



UNRBA Board Meeting January 15, 2020 Annual Meeting Butner Town Hall



January 15, 2020 UNRBA Board Agenda

- Opening—Sig Hutchinson, Chair
- Action Items
 - Approval of November 20, 2019 Meeting Minutes
 - Approval of the Treasurer's Report
 - FY 2021 Budget Setting Schedule
 - Officer Elections for 2020
 - Personnel Committee Report
 - Interim Alternative Implementation Approach for Stage I Existing Development
 - UNRBA Decision Framework Guidance Document
 - Approval of use of match to support application for grant funds to support models
- Status Reports and Informational Items
 - Review of the Stage I Existing Development Interim Alternative Implementation Approach Program Description
 - Review of the UNRBA Decision Framework
 - Review of the RRC Meeting Results
 - Modeling and Regulatory Support (MRS) Status
 - Monitoring Program Status
 - Ongoing DEQ Discussions/Issues
 - Communications Support Status
- Closing Comments

Opening—Sig Hutchinson

Opening

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

Action Items

**Approval of November 20, 2019
Meeting Minutes**

Approval of the Treasurer's Report

		1/2/2020	
Balance Forward: (per bank statement - 11/01/19)	Checking	\$	302,450.26
	Savings		1,110,449.47
Debits:			
McGill Asso. (October, 19 Inv)		\$	17,050.22
Brown & Caldwell (MRS, FY 20, Sept, Oct, & Nov, 19 Invs)			171,267.09
HDR (Sept. & Oct., 19 Invs)			16,016.02
Barnes & Thornburg (September 19 Inv)			2,100.00
Sauber Water Quality Consulting (October, 19 Inv)			1,400.00
MFG Consulting, LLC (October 19 Inv)			90.00
JMW Bookkeeping (2018 990 Tax Prep)			630.00
Phthisic Consulting Inc. (October 19 Inv)			365.84
Bank Fees			-
	Total Debits	\$	<u>208,919.17</u>
Credits:			
Interest (checking)		\$	53.54
Interest (savings)			3,101.12
Deposit by Civic FCU			100.00
Transfer from Savings to Checking Account			-
			<u>-</u>
Account Balance (per bank statement - 12/31/19)	Checking	\$	93,684.63
	Savings		1,113,610.66
		\$	<u>1,207,295.29</u>
Outstanding invoices/deposits in process since the close of bank statement (12/31/19):			
Debits:			
McGill Asso. (November 19 Inv)		\$	16,616.24
Brown & Caldwell (MRS, FY 20, November, 19 Inv)			90,709.74
Barnes & Thornburg (September 19 Inv)			-
MFG Consulting, LLC (November 19 Inv)			125.00
Phthisic Consulting Inc. (November 19 Inv)			140.00
HDR, Inc. (October 19 Inv)			6,041.47
Sauber Water Quality Consulting (November 19 Inv)			1,400.00
Credits:			
FY 2019-20 Membership Fees		\$	-
	Current Account Balances:	Checking	\$ (13,906.35)
		Savings	1,113,610.66
		\$	<u>1,099,704.31</u>

FY2021 Budget Setting Schedule

UNRBA Officer Elections for 2020

Personnel Committee Report

**Interim Alternative Implementation
Approach for Stage I Existing
Development**

UNRBA Decision Framework Guidance Document

Status Reports and Informational Items

Review the Stage I Interim Alternative Implementation Approach (IAIA)

