

Lake Wylie Marine Commission
November 28, 2016
Belmont City Hall



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

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

Meeting Minutes (amended)

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 October 24 minutes. Commissioner Mead moved to approve the October 24 minutes. Vice Chairman Brennan 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 November 28 agenda. Secretary Treasurer Biggerstaff moved to approve the November 28 agenda. Commissioner Medler seconded the motion and it was approved unanimously.

Item 4 – Water Management Group Presentation from Barry Gullet, Director, Charlotte Water

Commissioner Mead introduced Mr. Barry Gullet, Director of Charlotte Water. Mr. Gullet encouraged the LWMC to ask questions during his presentation. Here are some of the main points that were made during his presentation:

- The Catawba-Wateree Water Management Group (CWWMG) is an incorporated entity – a 501c3.
- CWWMG members are cities, other water users, and Duke Energy.
- All members pay dues. The dues go to projects that are regional in scope. Dues are proportional to the amount of water used by group members. The CWWMG meets during the even months. Their board of directors meet in the odd months.
- The CMMWG Advisory Committee formed to include outside perspectives and interests.
- This group helps to develop a Strategic Operating Plan. They hope to approve this Plan at their December meeting.
- The Catawba-Wateree River Basin includes 230 miles of river. It is a long, skinny, basin therefore, it is rainfall dependent. It is a small river that supports a lot of people.

- CWWMG Planning Goals -- this group aims to stick to the facts. Their overall goals are to accurately inform decision makers and make practical and actionable plans. Vice Chairman Brennan asked what the biggest problem is, and Mr. Gullet answered that extending the water supply is a big issue. Vice Chairman Brennan asked for an example of a project that is in place to address the water supply issue. Mr. Gullet replied that the Water Supply Master Plan is an example of such a project.
- Mr. Gullet commented that water consumption has gone down, as appliances are getting more efficient, and as outdoor water use has changed. He noted that what happens on Lake James impacts Lake Wateree. Duke Energy's goal is to move water through the basin, not flood anyone, create power, preserve wildlife, etc.
- Lake Storage Index is about how much water is in the lake system. Lake Storage Index is the primary indicator for Low Inflow Protocol. The US Drought Monitor is another drought indicator. The third indicator is the amount of water coming into lakes and streams. These factors are reviewed on the first day of the month by the Drought Management Group.
- Mr. Gullet walked through the different stages of the Low Inflow Protocol. Stage 0 is "drought watch." Stage 1 is about voluntary water use reductions. Stage 2 is about mandatory water use restrictions. Beyond Stage 2, more restrictions are put in place. Stage 4 is about "imminent failure."
- *Amendment:* He continued by talking about intake levels in different lakes. The critical elevation is vertical depth from full pond *which is higher than the shallowest intake. At this level, the intake could not draw water. This level varies from lake to lake depending on where the shallowest point is in a particular lake.* For example, in Lake Norman – critical elevation is 10 feet below full pond.
- 200 million gallons evaporate per day. The consensus is that in this part of the world, temperatures are going to continue getting warmer. Warmer temperatures increase evaporation rates. Commissioner Goff asked if their model accounts for the fact that droughts are happening more frequently.
- Vice Chairman Brennan asked about certain 'Recommendations' and if local governments are coordinating with Duke Energy. One of the 'Recommendations' is to raise target lake levels during summer months. A six-inch increase is being discussed for Lake Norman, Lake Wylie, and Lake Wateree. Duke Energy is requesting authorization, presumably from FERC, to do that.
- Commissioner Goff asked a question about the cooling systems that Duke Energy uses at nuclear plants. Mr. Gullet commented on once-through cooling and also cooling towers. Apparently there are environmental issues associated with once-through cooling. The EPA made a ruling recently that will make implementing once-through cooling difficult in the future.
- Commissioner Thomas asked about raising lake level and why it would be limited to six inches. He commented that over the past 20 years, the average lake level has really gone down. Mr. Gullet commented that Lake Wateree does not have flood gates. The people down there are concerned about raising lakes levels and flooding occurring. Ronnie Lawson added that sediment on the bottom changes the lake level. Vice Chairman Brennan asked if [Charlotte Water](#) concerns itself with runoff, sedimentation, etc. Mr. Gullet said they are trying to build their knowledge base in order to make good decisions.
- Commissioner Mead asked if other counties besides Mecklenburg County have water management plans. Mr. Gullet said he does not know. He reiterated that the Water Management Group is about putting factual information in front of decision makers. They take a more practical, less extreme approach. Planning is a process, not an event. One of the challenges with this kind of work is keeping it in front of elected officials and keeping it relevant.
- Mr. Gullet concluded by saying that a private firm has been hired to look at water quality. A next part would be to look at the economics of the water supply. They are trying to figure out the right questions to ask.

