

Lake Wylie Marine Commission
March 23, 2015
Carolina HealthCare System – Steele Creek Healthcare Pavilion



Commissioners Present: 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)

Commissioners Absent: Chairman Brad Thomas (Gaston County)

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

Meeting Minutes

Item 1 – Welcome and Introductions

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

Item 2 – Approval of Minutes

Vice Chairman Smith asked if any changes need to be made to the February 23 minutes. Commissioner Mead made a motion to approve the February 23 minutes. Commissioner Brennan seconded the motion and it was approved unanimously.

Item 3 – Approval of Agenda

Vice Chairman Smith asked if any changes need to be made to the March 23 agenda. Commissioner Brennan made a motion to approve the March 23 agenda. Secretary Treasurer Hull seconded the motion and it was approved unanimously.

Item 4 – Public Comment

Ted Hendrix – He addressed the LWMC about USNWC matters – dock extension and removing water from the lake. He is alright with the dock extension, but is bothered by the USNWC wanting to pull water out of the river, in the context of inter-basin transfer. If the USNWC is allowed to pull many gallons of water out of the river on a daily basis, it may be hard to say “no” when neighboring watersheds want to do the same.

Item 5 – Stakeholder Reports

Charlotte Mecklenburg Police Department – Officer Joye reported that the CMPD lake patrol are in training and back on the water. They hope to get a fourth lake patrol officer for the summer. They were in the budget to get a boat to replace their 20 year old boat, but due to the budget shortfall, that likely will not happen this year.

Gaston County Police Department – Officer Hamrick reported that last week, GCPD was able to build a 41'x16'x22' building to keep their boat out of the weather.

York County Sheriff's Office – Officer Wayne Richardson reported that the YCSO added a new boat to their water fleet – the Carolina Skiff. This boat can float in 6" of water. YCSO lake patrol is also involved in dive training. They are gearing up to kick off Boater Safety Week. They are trying to organize a high school competition to promote Boater Safety Week. The high school would make a 3-5 minute commercial using a school's media center. A vote would happen to see which high school has the best Boater Safety Week commercial. The goal is making putting PFDs on an automatic decision (like putting on a seat belt). Clover High School will be the model school this year. ~50% of Clover High School students are from around the Lake Wylie area. This year just Clover High School will participate. Next year they want it to be a competition among 3-4 high schools, perhaps including Fort Mill and Rock Hill high schools. He reported that students at Clover High School are really excited about participating and setting the standard for this challenge in years to come.

NC Wildlife Resources Commission – Executive Director Stowe said that NCWRC hopes to appoint a new officer this week to report to the LWMC.

SC Department of Natural Resources – No one was present to report.

US Coast Guard – Maritime Enforcement Specialist Bryan Kelly reported that the Coast Guard will be coming back to Lake Wylie five times this year. They will continue to focus on intoxicated boaters, lack of PFDs, and no registration on vessels. All of their visitation dates are not set yet, but they will be on the lake on Memorial Day weekend and over July 4th. He asked the LWMC to let him know about high traffic times on the lake and if their presence is needed.

US Coast Guard Auxiliary – Rick Croasdale reviewed their plans for Safe Boating Week. The kick off will be held on May 16 from 1 pm to 4 pm. They will have guest speakers, including mayors from communities around the lake, and representatives from SCDNR. This event will help boaters meet law enforcement in a non-adversarial way. The Coast Guard Auxiliary will give life jackets (primarily for children) away again this year, and they are getting more PFDs to give away this year. He also addressed the life jacket loaner board. They will stock the loaner board again this year as well. The Coast Guard Auxiliary Safe Boating Committee will meet next on April 2 at 10 am at River Hills Marina.

Mecklenburg County Land Use and Environmental Services Agency (LUESA) – David Buetow reported that LUESA just conducted sampling, so he had no report to share. He also announced that he will retire on July 1, 2015. Mr. Buetow received a round of applause from the LWMC and those present at the meeting.

Duke Energy – Ronnie Lawson reported that:

- Current lake level: 97.4 (target level 97.0)
- Drought Management Group: Normal operations
- Dredging: No dredge applications have been approved. Mr. Lawson noted that we are about to enter fish spawning season – no dredging is allowed from March 1 – June 30.

