



# UNRBA PFC Meeting

## February 3, 2026

### 9:30 AM to 12:00 PM

**VIRTUAL MEETING**

(see agenda for remote access instructions)



# Agenda

- Opening comments, agenda review/revisions
- PFC Meeting Formats
- Status and timeline for Falls rules readoption
- Discuss Budget for FY2027
- Planning PFC Workshop on Best Practices for Implementing Falls Rules
- Communications
- Other Items
- Closing comments

# Opening Comments, Agenda Review/Revisions

# PFC Meeting Formats

# PFC Meeting Formats

- The PFC Co-Chairs have decided to hold virtual PFC meetings when the information is primarily status updates.
- For meetings where significant discussion is anticipated or a recommendation vote is needed, the meetings will be in person with a remote option.
- The February meeting is a status update.
- The March meeting is anticipated to be in person to facilitate discussion of the FY2027 budget and updated rule language as available following coordination with the Division of Water Resources (DWR). It is possible that we will have some draft rules from DWR for the PFC to review (we will provide those as soon as available) by March.

# **Status and Timeline for Falls Rules Readoption**

# Status of Development of Draft Rule Language

Rule Section	Status
Purpose and Scope	<ul style="list-style-type: none"><li>• DWR and UNRBA are planning to discuss in January</li></ul>
Agriculture	<ul style="list-style-type: none"><li>• DWR and NC Department of Agriculture and Consumer Services has drafted rule</li><li>• Draft Existing Managed Lands Rule developed by DWR allows for <b>voluntary</b> participation by farmers and landowners in the investment-based group compliance program in the Draft Existing Managed Lands Rule</li></ul>
New Development, Existing Managed Lands	<ul style="list-style-type: none"><li>• DWR has modified their drafts to significantly incorporate UNRBA draft language</li><li>• DWR/UNRBA met in December to try and reach consensus on draft rules to WQC</li></ul>
Wastewater	<ul style="list-style-type: none"><li>• DWR and UNRBA having been discussing since September</li></ul>

Stakeholders will review refined drafts and DWR will host an “all stakeholders” meeting before rules are submitted for consideration by the WQC.

# Challenges with the Wastewater (WW) Rule

- September 17, 2025 Board meeting (slides 31 to 43), summarize
  - Challenges with respect to the wastewater rule
  - UNRBA's proposal to address
- Rule regulates the wastewater treatment plants (WWTPs) in the watershed
- Impacts the growth and economic development for nearly all of the UNRBA members
- WWTPs are still financing the initial construction and upgrades required to meet Stage I of the Falls Rules
- The current rules and permits limit the WWTPs to discharge only a fraction of their permitted capacity

# Discussions with DWR and UNRBA Generated Additional Information – September 2025

- The UNRBA has been meeting with DEQ/DWR leadership and the EMC Chair since September
  - Discuss the wastewater rule
  - Work toward a compromise to provide the WWTPs with enough nitrogen allocation to cover the next rules readoption cycle.
  - UNRBA's draft rule included a total nitrogen allocation of 260,271 pounds per year (lb-N/yr) for the three largest WWTPs
    - Based on 100% of permitted flow capacity and annual average effluent limits of 3 mg-N/L (limits of technology)
    - Included proactive investments in watershed health projects by the WWTPs of \$500,000 per year

UNRBA September request: 260,271 pounds per year (lb-N/yr)

# Discussions with DWR and UNRBA Generated Additional Information – October 2025

- During the October 7, 2025 meeting, DWR requested documentation of the amount of nitrogen load reduction that has been achieved since the baseline year (2006)
- DWR indicated they would review this information and provide a proposal for the UNRBA to consider in response to our request
- Forrest provided this document to DWR on October 27, 2025
  - Reduction of nearly 400,000 pounds per year of nitrogen since the baseline year (2006).
  - Modified request to discharge 90% of permitted flow to align with the 80/90 wastewater rule ([15A NCAC 02T .0118](#)) for a total allocation of 234,244 lb-N/yr
- DWR did not provide a proposal following submittal of this document
- Forrest distributed a revised document to the Board ahead of this meeting to correct the load reduction from atmospheric deposition

