



Commissioners Present: Chairman Neil Brennan (Gaston County)
Vice Chairman Peter Hegarty (Mecklenburg County)
Secretary Treasurer Blanche Bryant (York County)
Commissioner Debi Chacharon (York County)
Commissioner Ellen Goff (York County)
Commissioner Dan Hartley (Gaston County)
Commissioner Hunter Wilson (Mecklenburg County)
Commissioner Smitty Hanks (Gaston County)
Commissioner Dan Mullane (Mecklenburg County)

Staff Present: Chris Clark, Legal Counsel; Emily Parker, Administrator

Mission Statement

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.

Meeting Minutes

Item 1 – Welcome

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

Item 2 – Approval of Minutes

Chairman Brennan asked if any changes need to be made to the November 26, 2018 minutes. Commissioner Hanks moved to approve the November 26, 2018 minutes. Secretary Treasurer Bryant seconded the motion. There was no discussion and the motion was approved unanimously.

Item 3 – Approval of Agenda

Chairman Brennan asked if any changes need to be made to the January 28, 2019 agenda. Commissioner Wilson moved to adopt the January 28, 2019 agenda. Commissioner Goff seconded the motion. There was no discussion and the motion was approved unanimously.

Item 4 – Public Comment

None.

Item 5 – Stakeholder Reports

Charlotte Mecklenburg Police Department (CMPD) – Officer Joye reported that Brian Carey has been promoted to Sergeant. The new boat is on schedule for testing and delivery in mid-March. Secretary Treasurer Bryant asked if CMPD had used the life jackets provided by LWMC. He said they have given out three of them.

Gaston County Police Department (GCPD) – Officer Hamrick reported that on February 23 GCPD will hold a swim test for five potential cadets. Secretary Treasurer Bryant asked about life jackets and Officer Hamrick said they have not given them out yet, but likely will when boating season starts.

York County Sheriff's Office (YCSO) – Sgt. Mabry reported that YCSO will conduct their swim testing on February 13. School Resource Officers (SROs) must be swim tested too, since they are often part of lake enforcement. Secretary Treasurer Bryant asked about life jackets and Sgt. Mabry said they have not given them out yet, but likely will when boating season starts.

Tega Cay Police Department (TCPD) – No report was given.

Mecklenburg County ABC Board Law Enforcement – No report was given.

NC Wildlife Resources Commission (NCWRC) – Sgt. Laton reported that they are wrapping up duck hunting season. Chairman Brennan asked about the proposed Yachtsman buoys and if a decision had been made in Raleigh. Sgt. Laton will find out the verdict. Commissioner Hanks asked about the placement of no wake buoys around Sadler Island. Chairman Brennan explained that in the east channel they are placed from point to point and in the west channel they are from north of the island to just south of the marina area. Sgt. Laton commented that he has maps of the marked area at Sadler Island. Secretary Treasurer Bryant asked about life jackets and Sgt. Laton said they have not given them out yet, but likely will when boating season starts.

SC Department of Natural Resources (SCDNR) – No report was given.

US Coast Guard (USCG) – No report was given.

US Coast Guard Auxiliary – Mr. Ray Webber reported that they have a new Flotilla Commander named Mark Wilson. The Lake Wylie USCG Auxiliary flotilla will be on the water April 1 unless otherwise directed by the USCG. Ms. Parker will forward Mr. Webber's report to the LWMC.

Mecklenburg County Land Use and Environmental Services Agency (LUESA) – Mr. Dave Ferguson distributed the November Water Quality report to the LWMC. They sampled metals in January and July so he will have a metals report at the February LWMC meeting. His team will not sample in February but will be back on the lake in March. Mr. Ferguson commented that from mid-October to this month the Catawba River was in a flood state and that Duke Energy did a great job of keeping water moving through the system.

Duke Energy – Mr. Ronnie Lawson reported that:

- Lake level: 97.9' (target level: 97.0')
- Low inflow protocol: Normal
- No new dredge permits have been approved.

Commissioner Goff asked Mr. Lawson about dredging permits and if he knew the status of any that are in the works. He said he did not think there are any in the works, however Kermitt Taylor may know. Mr. Lawson reminded everyone that the dredging moratorium starts March 1 and goes through July.

Gaston County Cove Keeper – No report was given.

