

Lake Wylie Marine Commission
April 27, 2015
Belmont City Hall



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

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

Meeting Minutes

Item 1 – Welcome and Introductions

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

Item 2 – Approval of Minutes

Chairman Thomas asked if any changes need to be made to the March 23 minutes. Commissioner Biggerstaff made a motion to approve the March 23 minutes. Commissioner Mead seconded the motion and it was approved unanimously.

Item 3 – Approval of Agenda

Chairman Thomas asked if any changes need to be made to the April 27 agenda. Commissioner Mead made a motion to approve the April 27 agenda. Commissioner Medler seconded the motion and it was approved unanimously.

Item 4 – Public Comment

n/a

Item 5 – Stakeholder Reports

Charlotte Mecklenburg Police Department – Officer Joye reported that CMPD is not going to hire a fourth lake patrol officer. But, with added seasonal activity at the USNWC, they may need assistance. There was brief discussion about buoys.

Gaston County Police Department – Officer Hamrick reported that GCPD had training in early April.

York County Sheriff's Office – Sgt. Mabry reported that there is a lot of debris in the water after the recent rain event. This past Saturday the YCSO held their first boater safety class and 19 people participated.

NC Wildlife Resources Commission – Sgt. William Laton reported that NCWRC will conduct pre-launch boating inspections. They are also promoting 'Wear Your Life Jacket to Work' day. The goal of this day is to encourage

people to wear their personal flotation devices. Operation Dry Water will be held on June 26-28. This was Sgt. Laton's first LWMC meeting and everyone welcomed him.

SC Department of Natural Resources – Officer Ferrell reported that there are new officers starting with SCDNR, and that three officers will be working the lake on Memorial Day weekend.

US Coast Guard – No one was present to report.

US Coast Guard Auxiliary – Rick Croasdale reported that Coast Guard Auxiliary patrols have started. They began by hauling logs out of the lake. He reminded everyone about the National Safe Boating Week kick off at T-Bones on the Lake on May 16. The Coast Guard Auxiliary will conduct vessel safety checks and to fit kids with personal flotation devices.

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

Duke Energy – Ronnie Lawson reported that:

- Current lake level: 97.7 (target level 97.0). He added that despite a lot of rain recently, Duke was able to manage flooding.
- Drought Management Group: Normal operations
- Dredging: No dredge applications have been approved.

Gaston County Cove Keeper – Mr. CD Collins introduced Sam Perkins, Catawba Riverkeeper. Mr. Perkins introduced Emilee Syrewicze, the Catawba Riverkeeper Foundation's new Executive Director.

Lake Wylie Lakekeeper Report – Dan Mullane, the Lake Wylie Lake Keeper, was present but had no report.

Mecklenburg County Park and Recreation – No one was present to report.

Item 6 – Big Allison Creek Bridge – No Wake Zone Inquiry

Lake resident Doug Hypes presented to the group. This past summer he asked a SCDNR agent why Big Allison Creek Bridge does not have a no wake zone. That agent told him who to contact in Charleston. He recounted the sequence of events that led to the determination by SCDNR that the Big Allison Bridge does not have a no wake zone because of the (low) number of boats in the area and the shallow water once under the bridge. Mr. Hypes contests that SCDNR visited the site during the week, which is not prime boating time. On the weekend this is a busy area used by boaters, fishermen, families with kids, kayakers, etc. His interest is safety and slowing boats down. Shallow water should not be a hindrance to putting up a no wake zone. He wanted to bring this topic back up for consideration.

