

**Lake Wylie Marine Commission**  
**April 25, 2016**  
**Carolinas HealthCare System Steele Creek Healthcare Pavilion**



---

**Commissioners Present:** Chairman Lynn Smith (Mecklenburg County)  
Vice Chairman Ed Hull (York County)  
Secretary Treasurer Robert Biggerstaff (Gaston County)  
Commissioner Brad Thomas (Gaston County)  
Commissioner Blanche Bryant (York County)  
Commissioner Neil Brennan (Gaston County)  
Commissioner Peter Hegarty (Mecklenburg County)  
Commissioner George Medler (York County)  
Commissioner Tim Mead (Mecklenburg County)

**LWMC Staff Present:** Joe Stowe, Executive Director; Chris Clark, Legal Counsel;  
Emily Parker, Clerk

---

**Meeting Minutes**

**Item 1 – Welcome and Introductions**

Chairman Smith called the meeting to order at 7:00 pm and welcomed everyone present.

**Item 2 – Approval of Minutes**

Chairman Smith asked if any changes need to be made to the March 28 minutes. Commissioner Brennan made a motion to approve the March 28 minutes. Vice Chairman Hull seconded the motion and it was approved unanimously.

**Item 3 – Approval of Agenda**

Chairman Smith asked if any changes need to be made to the April 25 agenda. Secretary Treasurer Biggerstaff made a motion to approve the April 25 agenda. Commissioner Medler seconded the motion and it was approved unanimously.

**Item 4 – Public Comment**

None.

**Item 5 – Stakeholder Reports**

Charlotte Mecklenburg Police Department – Officer Carey reported that there was a drowning in mid-April. The Fire Department came out and tried to save the person, but could not. Over the weekend CMPD received a distress call about a 16’ Jon boat that took on water and sank. A passing boater helped the older couple in distress and Towboat got the Jon boat back to the shore. CMPD is getting more complaints from a homeowner about loud music. Officer Carey reported that upon inspection, there is no loud music. South Carolina set up buoys along the Buster Boyd Bridge. Other buoys up river need to be put back in the correct position. He reported that one of the big yellow signs on the north end of Saddler Island is missing. CMPD’s bigger boat is getting painted.

Gaston County Police Department – Officer Hamrick reported that the GCPD needs new officers. They are losing over 15 officers this year, many due to retirement. Their bigger boat is at New Hope Marina. The small

boat is having electrical issues. The cost to fix that boat will be around \$2,100. Officer Hamrick commented that it is hard for GCPD to apply for or receive grant money. GCPD may reach out to businesses to request funds donation. Their overtime budget for officers is depleted. He did not know how soon they could start patrolling the lake. He commented on generational issues and recruiting younger people into the police force. GCPD needs to think of new and creative ways to attract young people join the GCPD (e.g., waive property tax).

York County Sheriff's Office – Sgt. Richardson reported that YCSO lake patrol is almost back to full staff. They have radar and sonar hooked up on their bigger boat. Now they can monitor activity at night on the lake. On Memorial Day, they will start the two boat crew shift. Sgt. Mabry is in Charleston checking out a possible dive training site. Overall, YCSO lake patrol is in good shape. Sgt. Richardson talked about the Good Samaritan (who had three kids with him and no other adults) that rescued the older couple whose Jon boat sank. He also addressed the three high schools that are involved in the life jacket awareness competition. Executive Director Stowe asked a question about underwater lights on boats and conversation ensued about that kind of boat lighting. Three colored lights (green, red, and white) are supposed to be on a boat. If the lights are blue, then Sgt. Richardson is going to check them. Blue, pink, orange, and yellow lights are popular. Chairman Smith clarified that the lights that Executive Director Stowe was talking about are like spot lights. It was established that those lights are swim lights that have to be off when the boat is underway. Sgt. Richardson talked about other issues including wake boats and loud music. Commissioner Brennan asked if something can be put on the website about boat lighting. Ms. Parker will reach out to YCSO for information on boat lighting safety.

Tega Cay Police Department – No report was given.

NC Wildlife Resources Commission – Sgt. Laton reported that he sent Ms. Parker information about upcoming boater safety classes. The NCWRC is busy with turkey hunting season. He mentioned a media blitz on May 5 at 10:00 am at Blythe Landing. He talked about people bow fishing using very bright lights. NCWRC reached out to North Carolina Bowhunters Association to increase awareness about issues related to using bright lights at night on the lake.

