



**UNRBA PFC Meeting**  
**August 4, 2026**  
**9:30 AM to 12:00 PM**  
**In Person Meeting**  
**Butner Town Hall**  
(see agenda for remote  
access instructions)



# Agenda

- Opening comments, agenda review/revisions
- Reminder for IAIA Year-End Reports
- Status and timeline for Falls rules readoption and meeting to discuss DWR's most recent draft
- Planning PFC Workshop on Best Practices for Implementing Falls Rules
- Communications
- Other Items
- Closing comments

# **Opening Comments, Agenda Review/Revisions**

# **Reminder for IAIA Year-End Reports**

# Reminder for Year-End Reports

- The fifth year of the IAIA ended June 30, 2026.
- IAIA participants are required to submit annual reports to DWR (John Huisman) by September 30<sup>th</sup>
- Please copy Forrest and Alix on your submission so we can compile the UNRBA Annual Summary Report which will be reviewed and considered for approval by the UNRBA Compliance Group Committee at their November 18, 2026, meeting.
- The UNRBA Annual Summary Report is due to DWR by November 30<sup>th</sup> each year
- The spreadsheet-based reporting template is available under the “IAIA” heading on the UNRBA website Resource Library: <https://unrba.org/resource-library>.
- Manually enter rollover from the FY2025 report if applicable – see next slide

# IAIA FY2024-2025 Funds Allocated and Cumulative Rollover

| Participant          | Annual Minimum Requirement | FY2024-2025 Funds Allocated | Cumulative Rollover to Next FY |
|----------------------|----------------------------|-----------------------------|--------------------------------|
| City of Creedmoor    | \$16,926                   | \$16,926                    | \$0                            |
| City of Durham       | \$337,587                  | \$913,833                   | \$3,645,595                    |
| City of Raleigh      | \$466,081                  | \$506,000                   | \$2,326,561                    |
| Durham County        | \$133,300                  | \$310,896                   | \$800,485                      |
| Franklin County      | \$19,058                   | \$19,058                    | \$0                            |
| Granville County     | \$100,453                  | \$100,453                   | \$0                            |
| Orange County        | \$161,943                  | \$9,993                     | \$22,124                       |
| Person County        | \$114,394                  | \$318,231                   | \$240,176                      |
| Town of Butner       | \$23,393                   | \$23,393                    | \$0                            |
| Town of Hillsborough | \$34,221                   | \$47,053                    | \$46,634                       |
| Town of Stem         | \$11,605                   | \$11,605                    | \$0                            |
| Town of Wake Forest  | \$13,692                   | \$58,924                    | \$45,232                       |
| Wake County          | \$88,968                   | \$642,726                   | \$3,004,607                    |
| <b>Total</b>         | <b>\$1,521,621</b>         | <b>\$2,979,092</b>          | <b>\$ 10,131,415</b>           |

Cumulative rollover accounts for all years of IAIA program accounting.

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

# Status of Development of Draft Rule Language

| Rule Section                                                     | Status                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Purpose and Scope,<br>Existing Managed Lands,<br>New Development | <ul style="list-style-type: none"> <li>• PFC discussed DWR's February drafts at March PFC meeting</li> <li>• PFC provided comments during and following the meeting</li> <li>• Board discussed concerns at their March meeting</li> <li>• UNRBA and DWR staff discussed rules again on April 1<sup>st</sup> and the PFC discussed April 7<sup>th</sup></li> <li>• <b>DWR provided updated drafts on April 22<sup>nd</sup></b></li> </ul> |
| Agriculture                                                      | <ul style="list-style-type: none"> <li>• PFC discussed DWR's February drafts at the March PFC meeting – <b>no changes since the Feb draft</b></li> </ul>                                                                                                                                                                                                                                                                                 |
| Wastewater                                                       | <ul style="list-style-type: none"> <li>• DWR and UNRBA discussing since September 2025</li> <li>• PFC and Board provided comments during the March and April meetings</li> <li>• <b>DWR provided draft on April 22<sup>nd</sup> – First Draft since last year</b></li> </ul>                                                                                                                                                             |

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

# July 20<sup>th</sup> Meeting with DWR

- UNRBA member representatives met with DWR to discuss UNRBA comments on the April draft rules
  - City of Durham: Michelle Woolfolk and Sandi Wilber
  - Wake County: Nancy Daly
  - Upper Jurisdictions: Katie Cromwell
  - Durham County: Ryan Eaves
  - Town of Hillsborough: Terry Hackett
  - UNRBA: Forrest Westall, Alix Matos
  - DWR: John Huisman, Rich Gannon, Trish D'Arconte
- Two-hour meeting intended to focus on new development and existing managed lands rule
- The following slides summarize the discussion

