for the Falls Watershed will threaten the development of broad support for maintaining essential management of new development
- Seek to ensure that productive programs continue in the Falls watershed and are not inadvertently put at risk
- This continues to be an important discussion topic for the New Development Workgroup.
- Recent discussions on this point with DWR are encouraging and attention to this issue remains a priority

Discussion of House Bill 382 and Impacts to Local Government Zoning Authority

Discussion of House Bill 382 and Impacts to Local Government Zoning Authority

- Subpart III-K. of [Senate Bill 382](#) prohibits a local government to initiate down-zoning without the consent of all affected property owners.
- This bill applies to any ordinance or zoning change within 180 days of the day of adoption and any passed after the day of adoption.
- The Governor's veto of the bill was overridden on December 11, 2024, and the bill was passed.

NO LOCAL GOVERNMENT INITIATED DOWN-ZONING WITHOUT CONSENT OF AFFECTED PROPERTY OWNER

SECTION 3K.1.(a) G.S. 160D-601(d) reads as rewritten:

"(d) Down-Zoning. – No amendment to zoning regulations or a zoning map that down-zones property shall be ~~initiated nor is it enforceable~~ initiated, enacted, or enforced without the written consent of all property owners whose property is the subject of the down-zoning ~~amendment, unless the down zoning amendment is initiated by the local government.~~ amendment. For purposes of this section, "down-zoning" means a zoning ordinance that affects an area of land in one of the following ways:

- (1) By decreasing the development density of the land to be less dense than was allowed under its previous usage.
- (2) By reducing the permitted uses of the land that are specified in a zoning ordinance or land development regulation to fewer uses than were allowed under its previous usage.
- (3) By creating any type of nonconformity on land not in a residential zoning district, including a nonconforming use, nonconforming lot, nonconforming structure, nonconforming improvement, or nonconforming site element."

SECTION 3K.1.(b) If any provision of this section is declared unconstitutional or invalid by the courts, it does not affect the validity of this section as a whole or any part other than the part so declared to be unconstitutional or invalid.

SECTION 3K.1.(c) This section is effective when it becomes law and applies to local government ordinances adopted on or after that date and any local government ordinance enacting down-zoning of property during the 180 days prior to the date this section becomes effective. Ordinances adopted in violation of this section shall be void and unenforceable.

Modeling and Regulatory Support Status and Evaluating a Falls Lake Assessment Methodology and Site-Specific Chlorophyll-a Water Quality Standard

Submittal of Modeling Files and Modeling Report

- Modeling files and reports for the WARMF watershed model, WARMF lake model, EFDC lake model, and statistical/Bayesian lake model have been submitted to the Division of Water Resources (DWR) for review and approval.
- Modeling reports and summaries of key findings are available at <https://unrba.org/resource-library>.
- Email communications from DWR staff indicate the agency has no additional comments on these reports and accepts them as the final submittals.
- 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.

Completion of the UNRBA Re-examination

- Submittal of the lake modeling report completes the documentation of the work completed before the UNRBA developed its recommendations.
- UNRBA developed its recommendations based on the conclusions reached in the modeling evaluation.
- No issues with the formal review step are expected.
- The UNRBA's re-examination effort form the basis of our proposed revisions to the Falls Lake Rules

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

- Our primary priority is rules readoption process
- Two additional goals remain under consideration:
 - Modification of the 303(d) water quality assessment method for chlorophyll-a in Falls Lake
 - Development of a proposed site-specific chlorophyll-a criteria.
- Dr. Martin Lebo is coordinating with the team on his continued evaluation of a Falls Lake-specific assessment methodology and site-specific chlorophyll-a.
- We greatly appreciate that the NC Collaboratory is provided additional funding to Dr. Nathan Hall to provide input on some of the ecological processes in Falls Lake (including algal species and edibility of higher trophic level organisms) related to development of a Falls Lake-specific assessment methodology and site-specific chlorophyll-a.

Status of the Falls Lake Assessment Methodology and Site-Specific Chlorophyll-a Criteria, Continued

- Timing is important in assessing the current “use-support” processes used by DWR.
- We continue to keep revision of these two key factors in regulatory assessment of “meeting” uses as important long-term goals
- We do not want to deter moving forward with revised rules.

Communications Support

Communications Outreach and Preparation to Support Rule Readoption

- 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.
- As part of our expanding stakeholder process, 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

- DWR has established a [list serve for Falls Lake](#)
- The Executive Director and John Huisman (DWR) presented a status update to the Environmental Management Commission on January 9, 2025
- Coordinating with DWR on a larger stakeholder engagement kickoff meeting for the rules readoption process
- Delivering a Falls Lake presentation at the Water Resources Research Institute Annual Conference March 20, 2025
- American Rivers has been coordinating with UNRBA members to create videos to celebrate the 2022 designation of “Neuse River of the Year”
- The UNRBA website contractor is working on creating the YouTube videos of the Falls Lakes water quality simulations; a brief document will be developed to provide context and a single reference for the list of videos.
- Planning a meeting with the new Secretary of DEQ

Ongoing Discussions/Issues

Ongoing Discussions/Issues

- DWR Neuse Watershed Model/Delivery Factors for WWTP –
 - Final modeling report presented January 28th
- Ongoing NC State University UNRBA and Jordan Lake One Water research study
- Impacts on implementation of nutrient requirements in light of PFAS/PFOS and other emerging requirements on wastewater management costs to local governments. DWR developing an implementation plan for control of these pollutants—EMC to review

Closing Comments

Next UNRBA PFC Meeting
May 6, 2025
Butner Town Hall
9:30 AM to Noon

Next UNRBA Board Meeting
May 21, 2025
Butner Town Hall
9:30 AM to Noon