SC Department of Natural Resources – No report was given.

US Coast Guard – Lt. David Herndon gave an overview of the US Coast Guard's presence in North Carolina. His team conducts security boardings of large vessels before they come to shore. The Coast Guard's jurisdiction includes Lake Wylie because the lake crosses state borders. There is a new Coast Guard phone app that addresses carriage requirements by vessel size. Last year in North Carolina, they conducted over 3,300 boardings. He closed by reviewed different violations from last year. Maritime Enforcement Specialist Second Class Craig Miller is a boarding officer. He spoke to the LWMC about violations the Coast Guard levies fines for, such as boating under the influence. They are strict with this violation, which can cost a boater at least \$1,000. Commercial drivers can have their license revoked as well. He talked about simple drug possession – the Coast Guard can fine \$500 for marijuana possession. Negligent operation brings a \$1,000 fine. The Coast Guard prefers enforcement through education is first, then fines. This summer they – the Second North Carolina Boarding Team – will be out on Lake Wylie over Memorial Day weekend (May 28-30), for Operation Dry Water weekend (June 24-26), over the July 4<sup>th</sup> weekend, and Labor Day weekend in September. He reported that Station Oak Island will be coming to Lake Wylie over June 2-6 and again in August. If any law enforcement is interested in coordinating with the Coast Guard, please let them know.

US Coast Guard Auxiliary – No report was given.

Mecklenburg County Land Use and Environmental Services Agency (LUESA) – No report was given.

Duke Energy – Ronnie Lawson reported that:

- Lake level: 96.8' (target level: 97.0')
- Low inflow protocol: Normal
- No dredge permits have been issued. It is fish spawning season. No dredging is allowed until July 1.

There was discussion about Duke Energy raising the water level during dry months. Mr. Lawson mentioned that there has been conversation about raising lake levels on three lakes, including Lake Wylie's level to 97.6'. Marine Commissioners asked if anything has come of it, and Mr. Lawson replied that it is all part of the new license.

Gaston County Cove Keeper – No report was given.

Lake Wylie Lakekeeper Report – Mr. Dan Mullane reported that they are currently monitoring the same developments. Ms. Ellen Goff added the River Sweep update. She reported that as of this afternoon, 137 people had pre-registered to volunteer. 12 boat captains have been secured. Pre-registration closes three weeks from tonight. Ms. Goff and Commissioner Brennan will be on the local morning news in the near future to promote River Sweep. Planning for this event is on target.

Tega Cay Police Department – No report was given.

#### **Item 6 – Gaston County PAWS Presentation**

Dr. Bill Jarman presented to the Marine Commission. He spoke about the mission of Gaston County PAWS. The organization has two grants this year – one is to add four additional osprey nests and the other grant is for fish attractor buoys. Lake Wylie currently has 30 total fish attractor buoys. Gaston County PAWS must seek project approval from the LWMC and other related agencies. Secretary Treasurer Biggerstaff motioned to approve the two proposed Gaston County PAWS projects – for additional osprey nests and fish attractor buoys. Commissioner Mead seconded the motion. Discussion: Ms. Parker will send an approval letter to Dr. Jarman. Commissioner Brennan added that this type of work is right in line with the LWMC's mission statement. The vote was taken and was approved unanimously.

#### **Item 7 – Coal Ash Letter Update**

Commissioner Brennan reported that the Allen Plant has two coal ash impoundments. Active ash basin (GASTO-061) was rated "High Risk" before repairs are made and will be "Low Risk" after repairs are made. This impoundment received a notice of deficiency with structural deficiencies. Five repair plans have been approved and one repair plan is under review by NC DEQ, and of those one repair plan has been completed by Duke Energy. Spillway repair, slope repair, and removal of sluice lines are not yet completed.

The retired ash basin (GASTO-016) received a "High Risk" rating before repairs are made and "Low Risk" after repairs are made. This impoundment received a notice of deficiency with structural deficiencies. Five repair plans have been approved and one repair plan is under review by NC DEQ, and of those one repair plan has been completed by Duke Energy. Spillway repair and tree removal are not yet completed.

#### **Item 8 – River Sweep 2016 Update**

Commissioner Brennan reported that River Sweep is set for May 21 from 8:00 am – noon at 14 different sites. There are two new sites this year – Long Cove Marina and Yacht Club and Belmont Riverside Marina. These sites are taking the place of Copperhead Island and Dale's Landing. The Planning Team is working on lining up media interviews in the coming weeks to encourage registration. They have gotten commitments from Allen Steam Plant and the Catawba Nuclear Station to donate materials – gloves (250 sets) and PFDs (40). There will be a prize drawing for a volunteer at each of the 14 sites and for seven prizes for boat captain's lake wide.