Item 5 – Public Comment

None.

Item 6 – Stakeholder Reports

Charlotte Mecklenburg Police Department – Officer Joye reported that their boats are in the water and operational.

Gaston County Police Department – Officer Hamrick commented on increased sediment levels in Lake Wylie. He would like to know how lake depth has changed over time. He expressed concern about for Lake Wylie. The GCPD participated in the McAdenville parade last weekend. They have 11 more holiday parades to participate in in the coming weeks.

York County Sheriff's Office – Sgt. Mabry reported that he met with the Lake Wylie Chamber of Commerce and expressed concerns about their upcoming water parade because of low water levels. Sgt. Mabry was recently asked to put on a boater safety class. The class is set for Tuesday, December 6 at 8:00 am at the Law Enforcement Training Center.

NC Wildlife Resources Commission – Sgt. Laton said that Cheyenne's Law comes into effect on December 1, 2016. He thanked the LWMC for their support of Cheyenne's Law.

SC Department of Natural Resources – No report was given.

US Coast Guard – No report was given.

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: 94.7' (target level: 97.0')
- Low inflow protocol: Stage 1.
- No dredge permits have been submitted or approved in the past month.

Mr. Lawson added that they are moving to voluntary water conservations efforts and that the Nivens Creek boat ramp is the only public ramp open. Duke Energy's mosquito program that has been on Lake Wylie since 1923. As of October 27, 2016, that program stopped. It operated only during summer months. Duke Energy regularly reviews its operations for efficiency. This program was only on five lakes out of over 40 that Duke Energy manages. The company decided to refocus resources on education that would impact more people. Mr. Lawson commented that Zika-causing mosquitoes are mostly "backyard container breeders." The mosquito crews also helped Lake Services and Riversweep. Commissioner Goff asked where the mosquito patrol is in the company's organizational structure. Mr. Lawson answered in aquatic vegetation group under Ken Manuel. The mosquito crews were mostly comprised of company retirees. Commissioner Goff added that she is concerned that the powers that be do not understand the real value of the extra services provided by these crews. They were extra eyes and ears on the water. There is a value to that service. Mr. Lawson said that Ken Manuel is the person to speak with about the decision to end the mosquito program.

Gaston County Cove Keeper – No report was given.

Lake Wylie Lakekeeper Report – CD Collins gave the report. He commented that Lake Wylie does not have the capacity it used to have. Erosion is a big problem and a constant battle. Mr. Collins commented on the mosquito program. They were the one group that you could count on to understand what is going on around the whole circumference of Lake Wylie. They saw everything and reported back – a very valuable resource. He recommended that we all do what we can to bring them back. There was discussion about setting up a meeting with Ken Manuel about this issue. Mr. Collins continues to patrol the lake. The McLean property is doing a good job. Chairman Smith brought up meeting with Duke Energy. Commissioner Goff drafted a letter for the group to review. Vice Chairman Brennan moved that the marine commission review letter, edit as necessary, and after agreeing on its content, set up a meeting with Duke Energy staff. Commissioner Goff seconded the motion and it was approved unanimously. Commissioner Goff will send the letter to Ms. Parker and Ms. Parker will send it to Legal Counsel Clark for review, then to the rest of the marine commission to comment on before finalization.