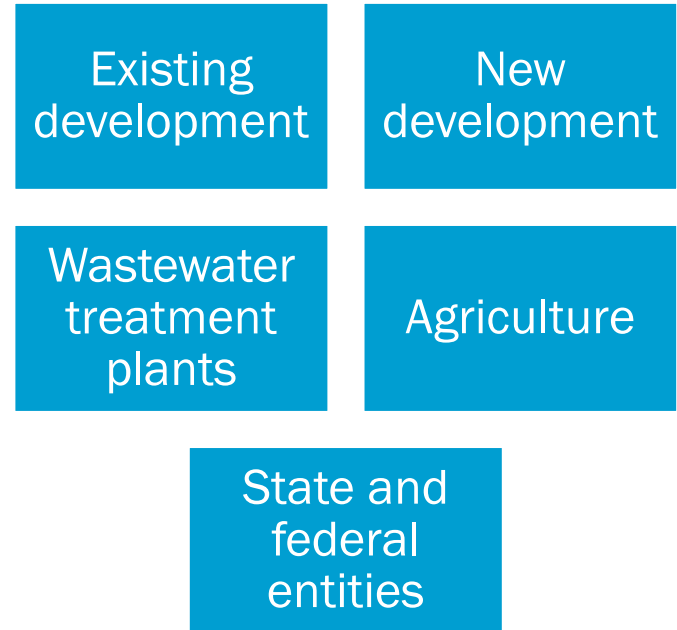
Background: Falls Lake Challenges

- Falls Lake is a valuable, regional resource
 - Provides drinking water for 550,000 customers
 - Regional recreational facility
 - Provides habitat to aquatic and terrestrial wildlife
 - Protects water quality downstream
- Exceedances of the 40 µg/L chlorophyll-a standard resulted in the lake being listed as impaired
- The State developed a nutrient management strategy with two stages of implementation

The Falls Lake Nutrient Management Strategy developed by the State includes two stages of implementation and is estimated to cost over \$1.5 billion.

Falls Lake Nutrient Management Strategy

- Adopted by the State in 2011
- Assigns load reduction targets in two stages for individual sectors (existing development, agriculture, etc.)
- Includes the highest nutrient reductions ever passed in NC that are not technically feasible
- Uncertain that chlorophyll-a standard could be achieved



Stage 1 Nutrient Load Reduction Requirements

- For most sectors like agriculture and major wastewater treatment plants:
 - Reduce nitrogen by 20% and phosphorus by 40% P
- For existing development:
 - Reduce nutrient loading in 2011 back to 2006 levels
- Jurisdictions are required to negotiate load reduction requirements with Division of Water Resources (DWR) (this has proven challenging)
- DWR is required to develop a Model Program and the jurisdictions their Local Programs
- Compliance requires tracking nutrient reductions associated with each practice implemented

Temporary Stage 1 nutrient credits from wastewater treatment plants greatly exceed the estimated existing development load reduction targets for Stage I

UNRBA Interim Alternative Implementation Approach (IAIA)

- Provides an alternative means for complying with Stage I Existing Development Rules (**not required**)
 - Focuses on investment levels rather than tracking pounds reduced
 - Expands the types of activities that would be eligible (rather than only allowing practices with approved credits)
 - Allows for funding by individual jurisdictions, joint agreements, cooperation with local programs, or contribution to a pool of funds
 - Uses a joint-compliance approach for watershed improvement
 - **Each local government would decide if they want to participate in this option or use the current Rules**

Example Investment Distribution for Stage I Existing Development IAIA

- Would only apply to the period leading up to the new strategy resulting from the re-examination of Stage II
- Assumes a total annual funding of \$1.5 million per year
- Applies the existing UNRBA fee structure
- Allows for rollover from one year to the next

Member	Annual Funding Level	Member	Annual Funding Level
Town of Butner	\$23,393	Town of Hillsborough	\$34,221
City of Creedmoor	\$16,926	Orange County	\$161,943
City of Durham	\$337,587	Person County	\$114,394
Durham County	\$133,300	City of Raleigh	\$466,081
Franklin County	\$19,058	Wake County	\$88,968
Granville County	\$100,453	Town of Wake Forest	\$13,692

Approach to the Development of the Program Description

- The IAIA Workgroup meetings have included UNRBA members and staff from NGO's and DWR
- The Workgroup acknowledged the overall goals of the IAIA and its use as a pilot for a future revised strategy
- Initial program components would be designed to promote flexibility
- Progress would be evaluated to ensure that the overall goals of the program are being met
- Components would be revised as needed