Mr. Lawson mentioned the upcoming Catawba-Wateree Comprehensive Relicensing Agreement (CRA) meetings (Ms. Parker provided a handout to the LWMC). Commissioner Brennan asked about the license and what it is for. Mr. Lawson explained that the license would allow Duke Energy to continue managing each lake ("project") in the chain and operating the hydro stations. Federal Energy Regulatory Commission (FERC) issues the license. Duke Energy could be relicensed around July. Mr. Lawson reviewed the schedule for the four

meetings that will take place in April. Executive Director Stowe added that he plans to attend the April 17 meeting, and to please let Ms. Parker know if you plan to go. On a separate note, Mr. Lawson mentioned that like last year, Duke Energy Lake Services will catalogue all of the large recreational equipment (e.g., large trampolines) on the lake.

Gaston County Cove Keeper – Mr. CD Collins did not provide a report.

Lake Wylie Lakekeeper Report – Dan Mullane, the new Lake Wylie Lake Keeper, reported that this month the main topics for them are: 2 houses on Catawba Cove Drive – one is graded and the house is almost finished and one is starting construction. There are also two houses in the south end near Tega Cay and York. At this point, silt fences are up, buffer zones are being regulated and erosion seems to be under control. Things look fine right now. They are conducting lake and cove patrols as usual. Mr. Mullane introduced Cove Keeper Mark Perkins. Mr. Perkins addressed a noise issue and asked if there a noise ordinance on the lake. He lives in Gaston County. Officer Hamrick said that noise ordinances are subjective and may likely be thrown out of court. There is no decibel rule on the water. He recommended that Mr. Perkins call GCPD if a noise incident occurs again. Officer Hamrick also advised to get any offender’s hull number and let him know.

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

Item 6 – Follow up on Catawba Yacht Club (Mecklenburg County) No Wake Zone Application

Vice Chairman Smith and Commissioner Hegarty visited the site at the Catawba Yacht Club (CYC). Officer Joye said that his recommendation is that the CYC cove does not need buoys. He added that boaters should stay 150 feet from the docks, per the law that is in place. Doug Conley from CYC was surprised by CMPD’s recommendation. Commissioner Hegarty suggested posting official no wake signs. The Yachtsman Marina has a large sign posted that sites no wake statutes. Commissioner Hegarty also suggested trying to get offender’s hull numbers and then report to law enforcement. Vice Chairman Smith added her thoughts and reiterated that the laws are on the books about staying 150 feet from the docks and launch site. Commissioner Brennan made a motion that the Lake Wylie Marine Commission not support No Wake Zone buoys at the Catawba Yacht Club. Commissioner Hegarty seconded the motion and it was approved unanimously.

Item 7 – Tega Cay Update

Commissioner Brennan reported that there have been no new spills since the last report. Tega Cay is awaiting SC DHEC approval of their plan and thus the funding to do the needed major repairs. Minor repairs are ongoing as problems are found as a result of viewing the videos of the selected piping runs. Sediment and clarity issues exceeded the permitted level which means bacteria levels were exceeded. A corrective plan has been submitted and the lake bacteria levels have not been exceeded.

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. He noted that the LWMC is over on a couple of budget line items. This will need to be addressed before the end of the year.

Item 9 – Executive Director’s Report

Executive Director Joe Stowe reported.

- a. Grass Cutting Contract – The LWMC has a grass cutting contract with Ed Ware. He cuts the grass at the Law Enforcement Center and Sgt. Mabry handles the bush hogging once or twice a season.
- b. Ordering Clean Marina Flags – Executive Director Stowe ordered 12 Clean Marina flags. 8 flags were needed, but ordering 12 is more cost effective. Commissioner Medler has the flags and they are ready to inspect the marinas.