Item 7 – Presentation from Lisa Parrish with Duke Energy

Lisa Parrish with Duke Energy addressed the group about a Duke Energy initiative to create fish habitats with recycled Christmas trees. She asked the group for assistance with publicizing this effort. She also requested the group's input on what parts of the lake to drop trees in. Vice Chairman Brennan said he would handle any homeowners and church groups. Commissioner Goff asked how many trees make a fish habitat and if there is a schematic the group could review. She asked if the fish habitats will be in the main channel. Ms. Parrish said no, it depends on where people like to fish. Commissioner Goff brought up the bi-state nature of Lake Wylie. She asked if anyone has spoken to SCDNR. Commissioner Thomas commented that for the better part of the meeting, the group has focused on low water levels and rising sediment levels in Lake Wylie. He commented that we need to be mindful of what we are talking about. Commissioner Goff concurred with Commissioner Thomas. Vice Chairman Brennan said that Commissioner Thomas made a great point. If Duke Energy is going to put material (e.g., Christmas trees) in the lake, the company needs to be clear about the rules for doing so. Commissioner Bryant asked what prompted Duke Energy to come up with this initiative. Ms. Parrish responded that it was such a popular project in a lake near Asheville, that they would like to try it here. Commissioner Medler commented that he does not see how this program could work in lakes in our area – there's just not enough water. Executive Director Stowe commented that about 10 years ago, the LWMC started doing buoy maintenance. The LWMC took over buoy maintenance in NC (with NCWRC's approval). He does not want to put buoys all over the lake to mark fish habitats. Commissioner Mead asked Sgt. Laton if people are permitted to create private fish habitats. Sgt. Laton answered that it probably occurs, but the NCWRC does not encourage people to do it. The comment was made that there is a narrow line between creating fish habitats and dumping extraneous material in the lake. Sgt. Mabry added that one of the worst experiences a rescue diver can have is diving into a brush pile underwater. Chairman Smith offered that that it would be wise for Duke Energy to reconsider this project. Ms. Parrish said she appreciated the LWMC's time and input. Before leaving, Ms. Parrish double checked that the marine commission was not in favor of this project. The Chairman confirmed that the LWMC is not in favor of this project. Chairman Smith asked her to please keep the group posted and send updates to Ms. Parker.

Item 8 – 2016 Goal Setting: Goals Review & Next Steps

Vice Chairman Brennan reviewed the 2016 Goals:

2016 Public Relations Goals

- Recruit additional champions in media to promote boater safety and other programs. **Did not meet goal.**
- Expand on water safety progress. Maintain water safety as our major goal. **Achieved goal.**
- Evaluate press release practices to redirect the source of the press releases to come directly from the board. Press releases will be mutually agreed on between PR chair and Board chair. **Achieved goal.**
- Link the promotional video to provide viewing at the Boat Show booth and on the website. **Half achieved.**

- Continue to work with Paul Cameron and pursue his involvement to a greater degree. **In progress/has potential.**
- Combine “fast facts” along with press releases. **Did not meet goal.**
- Continue to follow “Roberts Rules of Order” with additional dedication to follow policy when conducting public meetings. **Achieved goal.** Legal Counsel Clark commented on “Robert’s Rules of Order.” It’s very complicated and complex. LWMC uses a modified version. The Chairman runs the meeting. Therefore, all questions or comments from the audience and commissioners go through the Chairman.

2016 Water Safety and Quality Goals:

- Priority Issue: Develop a strategy to deal with the log dumping issue. **Achieved goal.**
- Set date for River Sweep, considering spring rather than fall. **Achieved goal.**
- Communicate with Duke Energy about remedying sedimentation on the lake. **In progress.**
- Target changing the lake level (address silt issues). **In progress.**
- Finalize an official mission statement. **Achieved goal.**
- Explore developing and adopting a Conflict of Interest policy for the board. (A variety of examples will be given to the Executive Director with this report). **See Item 9.**

Item 9 – Conflict of Interest Policy

Legal Counsel Clark interjected that Section 8 of the LWMC bylaws contains a Conflict of Interest policy. Mr. Clark will email Section 8 of the bylaws to group.

