



**Upper Neuse River Basin Association (UNRBA) Board of Directors (BOD) Meeting Agenda
November 19, 2025, 9:30 AM to Noon
Butner Town Hall**
[Remote Access Option \(see last page for instructions\)](#)

Materials related to this BOD Meeting have been placed on the UNRBA website unless noted otherwise on the [Meeting Page](#). See items under the November 19, 2025, meeting date.

- I. Opening—Wendy Jacobs, Chair
 - A. Introductions and Announcements
 - B. Roll Call for Quorum
 - C. Identification of any Conflicts
 - D. Review and Approval of Agenda
- II. Initial Action Items of the UNRBA Board of Directors
 - A. Approval of [October 21, 2025, Draft Board Minutes](#)
 - B. Approval of the [November 2025 Treasurers Report](#)
 - C. Discussion of the Budget for FY2027
 - D. Authorization to request approval of the UNRBA-developed models under the Falls Lake Adaptive Management rule in the January 2026 EMC meetings (this to be voted on during the discussion of Status Report A below)
 - E. Appointment of the 2026 Officer Nominating Committee
 - F. Appointment of the 2025 Personnel Committee
 - G. Approval of FY2026 Contract with WSP for Dr. Lebo to Continue Support Development of a Site-Specific Chlorophyll-a Standard
 - H. Motion to Recess the Regular Session of the UNRBA Board to Sit as the Compliance Group Committee
- III. Action Items of the Compliance Group Committee (CGC)
 - A. Consider approval of the UNRBA Year 4 Annual Summary Report
 - B. Consider approval of the Addendum to Attachment B of the UNRBA Bylaws
 - C. Consider approval of the Draft Letter to DWR and EMC
 - D. Motion to Recess the Compliance Group Committee to Resume Regular Session of the UNRBA Board
- IV. Subsequent Action Item of the UNRBA Board of Directors
 - A. Consider Approval of Amendment to the UNRBA Bylaws
- V. Status Reports and Informational Items
 - A. **Status of the Falls Lake Rules Readoption Process**

Item Summary (Forrest Westall):

Following a discussion between the Executive Director and Richard Rogers, Director of DWR, it was agreed that a high-level meeting between the UNRBA and DWR/DEQ/EMC was needed to try and resolve key differences between the draft UNRBA rules and those developed by DWR. The UNRBA Chair, Executive Director, PFC Co-Chairs, and support team met with DWR leadership and the EMC Chair on September 24th, to begin these discussions and on October 7th to press forward on working to reach a level of agreement on specific key components of the rules. The October 7th meeting achieved potentially acceptable compromises on several critical issues of disagreement in the Purpose and Scope, Existing Managed Lands, and New Development Rules and a commitment to continue efforts to reach a compromise on the Wastewater Rule and the load allocations. DWR

leadership is reviewing information provided by the UNRBA about this allocation and is expected to provide a response and proposal for the point source allocation to be included in the rules soon. This response is expected to include a proposal for providing an allocation for the three major wastewater treatment plants that will provide reasonable and feasible nutrient allocations through the period of the revised Falls Lake Rules (under state law, all rules must be reviewed and if found “necessary” be readopted every 10 years). These adjusted allocations are being evaluated within context of the significant nitrogen load reductions achieved in the watershed since 2006 (nearly 400,000 pounds of nitrogen per year). A follow-up meeting is being scheduled.