- c. NCWRC Meeting in Raleigh – This meeting was held on March 5 at 9:00 am and was the last item on the agenda. Executive Director Stowe and Commissioner Brennan were present and said a few words and answered a few questions. David Hoyle, Gaston County NCWRC Commissioner, spoke as well. The vote was unanimous to place four no wake buoys – two on each side of Sadler Island. The staff person in charge of putting this decision in motion got behind due to unexpected personal issues. The buoys were supposed to be in place on a temporary basis by April 1. The Rules Committee says a 30 day preview of when the buoys should be in place. The staff person gave that notice. The Rules Committee then said it needs to be 30 business days. The staff person had to re-do, which means the temporary no wake zone buoys will be effective on May 1. There will be a meeting at Cook’s Memorial Presbyterian Church at 7 pm on Thursday, May 7. The purpose of this meeting will be to discuss the permanent law to have these buoys installed. Their comments were that the temporary law will go in effect and there should be no problem with the permanent law going into effect. This second meeting is more of a formality.
- d. “On the Road, On the Water” – NCWRC has 4 weekends that they will implement “On the Road, On the Water” – Memorial Day weekend, June 26-28 (Operation Dry Water Weekend), July 4 weekend, and Labor Day weekend. The emphasis is on not drinking on the lake or on the road. Many law enforcement personnel will participate in this program. The NCWRC needs the LWMC’s help to get the word out. Mr. Stowe thought Paul Cameron could help. NCWRC would like to set up a meeting with Paul Cameron to talk about this campaign. Secretary Treasurer Hull asked if we can have a blurb for the website.
- e. Cabela’s Grand Opening – Due to inclement weather, the LWMC did not go to Cabela’s on Saturday. On Sunday, SPLASH was there and many people learned about the LWMC.
- f. Catawba-Wateree Comprehensive Relicensing Agreement (CRA) meetings – Mr. Stowe reminded everyone to try and participate in one of the four upcoming meetings.
- g. Presentations to Belmont Rotary Club & Catawba Sail and Power Squadron – These presentations were well received by both groups.
- h. Follow up on US National Whitewater Center Request for Comments Re: Addition to Permanent Dock on Catawba River – Executive Director Stowe said that everyone that could has visited the site at the USNWC. There are two issues: 1) the dock expansion and 2) taking water out of the lake. Trey Knight from the USNWC was present at the meeting. Mr. Stowe noted that Mr. Hendrix’s earlier comment is thought provoking. Vice Chairman Smith asked Mr. Knight if he had any comments. He said he had none to add. Commissioner Mead added that the water that is taken out of the river and put back in would not go over the ridge line; it would stay in the Catawba.

Commissioner Biggerstaff made a motion to support the expansion of the docks as proposed. Commissioner Hegarty seconded the motion and it was approved unanimously.

Commissioner Brennan made a motion to support the USNWC withdrawal of water from the Catawba River basin to supplement USNWC activities, with the understanding that the bulk of the water would be returned to the river. Commissioner Mead seconded the motion. Discussion: Commissioner Bryant asked how much water the USNWC has taken out before. Mr. Knight answered, none – this would be the first time. The USNWC used to pull water out of two wells; using city water is expensive. The major issues are maintaining water quality and water temperature in the channel. The water temperature in the channel rises during the summer. Commissioner Biggerstaff clarified that the lake water would be used for irrigation too. Commissioner Brennan asked if a permit from Duke Energy is needed. Mr. Knight answered, yes. The USNWC must get comments from 14 agencies, including the LWMC. Commissioner Bryant asked about how the water is measured. She asked about what happens when the lake is low. Mr. Lawson answered how Lake Services addresses low water situations. Executive Director Stowe reminded the group that North Carolina does not have legislation on surface water withdrawal. If it is less than 1,000,000 gallons per day, an entity does not have to go through FERC. Commissioner Brennan asked a question about how much water would be returned. Mr. Knight answered that 75%-80% would be

returned. He added that the bulk of the water pulled would be used in the channel system. The vote was taken. Vice Chairman Smith, Secretary Treasurer Hull, Commissioners Brennan, Hegarty, Mead, and Medler voted in favor of the motion and Commissioners Bryant and Biggerstaff voted against the motion. The motion passed.

Item 10 – Chairman’s Report

Chairman Thomas was not present.

Item 11 – Clerk’s Report

Ms. Parker had nothing to report.

Item 12 – Old/New Business and Commission Project Reports

- Water Quality –
 - Clean Marina/Clean Boating – Commissioner Biggerstaff asked Ms. Parker to print new clean Marina re-inspection certificates and have them ready at the April 27 meeting. She acknowledged this request.
Executive Director Stowe brought up the Map Committee. Commissioner Medler said he set up a meeting at Commodore Yacht Club.
 - Invasive Species – Commissioner Medler had no report.
- Buoys – Commissioner Biggerstaff asked if Officer Joye knew of any buoys that need to be moved. There is one near Sadler Island and a couple near Wilkinson on the south side, downstream.
- Safety – Commissioner Bryant added that she went to the Safe Boating Week meeting with the US Coast Guard Auxiliary. They have it sufficiently covered, so the LWMC will step back this year and focus on supporting the US Coast Guard Auxiliary as needed. Plans will proceed with partnering with Clover High School as mentioned earlier in the meeting.
- Recreation – There was no report.
- Public Information – There was no report.

Item 13 – Adjournment

The meeting adjourned at 8:02 pm.

The next meeting will be held on April 27, 2015 Belmont City Hall (115 N. Main Street, Belmont, NC 28012) and will start at 7:00 pm.