# **Draft Purpose and Scope (PS) Rule**

# Referencing Percent Reductions in Goal

- Rules are minimum requirements that must be followed
- DWR's April draft includes a historical reference to the EMC-approved 2009 DWR Falls Lake model and reductions (30% N, 70% P)
- UNRBA again expressed concerns about including references to % reductions
  - Clarify this as only a historical reference, or remove
- These reductions are not feasible or generally applicable due to variability in annual loading
  - Based on dry to average hydrology during historic drought (2005 to 2007)
  - 90% of nutrient loading from non-point sources with 50% from unmanaged lands
  - Loading can double from one year to the next with rainfall (e.g., 2017 to 2018, 15 inches more rain)
- Opens local governments and DEQ to 3<sup>rd</sup> party lawsuits
- Potentially jeopardizes parts of the rules (e.g., IAIA)
- Not required in a 4B management strategy
- References reduction levels inconsistent with the UNRBA's Reexamination Results

# Using the word “restore” in the Purpose

- UNRBA continues to point out that this word is not appropriate for Falls Lake
- In actuality, “restoring” would mean removing the dam
- Water quality in the early years following filling of the dam was poor
- Water quality in Falls Lake is better than it has ever been (based on monitoring data)
- Rather than “restore,” use “maintain and improve”
- Rather than “reduce,” use “manage”
  - Reduction is a component of management
  - Management better reflects the extensive water quality improvement actions currently underway in the watershed under the IAIA

# Items we **did not** have time to discuss

- Nutrient Criteria Development Plan (NCDP) to establish site-specific standard for Falls Lake (*last updated 2019*)
  - NCDP requires DWR to compile, analyze, and present to the NCDP Scientific Advisory Council (*by January 2024*)
    - The nitrogen, phosphorus, and chlorophyll-a data and causal relationships for NC lakes and reservoirs
    - Evaluate the High Rock Lake approach for lakes and reservoirs across the state (*by December 2024*)
    - Develop criteria (*by December 2026 with rules adopted May 2028*)
  - Concerns with schedule given ongoing delays
  - A site-specific process for development of a Falls Lake standard is needed which must include specific input from the UNRBA along with a commitment from DWR to staff and support such an effort
- Importance of tributary monitoring
- Implementation of the “offramp” as currently drafted

# **Discussion of Draft New Development (ND) Rule**

# Discussion of Purpose New Development Rule

- Purpose references “nutrient reduction goals and purpose established for the Falls Reservoir Lake nutrient strategy in Rule .0750 [Purpose and Scope]
  - As noted in previous slides, UNRBA recommends that the nutrient management strategy be framed to meet standard, not require reductions that are not feasible
- UNRBA recommended deleting the last sentence of the Purpose: “Nothing in this Rule prevents local governments from implementing requirements that are more restrictive than those set forth in this Rule”
  - Unnecessary, triggering language
  - Local governments have limited authority over stormwater
  - Limiting stormwater management by local government has been a focus of General Assembly (e.g., § 143-214.7 d)
  - Future management of stormwater from ND is critical to prevent increases in nutrients going to the lake
  - Language sends the wrong message and raises expectations for some groups that local governments can do things they cannot
  - The local program is reviewed by DWR to ensure adequacy

# Discussion of SNAP Tool

- DWR is continuing to update the SNAP tool with new data, using the curve number method rather than simple method
- The tool impacts the loading target and certain elements of the rules (e.g., offset requirements)
- Updated tool will not be ready for 18+ months
- Will further delay the option to use soil improvement on new development or account for minimally managed lands
- DWR initially recommended not including the new tool in rules and once adopted, reopening the rules when the tool is available
- Readoption of the Falls Rules again for a new tool is not a reasonable approach
- Discussed option of putting the SNAP tool description of methodology, basin-specific loading targets, and tool-specific components of the rules (like offsets) into a separate rule
  - First, adopt using simple method and current loading targets
  - Later, readopt SNAP rule with curve number method and revised targets
  - Falls Rules would reference the SNAP Rule

# Discussion of Offsets

- Current rule requires that 30% to 50% of nutrient credit be obtained on site depending on disturbance area
- Workgroup discussed an approach to be more consistent with MS4 permits that require use of a primary SCM like in the Neuse and Tar/Pamlico Stormwater Rules
  - Set the loading targets and high-density thresholds for each basin
  - Require treatment of the volume of stormwater runoff generated from the net increase in built upon area, during a one-inch storm using one or more primary SCMs or a combination of Primary and Secondary SCMs that provides equal or better treatment
- Needs further discussion and may depend on whether a separate SNAP Rule is developed