Ahead of the October 21, 2025, Board meeting, the Executive Director distributed to the Board redline and clean versions of the UNRBA’s draft rules, modified from the clean September versions to reflect the compromises discussed with DWR leadership and the EMC Chair on October 7th. These versions also reflect input from the PFC during and following their October 7th meeting. The basis of these revisions and other background information is summarized in the supplemental notes at the end of each document. Because of the progress made in October with DWR, the drafts were provided to the Board as an information item. We did not take our draft rules to the EMC as an information item in November. However, Alix Matos presented a summary of the UNRBA’s model development process and a very brief status on the rule development process to the EMC Water Quality Committee on November 12th. Under the Falls Lake Rules adaptive management provision, the UNRBA developed its reexamination effort, including the development of four models to support rule readoption. The rules require that any supporting models need to be approved by the EMC. The November 12th briefing was done to prepare an opportunity to present the UNRBA models to the EMC for approval in January. We are seeking Board concurrence on moving our approval request forward. We will prepare a request letter for placement of our models on the EMC agendas for January. [We request Board authorization for the Executive Director to develop and the Chair to sign a letter on behalf of the UNRBA following review by the Executive Committee.](#) The UNRBA’s presentation to the EMC to support this request will be provided to the PFC for review and passed along to the Board prior to the EMC meetings which we anticipate will be on January 7 and 8, 2026. We will continue working toward developing one set of rules that can be taken forward by DWR with the UNRBA’s concurrence. However, work remains, and the UNRBA must keep its options open in working to achieve a balanced, realistic, technologically feasible, and effective set of new rules. The ongoing impacts of the Falls Lake Rules, even following revision, will continue to place a heavy burden on the jurisdictions, the citizens of the watershed, and those doing business in the watershed. The October drafts of the UNRBA rules provide a reasonable starting point to continue progress in working with DWR and DEQ to produce a draft that can be taken to the EMC. The October 15th drafts were distributed to the PFC ahead of their November 4th meeting; only the Purpose and Scope Rule required an edit, so that rule was revised and dated October 27th. Input following the PFC meeting and based on discussions with DWR will be summarized in the next versions.

The PFC requested a schedule of milestones for submitting a rule package to the EMC, either jointly with DWR (preferred) or as separate petition for rule making. We are working on this. We continue to note that the submittal of draft rules to the EMC for approval to go to notice also requires development of a fiscal note by DWR. The UNRBA has been compiling supplemental fiscal information to support this effort, as we have relayed to DWR/DEQ/EMC. All developed supporting information will need to be reviewed by the PFC and the Board. Approval by the Board is required before it is submitted to DWR. Developing the UNRBA’s economic information is important to timely readoption of the rules. Once the supporting fiscal information has gone

through the UNRBA approval process, the formal process can begin. Whether we submit a package with DWR or separately, a target date of March 2026 is reasonable to complete these steps and submit a package to the EMC Water Quality Committee (WQC). If the WQC approves the package, it would go to the full EMC in May 2026. Public hearing likely would not occur before July 2026. This would begin a rules review process that is projected to send a rules package to the Rules Review Commission in March 2027.

The following summarizes changes to the rule since the October 21, 2025, Board meeting as well as ongoing discussion items:

- Purpose and Scope Rule: Edited Item (10) RULE REVISIONS, to consider the information developed from the ten-year reporting (Item 8) and the development of a Falls site-specific standard (Item 9; based on based on [143.214.3](#) and [40 CFR 131.10](#)).
- Pending further discussion:
 - New Development Rule – continued discussion regarding EMC approval of revised SNAP tool (currently drafted as DWR approval following a public review and input process)
 - Wastewater Rule – awaiting DWR’s proposed reallocation for the WWTPs

BACKGROUND: We continue to provide the background information on how this process has proceeded and a summary of the work the UNRBA has performed to support revised rules to remind everyone of the concentrated effort that we have made to propose rules that are supported by science and vetted through an extensive stakeholder process.

The UNRBA submitted the UNRBA Concepts and Principles for Reexamination and Consensus Principles II to DWR and the Environmental Management Commission (EMC) on November 22, 2023. The NC Collaboratory submitted their final report in December 2023. These submittals trigger the initiation of the Falls Lake Rules Readoption Process under Session Law 2018-5. The UNRBA has been and will continue to be engaging in 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. Our efforts on working for a good set of rules will continue to reference the scientific basis for appropriate rules as reflected in our 10-year evaluation and the work of the Collaboratory as well and the UNRBA and member government adopted Concepts and Principles for revised Falls Lake Rules and Consensus Principles II.