Chairman Thomas invited Sgt. Ferrell from SCDNR to provide a response to Mr. Hypes. Sgt. Ferrell outlined the SCDNR inspection process. He spoke about the inspection that was done by a SCDNR veteran investigator and his determination that a no wake zone is not needed because of the shallow water marker/danger buoy in place just beyond the bridge. Sgt. Ferrell advised Mr. Hypes to re-apply. Commissioner Medler asked what the clearance is under that bridge (274 Bridge). It was reiterated that there are shallow water/danger markers in place. Mr. Hypes would like no wake buoys placed before the bridge to slow boaters down before they reach it. It was stated that there are no wake zones before and after bridges in North Carolina, but not in South Carolina. Commissioner Brennan asked if there is a reason that the situation is different in South Carolina. Commissioner Brennan would like to speak with Sgt. Ferrell's superior (who is located in Charleston, Donnie Pritcher) because this is a safety issue.

Commissioner Brennan made a motion that the LWMC look into the rationale for the difference in the rules regarding no wake buoys around bridges in South Carolina and North Carolina. Commissioner Bryant seconded the motion. Discussion: If no wake buoys were put in place, SCDNR would be responsible for them. Executive Director Stowe suggested that a letter from a commission headed by Commissioner Brennan to SCDNR would probably be the most effective course of action. Commissioner Brennan agreed to lead this effort if the motion on the table carried. A vote was taken and the motion was approved unanimously.

Item 7 – Request for Comments: Expand Seven Oaks Marina (submitted by Permits 4U)

Steven Hinshaw and Jim Heller presented to the group about part of the McLean project in southern Gaston County – expanding the existing marina, the former Seven Oaks Marina. About a month ago, they received clearance from Duke Energy to request comments from area entities. Mr. Hinshaw provided details about the McLean project site. It is a 670+ acre site – formerly the Daniel Stowe property – that is adjacent to the Daniel Stowe Botanical Gardens. The site is divided into three distinct neighborhoods. The developer is donating 10 acres to the City of Belmont for a park. Mr. Heller then walked through the proposed lake use activities. They met with Duke Energy and have gone through dozen of plans. The plan they shared with the LWMC during the meeting is the plan that everyone agreed to thus far. Mr. Heller distributed a handout titled, “Expansion of Seven Oaks Marina” to the marine commissioners. He reviewed that handout with the group.

Commissioner Brennan asked about the staging area for rip rap that Mr. Heller had mentioned. He also asked about the “Future Public Recreation to Future Residential” bullet on the handout. Vice Chairman Smith asked about dredging. Commissioner Biggerstaff asked about boat slips that are on or near the old bridge abutment. Commissioner Medler asked about rip rap delivery vs. installation. Executive Director Stowe asked how many mooring locations and dry storage units there would be. Mr. Heller answered that there would be 300 dry storage units on land, 42 in the water. Chairman Thomas asked if this marina would be public or private. Mr. Heller answered, “public.” Chairman Thomas said that marine commissioners will come out and visit the site before the next meeting. He asked Mr. Hinshaw to coordinate with Ms. Parker to find a suitable date for the site visit.

Item 8 – Request for Comments: Replacement of SC 274 Bridge over Lake Wylie (submitted by Mead & Hunt)

Matt Dewitt from Mead & Hunt (M&H) presented to the LWMC. M&H are under contract with York County. A portion of this project will cross Lake Wylie. M&H met with Duke Energy staff last year about this project and staff gave them the go ahead to request comments from different groups. Mr. Dewitt spoke more about the project. Commissioner Biggerstaff asked about what utilities run under the 274 Bridge. Commissioner Hegarty asked if the height of the bridge will remain the same. The new structure will span the whole channel and will be 86’ wide. The current bridge is ~30’ wide. Commissioner Brennan asked about the existing bridge supports. Chairman Thomas said that marine commissioners would visit the site. Ms. Parker will coordinate with Mr. Dewitt and the marine commissioners to find a suitable date for the site visit.

