

Work of the UNRBA and Stage I Existing Development Interim Alternative Implementation Approach (IAIA)

What is the Falls Lake Nutrient Management Strategy and how does it relate to the IAIA?

The Falls Lake Nutrient Management Strategy (the Strategy) was passed by the State in 2011 (NCAC.2B.0275) as a plan to reduce nutrient loading to Falls Lake. The Strategy includes two stages of nutrient reductions, and it is estimated to cost over \$1.5 billion. Parts of the Strategy are not technically feasible. The UNRBA's re-examination of the Strategy is directed at developing a replacement that is reasonable and manageable. While the IAIA addresses the Existing Development Rules associated with Stage I, it also serves as a "pilot" to inform the development of a revised strategy for Stage II.

How is the IAIA different than the Falls Lake Nutrient Management Strategy when it comes to requirements for Existing Development?

The Falls Lake Nutrient Management Strategy requires each jurisdiction to individually work with the Division of Water Resources (DWR) to establish their Stage I nutrient-load reduction requirements. These reductions are equivalent to the increase in nutrient loading resulting from development that occurred between 2006 and 2012. Reaching agreement on estimating these requirements has made it difficult to finalize and develop a plan to address them. After the Stage I load reduction requirements are established (sometimes referred to as jurisdictional loads), each local government is required to develop and implement a plan that documents what practices will be installed and the nutrient pounds per year that each practice will reduce. Only practices that have NC-approved nutrient reduction credits can be used under this "pounds counting" approach. Many of the practices are expensive and do not yield substantial credit in terms of pounds credited.

The IAIA is a manageable, collaborative, voluntary approach where the jurisdictions in the Falls Lake Watershed commit to reasonable investments in projects and activities aimed at reducing nutrient loading. The focus of this alternative is engagement in beneficial activities throughout the watershed. Because this alternative does not require counting nutrient pounds, activities that are known to be beneficial, but that do not have State-approved nutrient credits, are eligible under the IAIA. One example is land conservation which is beneficial to water quality but difficult to assign a numeric credit. The IAIA is expected to be more cost-effective than that described in the current Strategy.

What are the goals of the IAIA?

The members of the Upper Neuse River Basin Association (UNRBA) have established the following goals for the IAIA:

- Continue to improve water quality in Falls Lake and its watershed until the re-examination of Stage II is completed and a new strategy is adopted
- Engage each jurisdiction in a collaborative, watershed-focused approach
- Provide flexibility to the IAIA participants in terms of cost-effectiveness, types of projects, where to implement projects, and who to partner with
- Shift the focus from counting pounds to implementing projects

Is participation in the IAIA a requirement?

No, each jurisdiction will decide for themselves if they choose to participate in the IAIA or follow the requirements as required under the Falls Lake Nutrient Management Strategy.

Does my community have to fund the UNRBA “pool” of funds to participate?

No, there are four options for funding projects that would count under the IAIA: self-funded (single jurisdiction), interlocal agreement (two or more jurisdictions), funding existing local organizations (like County Health Departments, Soil and Water Conservation Districts, existing utilities), or contributing to a “pool” of funds to be managed by the UNRBA in consultation with the jurisdictions contributing to the pool.

How would compliance under the IAIA be tracked?

Each jurisdiction participating in the IAIA would submit annual commitments and reports to DWR to track their participation in the program. Copies of annual reports would also be provided to the UNRBA to be compiled and summarized at the watershed level. Specific reporting elements will be determined after an implementation pathway for the IAIA is developed.

What is the status of the IAIA and the Stage II Re-examination?

The UNRBA Board of Directors approved the IAIA Program Description as a guidance document at their January 15, 2020 meeting. During this meeting, the Board authorized the Executive Director to discuss potential regulatory pathways for implementing the IAIA with staff from DWR and others. This effort will be coordinated with the members. Once adopted and implemented, the IAIA would continue until the UNRBA Stage II re-examination is complete and a new strategy is adopted. The modeling efforts associated with the re-examination will look at nutrient management scenarios and cost benefit analyses to develop and recommend a revised strategy by 2023. It may take two years or more following the submittal of the recommendations to put a new strategy in place. The IAIA would continue until the new strategy is adopted.