Item 10 – Update: Tega Cay Sewer System Repairs & Coal Ash at Allen Steam Plant

Vice Chairman Brennan provided the following update:

Coal Ash Issues at Allen Steam Plant

Inactive Basin

Spillway repairs, vegetation and tree removal, and slope repairs are all complete. Certification of the as-built engineering drawings is scheduled for this week.

Active Basin

Spillway repairs and slope repairs are complete. Certification of the as-built engineering drawings is pending. The Dam Safety risk assessments of both the inactive and the active coal basins at the Allen Stream Plant remain at “Intermediate.” To reduce the risk to “Low,” two conditions have to be met according to the new changes to the Coal Ash laws:

1. Make all Dam Safety Repairs
2. Provide a permanent, alternate water supply to all homes within ½ mile of the plant.

Tega Cay Sewer System Repairs

Rehabilitation of the wastewater treatment plants continues as needed repair parts arrive. Estimated completion of all repairs is April 2017. The sewer line rehabilitation is essentially complete; clean up of the maintenance sites remains. There have been no sanitary sewer overflows since June.

Item 11 – Riversweep 2017 – Date

Vice Chairman Brennan brought up possible dates for Riversweep 2017. Secretary Treasurer Biggerstaff moved to have Riversweep on the first Saturday in October 2017. Commissioner Mead seconded the motion and it was approved unanimously.

Item 12 – Treasurer’s Report

Secretary Treasurer Biggerstaff provided the monthly finance update.

Item 13 – Executive Director’s Report

Executive Director Stowe reported:

- a. Stakeholder Appreciation Gathering – Executive Director Stowe reported that March would be a good time to have the Stakeholder Appreciation Gathering. Mr. Stowe and Janice Stowe would be happy to host it at their house.
- b. He asked if any of the marine commissioners need burgees. If you need one, please let him know.
- c. New shirts for Boat show. Commissioner Medler moved to order more blue long sleeve LWMC shirts. Secretary Treasurer Biggerstaff seconded the motion and it was approved unanimously.

Item 14 – Chairman’s Report

Chairman Smith reported to the group:

- Boat Show Discussion – Date now Feb 9-12. All commissioners should think about giveaways, etc. Ms. Parker will send out a scheduling table after Christmas. We will need 3-4 people maximum in booth at one time. Commissioner Thomas added that the group needs to decide if having a video loop is beneficial. If so, may need to purchase a TV.
- Chairman Smith reminded everyone that tonight’s meeting is the last one until January 2017.

Item 15 – Clerk’s Report

Ms. Parker presented the Draft Proposed 2017 Meeting Schedule. Secretary Treasurer Biggerstaff moved to accept the 2017 meeting schedule as presented. Commissioner Thomas seconded the motion, and it was approved unanimously.

Item 16 – Old/New Business and Commission Projects Reports

Old Business

- Water Quality –
 - Clean Marina/Clean Boating – Secretary Treasurer Biggerstaff did not have a report.
 - Invasive Species – Commissioner Medler did not have a report.
- Buoys – Secretary Treasurer Biggerstaff asked about stickers for the buoys. Ms. Parker will follow up with Walsh Marine.
- Safety – Commissioner Bryant did not have a report.
- Recreation – No report was given.
- Public Information – Commissioner Goff reiterated that she does have a letter drafted about the mosquito patrol. We will have 10-14 days between the January meeting and the Boat show. She will make Save the Date cards, etc. for Riversweep to hand out at the Boat Show booth. Commissioner Goff would like to have a banner made to use at the Boat Show, perhaps a vertical banner.

Sgt. Laton weighed in on the putting material (e.g., Christmas trees) in the lake. The NCWRC will support Duke Energy’s decisions, but they also want to support the LWMC.

Item 17 – Adjournment

The meeting adjourned at 9:20 pm.