Item 9 – Tega Cay Update

Commissioner Brennan reported that heavy rains in excess of 2.5” on April 19 and April 20 caused overflows from Waste Water Treatment Plants 2 and 3 and from five manholes that border the cove between Palmyra Drive and Marquesas Avenue. The total spilled from the WWTPs was 245,000 gallons. There was approximately 100 gallons on the ground at WWTP #2. Lime was spread in this area. The total spilled from the sewer lines through the manholes was 125,000 gallons. Lime was spread in the area and all solid waste was picked up. Holding tanks were pumped down to ease the situation and removed 287,000 gallons of transfer water and pump trucks were used to remove/reduce additional water from the plant. No swim advisory signs were posted, the residents were auto-dialed to alert them of the spill, and lime was applied to the affected ground area. The proper notifications and reports were made. Commissioner Brennan anticipates similar spills in heavy rain situations until the system is repaired.

Item 8 – Treasurer’s Report

Secretary Treasurer Hull provided the Finance Report. The LWMC’s finances are in good shape. Funds are coming in and going out as they should.

Item 9 – Executive Director’s Report

Executive Director Joe Stowe reported.

- Safety Boating Week – He reported that the billboard at Pharr Yarns will run the Safe Boating Week message from May 7 – May 14.
- Executive Director Stowe reminded everyone that the second meeting about the permanent rule for Sadler Island no wake zones will be held at Cook’s Memorial on May 7th at 7:00 pm. Ms. Parker will send a notice out to LWMC. The buoys will be effective starting May 1.
- Duke Energy CRA meeting – Executive Director Stowe went to a CRA meeting. It appears that Duke Energy is going to stick with what they asked for – no more, no less. The feeling is that FERC will come out with first approval this summer. There are 225 miles of shoreline between Lake James and Lake Wateree. If approved, Duke Energy lake activities will be phased in over time.
- York County Council Rezoning Update – Rick Gaskins asked Executive Director Stowe to attend a commission meeting about a development on Little Allison. In 2006 and beyond, Crescent and York County have made a series of deals. One of those plans stated that on the north side of Little Allison, the zoning would be 1 house per acre. Now, somehow it has 2 homes per acre, basically doubling the amount of homes in that area – with very limited infrastructure. It appears that this change in zoning is a done deal and people are upset. Stay tuned for further updates.
- Executive Director Stowe brought up NCWRC coordinating with Paul Cameron on advertising Safe Boating Week. Commissioner Brennan needs a detailed list of events to give to Mr. Cameron.
- Mecklenburg County report – The officers worked on the report for Mecklenburg County. Ms. Parker has it now and will format it and send it to the county.

Item 10 – Chairman’s Report

Chairman Thomas did not give a report.

Item 11 – Clerk’s Report

Ms. Parker reminded everyone that the May meeting will be held a week earlier next month ([May 18](#)) because of the Memorial Day holiday.

Item 12 – Old/New Business and Commission Project Reports

- Water Quality –
 - Clean Marina/Clean Boating – Commissioner Biggerstaff said that they have the Clean Marinas re-certification certificates in hand and they will start inspecting marinas in May.
 - Invasive Species – Commissioner Medler noted that the grass carp stocking will be May 12 at 8:00 am.
- Buoys – Commissioner Biggerstaff had nothing more to report.
- Safety – Commissioner Bryant invited YCSO Sgt. Wayne Richardson up to speak about the commercial that will be made at Clover High School for Safe Boating Week. Students will wear their life jackets to school to raise awareness. He noted that this project is going to cost some money. Sgt. Mabry spoke about wanting to purchase lanyards for the Clover High School students. He asked the LWMC to help purchase the lanyards. Commissioner Biggerstaff made a motion to help with the cost of the lanyards. Commissioner Brennan seconded the motion. Discussion: 500 lanyards costs approximately \$400. The goal is to hand the lanyards out on May 16. Sheriff Bryant said that the YCSO would cover the cost of the lanyards. Commissioner Biggerstaff withdrew the motion.
- Recreation – There was no report.

- Public Information – There was no report.

Item 13 – Adjournment

The meeting adjourned at 8:37 pm.

The next meeting will be held on May 18, 2015 Good Samaritan United Methodist Church (5220 Crowder's Cove Lane, Lake Wylie, SC) and will start at 7:00 pm.