Decision by the Board to Continue Development of the Stage I ED IAIA

- It is requested that the Board authorize the process of exploring regulatory options for putting an IAIA in place
- Following PFC review, an updated report and recommendation to the Board would occur at the March meeting.
- Board action in January is not approval of a final IAIA nor is it a commitment by member(s) to participate in the IAIA, rather it would allow the UNRBA to move forward with developing additional program detail and identify the implementation approach
- The Board will have final approval on the actual program provisions, authorize putting the program in place
- If a program is approved and put in place, the UNRBA members individually would then determine if they are to participate in the program.

Board discussion and decision on continued development of the IAIA

Review the UNRBA Decision Framework

UNRBA Decision Framework

- The PFC evaluated the decision-making processes used by the UNRBA
- The UNRBA Decision Framework document
 - Documents the process
 - Provides guidance and tools for making decisions
 - Summarizes the Bylaws and policies of the Association
 - Describes the roles of the Board, committees, and workgroups with respect to decision making
 - Describes the voting procedures and goal of reaching consensus in decision making
 - Identifies issues that will be monitored and revised as needed as the UNRBA moves through the decision making process

UNRBA Decision Framework Status

- The last of three focused sessions occurred during the December PFC meeting
- The PFC worked to finalize the Decision Framework document with a final review at the January 7, 2020 PFC meeting
- The UNRBA Decision Framework was provided to the Board on January 8, 2020 for review

Board discussion and decision on approval of the UNRBA Decision Framework as a guidance document

Review of the RRC Meeting Results

Review of the RRC Meeting Results

- The Executive Director, Don O'Toole and Dan McLawhorn attended the December 19, 2019 Meeting of the RRC and presented the UNRBA's comments and objection to the provision in the nutrient offset rule to reference Falls Lake specifically.
- This addition to the rule is in conflict with the Session Law and represents a potential cost to jurisdictionally owned WWTPs in the watershed in the future implementation of the provisions of the Falls Lake Nutrient Management Strategy.
- The results of this meeting and the decision of the RRC will be reviewed.

Modeling and Regulatory Support for the Re-examination of Stage II

Why Re-examine Stage II of the Falls Lake Nutrient Management Strategy?

- Requires very high nutrient load reductions
- Very expensive (greater than \$1 billion)
- Not technologically feasible
- Does not foster collaboration across sectors
- Modeling period 2005 to 2007 used to develop the Rules
 - Period of record drought coupled with a large tropical storm
 - 2006 is the measuring stick (baseline)
 - Models were based on limited data that resulted in uncertain model predictions



Falls Lake at I-85 in November 2007
Source: Southeast Regional Climate Center

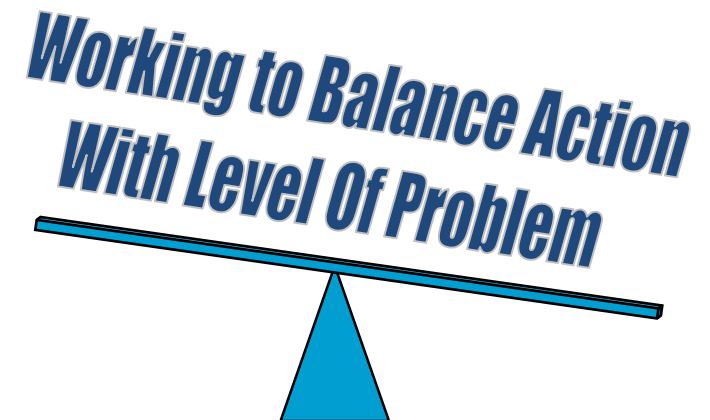
UNRBA Re-examination Approach

- Relies on science and collaboration to develop an alternative plan incorporating
 - 4 years of the UNRBA Monitoring Program
 - Revised watershed and lake models for two periods
 - 2005 to 2007 to compare to original modeling
 - 2014 to 2018 to incorporate new data
 - Cost benefit/feasibility analyses
 - Stakeholder involvement
 - Regulated communities, including agriculture
 - Environmental groups
 - State and federal agencies
 - Regulated
 - Approvals