# Discussion of Large Institutional Projects

- DWR had added language to address development on institutional land based on issues in other basins
- The Falls basin does not have these issues because institutional lands are regulated by the local governments — none have their own MS4 permit
- Both DWR and UNRBA agreed the language in question could be deleted

# **Discussion of Draft Existing Managed Lands (EML) Rule**

# Discussion of EML Rule (time limited)

- Discussed that requirements and purpose of EML rule needed to be relative to existing development, not existing managed lands (EML)
  - EML are to indicate potential partnerships, not requirements—important concept to encourage joint projects
- Education and outreach costs related to nutrient management should be eligible activities and are required elements of MS4 permits due to their importance
- If members leave compliance group, group investment level should be adjusted down (subtract member)
- If DWR dissolves the group for non-compliance, retroactive requirements should only be required for those jurisdictions that were out of compliance
- Item (8) still references lands “under their control”; should say “under their ownership”

# **Discussion of Draft Wastewater (WW) Rule**

# Discussion of WW Rule (time limited)

- Three WWTPs are currently operating at best achievable technology (BAT)
- DWR's latest draft caps the WWTPs at their currently permitted flow rates (28.5 MGD cumulative) based on nitrogen (N)
  - End of pipe: 163,704 pounds per year (baseline, 2006 levels)
  - Offsets: capped at 100,000 pounds per year
  - Limits total allocation to permitted flow at BAT, 3 mg-N/L
  - No path for increased allocation
- DWR's latest draft sets phosphorus allocation to
  - End of pipe: 14,469 pounds per year (Stage I allocation)
- No other WW Rule in the state limits the number of offsets you can acquire
- Other WW rules allow for new and expanded facilities based on offsets obtained with no limit
- Other WW rules allow 3.5 mg-N/L and permitted flow to be discharged from pipe – Falls 1.88 mg-N/L end of pipe

# Next Steps

# Next Steps for Rules Refinement

- Continue working with DWR to refine rules and obtain as much agreement as possible
- Possible information item at the September WQC meeting
- DWR has indicated that they would like to have another “all” stakeholder meeting
- Potential actions by UNRBA if DWR submits draft rules and fiscal note that are not feasible or workable – work with legal team on options—going forward with rules that are strongly opposed by the UNRBA creates significant issues

# **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 would like to convene a meeting of the New Development Workgroup to discuss the best approach to provide information on the topics compiled thus far
  - Look for a future date to schedule a workshop
  - Develop an agenda and a list of speakers
- Preliminary list of topics compiled from past meetings, emails, and comments on the draft rules is provided on the following slides

# Runoff Volume Match

- UNRBA members requested guidance from the State
  - Ensuring nutrient management when volume match is used
  - Appropriate tools for calculating runoff volume
    - Which storm event should be used for calculations?
    - Which specific controls can be implemented that aren't considered structural?
    - Guidelines available given removal of reference to the Low Impact Development Guidebook
    - Raleigh's implementation in the Neuse Rule
    - Wake County curve number matching
    - SNAP Tool(s)

# Additional Topics Raised

- Streamlining compliance across overlapping state and local regulatory requirements
  - State stormwater
  - Sediment and erosion control
  - Water supply watershed protection
  - Flood control
  - MS4 permits
  - Others
- Program implementation and consistency among jurisdictions
- Program best practices, efficiencies, and tools
- Information sharing
- Development excluded
  - 1 acre threshold
  - 5% imperviousness
- Others?

# Next Steps

- PFC confirm that the New Development Workgroup, expanded to cover all jurisdictions, is the committee to handle development of this workshop
- Planning for the committee meeting
  - During a PFC meeting time?
  - After a PFC meeting following a lunch break?
  - Alternate day/time
- Objectives of first meeting
  - Finalize list of topics to include in the workshop
  - Identify volunteers to help generate content or reach out to the State to identify someone to lead the discussion (e.g., runoff volume match)
  - Develop a schedule for drafting content and reviewing materials at a second committee meeting
  - Identifying potential dates for the workshop to discuss with the PFC

# Communications

# Additional Information and Activities

- Reviewing existing information for jurisdictional use in developing presentations and handouts
  - [Infographic](#)
  - [Fact Facts](#)
  - Presentation materials as requested
- Continue meeting with DWR to work toward a joint set of rules to submit to the WQC
- Next EMC WQC: September 9, 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  
September 1, 2026; 9:30 AM to 12:00 PM**

**Next Board Meeting Scheduled for  
September 16, 2026; 9:30 AM to 12:00 PM**