Relative to rule readoption work, the UNRBA initiated an informal stakeholder process started in December 2024 with four rule workgroups. A summary of the drafts produced by the workgroups was presented to the PFC and revised by the PFC at their May 6, 2025; June 3, 2025; July 1, 2025; August 5, 2025; September 2, 2025; and October 7, 2025, meetings. The UNRBA drafts have been available to DWR and key stakeholders during this process. On June 24th, the NC Division of Water Resources (DWR) hosted a Falls Rules Readoption Stakeholder Meeting. DWR provided the UNRBA with their draft rules on August 25th. The Executive Director, support team, and PFC Co-Chairs met with DWR staff on August 28th, August 29th, and September 16th to discuss DWR’s drafts.

The PFC decided at their September 2nd meeting to work to incorporate some of DWR’s draft language into our draft without compromising critical aspects of the UNRBA draft. Following that effort, a revised UNRBA set of rules was reviewed and considered at the October 7th PFC meeting. The updated drafts were distributed on September 8th (Purpose and Scope and Existing Managed Lands) and 18th (New Development and Wastewater). A revised UNRBA set of rules was then distributed to the PFC and reviewed at the October 7th PFC meeting.

B. Continued Rule Development for Jordan Lake and High Rock Lake Watersheds

Item Summary (Forrest Westall): We continue to monitor DWR’s draft proposal for nutrient management rules for the High Rock Lake Watershed and their rules readoption process for the Jordan Lake Watershed. We remain concerned that these processes could negatively impact the Falls Lake rules readoption process, both in

timing and in trying to “set” an approach for nutrient management that could be inconsistent with the recommendations of the UNRBA. The UNRBA seeks to ensure that productive programs continue in Falls and are not put at risk by seeking new and potentially more restrictive requirements which could generate considerable pushback by stakeholders. Our preliminary look at the proposals that have recently been distributed have not adequately addressed our concerns. We should not let these other processes hamper the well-developed and researched UNRBA recommendations for the Falls Lake Rules readoption.

C. Communications Support

Item Summary (Forrest Westall): The work with DWR on the revised Falls Lake Rules continues and will have additional meetings to gather input from NC Collaboratory staff, researchers, and representatives of NGOs. As we have continued to do, we encourage our jurisdictions to identify additional communication needs and to request support from the UNRBA team as needed. Recent, ongoing, or upcoming activities are noted below:

- Status updates to the EMC
- Planning a meeting with the new Secretary of DEQ
- Planning a meeting with staff from the NC Office of State Budget Management
- Meeting with EPA

The “open” nature of all UNRBA meetings remains a key component of a transparent communications approach. We encourage 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. We also continue to look to our engaged membership representatives to use materials developed to help with communication within their jurisdictions. We remain available to assist with any presentations/meetings that are set up to discuss Falls Lake and the status of our work and the rules readoption process.

D. Ongoing Discussions/Issues:

Item Summary (Forrest Westall):

- NC State University / NC Collaboratory assessment of streambank erosion and nutrient loading to Falls Lake – website and spatial data coming soon
- Still no report on the 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

E. Closing Comments—Board Members and Chair

Next PFC Meeting: December 2, 2025, 9:30 AM to 12:00

Next Board Meeting: January 21, 2026, Butner Town Hall, 9:30 AM to Noon

This schedule may be revised, and notices will be provided about any change.

Remote Access Instructions for UNRBA Board Meetings

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- If you dial in through your phone, mute your computer microphone and turn down your speakers to **avoid feedback**
- Unless you are speaking, please mute your computer/device microphone or phone microphone to **minimize background noise**
- UNRBA meetings are open meetings; however, please **limit the discussion to UNRBA Board Members** to facilitate moving through action items