UNRBA October request: 234,244 pounds per year (lb-N/yr)

# Discussions with DWR and UNRBA Generated Additional Information – December 2025

- During the December 2, 2025 meeting, DWR
  - Indicated they would not agree to 90% of permitted flow
  - Requested information to justify why additional nitrogen load allocation would be needed above the baseline loads (160,152 lb-N/yr)
  - Indicated they wanted to cover only the allocation need to get the WWTPs through the next 10-yr rules readoption cycle

# Discussions with DWR and UNRBA Generated Additional Information – January 2026

- Worked with WWTP operators on projected flows and allocations to cover the next rules readoption cycle
- Provided to DWR ahead of the January 13<sup>th</sup> meeting
- UNRBA requested sufficient allocation for Durham and SGWASA to discharge 70% of permitted flow and Hillsborough to discharge 80% of permitted flow
  - Estimated increase in chemical costs of \$240,000 per year
  - 184,929 lb-N/yr allocation
    - Only 25,000 lb-N/yr more than baseline
    - Compared to the nearly 400,000 lb-N/yr reduction achieved
    - 2% of the year-to-year variability due to rainfall
  - **DWR requested more detailed growth/projection information**

UNRBA January request: 184,929 pounds per year (lb-N/yr)

# **Discussions with DWR and UNRBA Generated Additional Information – February 2026**

- The UNRBA is scheduled to meet with DEQ and DWR Leadership and the EMC Chair on February 2, 2026, to continue discussions.
- We will provide comments on the outcome of the meeting.
- Regardless of the results of these discussions and language in updated drafts from DWR, the UNRBA members with WWTPS will have to decide whether or not to accept the compromise that DWR is willing to accept.
- The whole of the UNRBA (recommendation from the PFC and decision by the Board) will consider the revised rules coming from these discussions.

# Upcoming UNRBA Decisions

- As has been demonstrated in the ongoing delays of achieving rules, it is essential that the members of the UNRBA have a distinct and insistent voice to DWR, DEQ, and the EMC.
- Alternate strategies to achieve this goal must be considered by the UNRBA Team and for the Team to provide technical and policy direction to the Legal Team.
- If the normal, agency-managed, rules readoption process continues to drag and not provide a reasonable solution, the UNRBA will have to seek more effective approaches.
- The success of achieving realistic and implementable revised rules is essential to governments and people in this watershed.

# Benefits of the UNRBA's Work

- Resulted in strong stakeholder engagement across the basin
  - Representatives from local governments, utilities, agriculture, home builders, environmental interests, and land conservation organizations
  - Fewer requirements on agriculture in proposed rules
  - Investment credit for land conservation
  - Expanded “toolbox” for nutrient reduction credits
- Provides UNRBA members a united front and well-vetted science when negotiating with DWR
- Resulted in more cost effective implementation of existing development rule through development of the Stage I Existing Development Interim Alternative Implementation Approach ([IAIA](#))
  - Investment-based approach being incorporated into revised rules across the state
  - IAIA requires **\$1.5 million per year compared to \$51 million per year** under the Falls Rules (based on DWR's 2010 Fiscal Note)
  - Provides local governments flexibility to implement watershed health projects and achieve multiple benefits for their communities like reduced flooding

*Continued on next slide*

# Benefits, continued

- Addressing challenges with WW Rule
  - WWTP have already spent tens of millions of dollars to upgrade to five-stage biological nutrient removal (limits of feasible technology)
  - Current rules would require implementation of unproven/infeasible technology costing over **\$300 million to construct and several million each year to operate**
  - UNRBA is working to negotiate a more reasonable allocation in the near term to provide for growth and economic development
  - UNRBA has proposed to work with DWR on a site-specific chlorophyll-a standard before the next rules readoption cycle
    - Better reflect impacts of nutrients and chlorophyll-a on designated uses of the lake
    - Provide opportunity for WWTPs to use their permitted flow capacity in the future

# UNRBA Revised Timeline Presented to WQC in January

January 2026

- UNRBA and DWR continue discussing a rule package that can be submitted by DWR with UNRBA support
- UNRBA provided [documentation](#) of its re-examination efforts