There will be an after party for boat captains at T-Bones and at Riverview from noon – 2:00 pm. Cabela’s is also contributing discount coupons for all volunteers. Commissioner Brennan thanked all of the Marine Commissioners who have helped. Commissioner Hegarty noted that the Planning Team accepted the offer of 25 additional caps.

**Item 9 – Update on Lake Maps**

Commissioner Medler did not have a report.

**Item 10 – Treasurer’s Report**

Secretary Treasurer Biggerstaff provided the Finance Report. The LWMC’s finances are tracking as they should be for the end of the fourth quarter of the fiscal year. FY16-17 funds have been requested from Gaston and York counties. Ms. Parker is awaiting paperwork from Mecklenburg County to request funds for FY16-17.

**Item 11 – Executive Director’s Report**

Executive Director Stowe reported that:

- Mr. Stowe attended the Water Management Team meeting last week. This group discussed different factors that impact lake water level, for example sedimentation.
- Cabela’s will send 3-4 pontoon boats and staff to volunteer at River Sweep.
- The LWMC is in the market for a new auditor. If you have suggestions, please let Ms. Parker know.

Mark Oakley with Duke Energy asked LWMC (and other agencies) to write a letter to support for the 50 year license. The deadline is May 2. He asked the LWMC for their thoughts on the matter. Commissioner Brennan asked Commissioner Mead for his opinion. Commissioner Mead commented on his long-standing involvement with the re-licensing process. Both groups he has been involved with have agreed to send FERC a letter in favor of the 50 year license. Commissioner Mead moved that the LWMC send a letter to FERC in favor the 50 year license. Commissioner Brennan seconded the motion. Discussion: Commissioner Thomas talked about raising the target level of the lake. He would like to see, with the LWMC’s support, Duke Energy more actively support that effort. Commissioner Mead answered that the change in the years of the license may not cover changes in target levels of the reservoirs. Mr. Lawson added that the lake level issue is something to file separately with FERC. Chairman Smith asked Commissioner Mead to write the letter. Chairman Smith will sign the letter. The vote was taken and was approved unanimously.

**Item 12 – Chairman’s Report**

- Chairman Smith mentioned that the FY16-17 budget is coming up. Officers will need to meet in May to put together the proposed FY 16-17 budget. Ms. Parker will send a meeting request to the LWMC Officers and Executive Director for possible dates to meet.
- SPLASH made an appearance at Camp Thunderbird in April.
- Chairman Smith went to the public meeting on April 5 about Carolina Water Systems.

**Item 13 – Clerk’s Report**

Ms. Parker did not have a report.

**Item 14 – Old/New Business and Commission Projects Reports**

- Water Quality –
  - Clean Marina/Clean Boating – Secretary Treasurer Biggerstaff listed the marinas that have been re-inspected.
  - Invasive Species – Commissioner Medler noted that mosquito boats inspect the lake from May to October. No grass carp will be stocked in spring, but will be in the fall. This delay likely will not impact hydrilla because there are enough grass carp in the lake.
- Buoys – Secretary Treasurer Biggerstaff reported that last Sunday he spent a lot of time on one buoy.

- Safety – Commissioner Bryant reported that they have talked with two high schools and are waiting to talk to the third high school about the life jacket awareness competition. The students are willing and ready to help. Each school will have a day to bring life jackets to school and wear them. The winning school will receive a trophy and recognition.
- Recreation – No report was given.
- Public Information – Vice Chairman Hull commented the focus right now is media exposure for River Sweep and life jacket awareness.

Commissioner Brennan added that there are no sewer system overflow (SSO) issues at River Hills.

Commissioner Brennan brought up the topic of the LWMC Mission Statement, which is:

*To promote public policies and support regulations for the preservation of Lake Wylie and its wildlife and for the education and safety of the citizens who use this beautiful natural resource.*

He suggested displaying the Mission Statement at all meetings and other events, as possible. Commissioner Brennan made a motion to have a poster made with the LWMC Mission Statement printed on it. Commissioner Mead seconded the motion. The vote was taken and was approved unanimously.

#### **Item 15 – Adjournment**

The meeting adjourned at 8:28 pm.

---