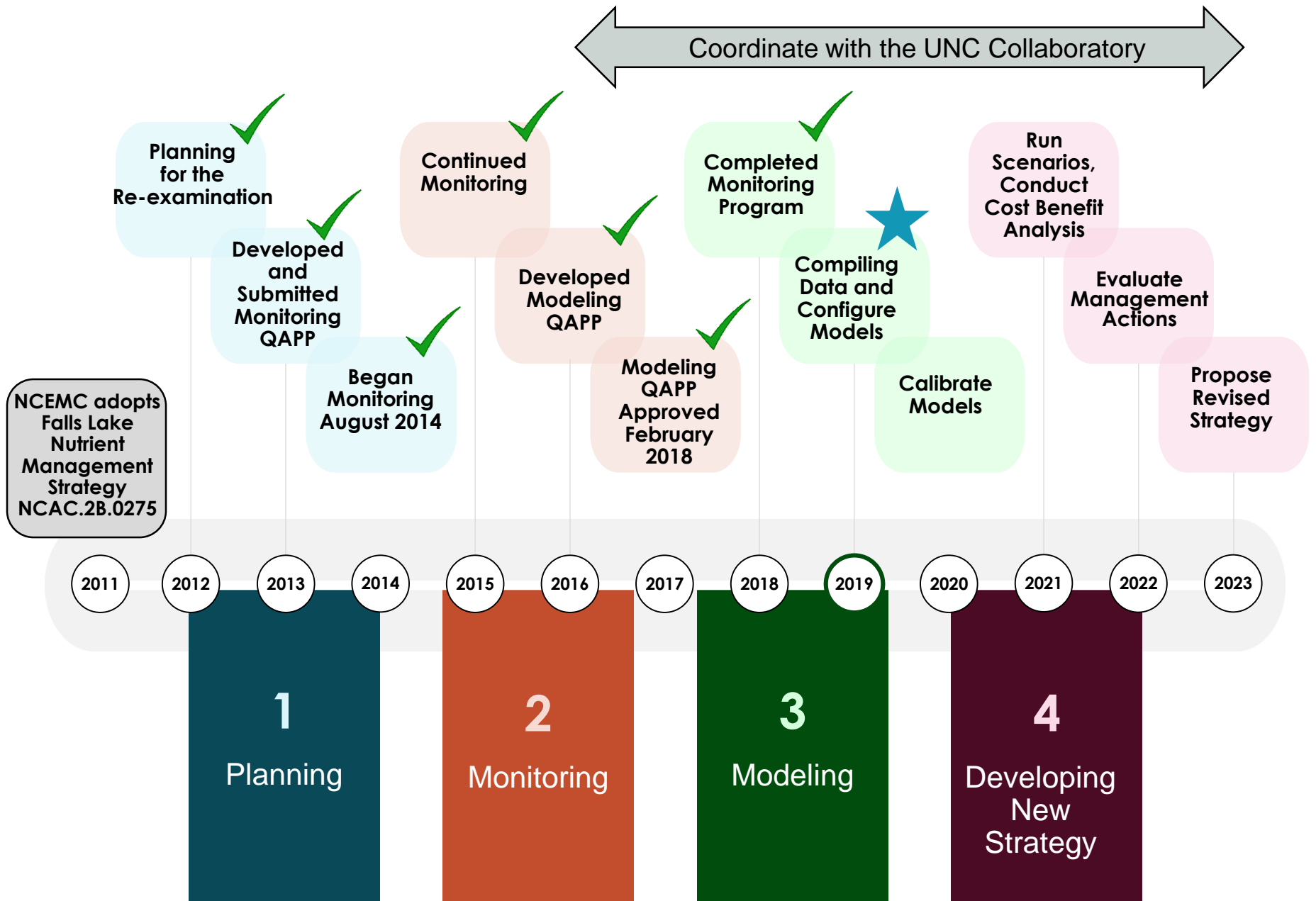


Re-examination Project Purpose

- Ultimate goal is to
 - Develop a workable strategy
 - Feasible
 - Cost effective
 - Collaborative
 - Continue to improve water quality
 - Maintain designated uses
 - Focus resources on effective actions