March 2026

- DWR brings draft rules as an information item to the EMC WQC with support from UNRBA

*The UNRBA has not asked the EMC to approve its models at this time. We may request approval at a later date if this action is beneficial to the objectives of the UNRBA.*

# DWR's Prospective Timeline to Bring Draft Rules to the RRC Presented to the WQC in January



## Falls Lake Rules Readoption informed by:

- *UNRBA's Updated Falls Lake Watershed & Lake Models*
- *NC Policy Collaboratory Falls Lake Study*
- *Stakeholder Review & Feedback*



# Discuss Budget for FY2027

# Budget Considerations for FY2027

- The UNRBA continues development of draft rules and fiscal information to support the regulatory impact analysis.
- In FY2027 (July 1, 2026, through June 30, 2027), the UNRBA will continue to support this process including presentation of the rule package to the EMC (hopefully with DWR), a formal comment period, public hearing(s), and ultimately readoption of the rules (likely in mid 2027).
- During the November 19, 2025, meeting, the Board discussed a planning-level budget of \$769,400 for FY2027 to be reduced by \$160,000 (dues funding of \$609,400).
- At the January 21, 2026, the Personnel Committee presented their report for the Executive Services contract to the Board; their recommendations are still being finalized

# Budget Considerations for FY2027

- The recommendations will be finalized prior to the March PFC meeting when the PFC plans to finalize their recommendation for the FY2027 budget and bring a final recommendation to the Board at their March meeting.
- As soon as a final funding level is ready for recommendation, it will be provided to the PFC and Board for consideration and use in budget planning.
- At the January Board meeting, the Co-Chair of the PFC, Michelle Woolfolk, indicated that the PFC could consider shifts in the program budget for FY2027 to help fund an increase in the Executive Director budget.
- Other options for consideration by the PFC may include increasing dues or using contingency funds
- The developments that occur on this question will be summarized at the February PFC meeting.

# Planning Level Budget FY2027

- After the rules are submitted to the EMC and the formal stakeholder process is underway, the UNRBA will transition to development of a plan to provide guidance on rule implementation
- If developed as a WQPP, the plan will include the elements listed in § 143-214.14 including coordination of monitoring in the watershed.
- The UNRBA will likely need to design and implement some level of monitoring in the future.
  - Updates to the previously developed monitoring program and monitoring quality assurance project plan
  - Reporting and assessment of the data to support the evaluation of changes in the watershed.
- The UNRBA will also work with DWR and stakeholders on development of a site-specific chlorophyll-a standard for Falls Lake as described in § 143-214.3.

# **Planning PFC Workshop on Best Practices for Implementing Falls Rules**

# Planning PFC Workshop on Best Practices for Implementing Falls Rules

- Granville County and Wake County have requested a comparison and best practices across local governments for their implementation of stormwater rules and regulatory requirements within the Falls Lake Watershed
- Earlier this year, we discussed a workshop approach for UNRBA members to gather information and discuss
- We will continue planning for this workshop after we get to a more stable status on the rules' drafting process with DWR resulting hopefully in rules that the UNRBA can “accept”

# Communications

# Additional Information and Activities

- Reviewing existing information for jurisdictional use in developing presentations and handouts
  - [Infographic](#)
  - [Fact Facts](#)
  - Presentation materials as requested
  - Provided copies of these at the January Board Meeting
- Continue meeting with DWR to work toward a joint set of rules to submit to the WQC
- Next EMC WQC: March 11, 2026
- Planning for a Falls Lake rules status presentation at the Water Resources Research Institute (WRRI) Annual Conference March 25 and 26, 2026
- Planning a meeting with staff from the NC Office of State Budget Management in coordination with DWR
- Planning additional meeting(s) with EPA, linking in DWR as appropriate

# Other Items

# Ongoing Discussions/Issues

- NCSU streambank erosion loading website and spatial data available soon
- Upcoming presentation by NC State University on the 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

# Closing Comments

**Next PFC Meeting Scheduled for  
March 3, 2026; 9:30 AM to 12:00 PM**

**Next Board Meeting Scheduled for  
March 18, 2026; 9:30 AM to 12:00 PM**