Multi-year UNRBA Stage II Re-examination Timeline



Status of the Modeling

- The Modeling Team is finalizing the land use data for input into the recent modeling period (2014 to 2018) which includes
 - Agricultural data provided by the NC Department of Agriculture
 - DOT-maintained roads data provided by NC Department of Transportation
 - Designated of developed areas by existing development, new development, and interim development consistent with current Rules
- Preliminary hydrologic calibration of simulated river flows compared to observations recorded by the US Geologic Survey indicate the model is performing well. This work continues.

319 Grant Application Process for Custom Model Code Development

- Modeling Team is working with DWR to secure grant funding to support developing model code to simulate many types of onsite wastewater treatment systems
 - Grant funding request of \$23,500
 - Pre-application was submitted by DWR to EPA on December 20, 2019; EPA approved pre-application
- Formal application requires a 40% match
 - Request Board approval of using current budget allocation for Task 321 (Modeling Linkages and Testing) of the UNRBA Modeling and Regulatory Support Contract with Brown and Caldwell as the match for this project (\$43,584).
 - This Task could not be used as match on other grant-funded projects

Board discussion and decision on project match

Next MRSW Meeting

- The next Modeling and Regulatory Support Workgroup meeting is scheduled for February 4th
 - 9:00 AM (before the PFC meeting)
 - Preliminary calibration results will be shared

Monitoring Program Status

Considerations for FY2021

- The UNRBA currently implements a scaled-back Transition Monitoring program
 - Monthly nutrient sampling at 12 locations
 - Total organic carbon sampling at 6 locations
 - Budget is \$44,000 for FY2020
- Data from other organizations including DWR provides additional data in the watershed
- The PFC has been discussing potential changes to the program for FY2021 since September
- During the January PFC meeting, PFC members voted to recommend that the Board discontinue the Transition Monitoring Program for budget considerations for Fiscal Year 2021

Ongoing DEQ Discussions/Issues

Ongoing DEQ Discussions/Issues

- Scheduling a meeting with DWR to review the 2019 Annual Monitoring Program Report
- The relationships among the re-examination, 303(d) assessment procedures, need for a site-specific chlorophyll-a criterion(a), NC Numeric Nutrient Criteria Development Plan, the work of the Scientific Advisory Council, and the evaluation by the UNC Collaboratory
- Depending on outcome of UNRBA discussions, continue to engage DEQ on the IAIA for support and implementation considerations
- Continue to engage DEQ in the technical stakeholder sessions and secure input to modeling as it is being developed
- Continue discussions with DEQ on the MOA—develop more specific information on submittal requirements under the Re-examination rule provision

Communications Support Status

Communications Support Status

- The UNRBA Stakeholder Forum will be held February 12, 2020
 - Target audience is management leadership at the local government level
 - “Save the date” communication was sent out in November
 - Emailed invitations to jurisdictional leaders and elected officials were distributed in December
- The UNRBA fast facts and infographic are available for review on the [Resource Library](#) page.
- If you use any of these presentation materials, please complete the communication tool use tracking survey : <https://www.surveymonkey.com/r/UNRBA>.

Release of Final Report on Jordan Lake by the UNC Collaboratory

**Release of Final Report on Jordan Lake
by the UNC Collaboratory**

Closing Comments

**Next UNRBA Board Meeting is Scheduled
for March 18, 2020 at the
Butner Town Hall from 9:30 AM to Noon**