Catawba Riverkeeper Foundation (CRF) – Mr. Brandon Jones reported that the CRF recently received bacteria sampling equipment that will be faster, cheaper, and more accurate. They have seven sites selected to sample and will do so every Thursday this summer from Memorial Day to Labor Day. The sites are in both North and South Carolina. He noted that three of the seven sites are sponsored. It costs \$500 to sponsor a sampling site all summer. They will sample for e. coli. Samples cost \$10 apiece. Sampling sites are in known recreational areas. Mr. Ferguson commented that if a sample is taken that is turbid, it will likely come back as a false positive.

Mr. Jones noted that the NC Department of Environmental Quality (NCDEQ) will hold an important meeting on coal ash on January 29 at 6:00 pm at Stuart Cramer High School in Belmont. Mr. Ferguson commented on his team's e. coli and fecal coliform sampling process. Chairman Brennan asked how press releases – particularly about no swimming and no fishing warnings – go out from Mecklenburg County LUESA and CRF. CRF uses social media to get notices out. Mr. Jones noted that CRF is not a regulatory body and they make only recommendations. LUESA issues press releases to several media outlets. Chairman Brennan asked Commissioner Goff to investigate adding warning links to the LWMC website. Commissioner Wilson suggested that CRF and LUESA get notices to boat rental companies.

Alcoholic Beverage Control Board Law Enforcement – No report was given.

Item 6 – Highway 274 Force Main Project

Ms. Ashlee Marsh with Dewberry presented to the group. Mr. Berry McKinnon, Utilities Program Manager with York County Engineering, was in attendance with Ms. Marsh. She said this project is about replacing a 12" force main with a 20" force main from Paddler's Cove to Little Allison Creek. To do so, they will need to bore underneath the river bed. She added that five miles worth of pipeline is needed and that it will be an 800' bore. 200' of the bore will be underneath the lake and 200'-300' will be on either side of the lake. The pipe will be 20' at its deepest point under the lake (in solid rock). They plan to use fusible PVC pipe. It will be fused without links, and there will be no pressure monitoring on it. Commissioner Hanks asked how someone would know if the pipe is leaking. Ms. Marsh commented that the project plans are 100% and have been approved by SC Department of Health and Environmental Control (SCDHEC). They are currently talking about permits and the bidding process. Chairman Brennan and Commissioner Chacharon will meet Ms. Marsh at the site for further explanation and chance for other questions to arise. Ms. Marsh will be invited to the February LWMC meeting.

Item 7 – US 29/74 Bridge Replacement Project

Tim Boland (tboland@ncdot.gov) from NC Department of Transportation Division 10 presented to the LWMC. He said this state-funded project is known as BR-0020 and will replace Bridge 91 on US 29/74 (Wilkinson Blvd) over the Catawba River. The project is located in Belmont near Charlotte, and on the county line between Gaston and Mecklenburg counties. He noted that both NCDOT Divisions 12 and 10 are involved in this project. He introduced Garland Haywood (ghaywood@ncdot.gov) from Division 10 and Steve Rackley (srackley@ncdot.gov) with Division 12. Mr. Boland noted that RK&K out of Raleigh is the project engineer. The bridge structure is currently 4 lanes and is proposed to be widened to 6 lanes, with a proposed 5-foot sidewalk on the north side of the bridge and a 10-foot multi-use path on the south side of the bridge.

Mr. Boland went on to say that there are several issues involved with this project including:

- US Coast Guard Section 10 Navigable Water
 - Navigable Channel is present
- It is within FERC Boundary
 - Lake Wylie Dam to the south in South Carolina
 - Mountain Island Dam to the north
- 4f resources (from National Environmental Protection Act and is defined as: parks, recreation, refuges, and historic properties) are present including Kevin Loftin Riverfront Park and Iswa Nature Preserve. A boat ramp is also present.
- There is a proposed CATS Light Rail Structure that would go north of the project
- Bike/pedestrian facilities and aesthetics will play a large role
- Project will potentially be federalized

Commissioner Hanks brought up bridge markings and asked that road names be put back on side of the bridge after construction. Mr. Boland noted that this bridge is on an historical register and there is a lot of interest in and focus on the aesthetics of this bridge. Mr. Boland said that the new 6-lane bridge will most likely be phase constructed to the north of the existing structure. While this may potentially impact businesses to the north side of the bridge, this would avoid impacts to parks along the south side. Both the vertical and horizontal clearances are expected to be maintained, and the number of spans and bents would likely be reduced.

After several discussions with the Charlotte Area Transit System (CATS) about their "Silver Line" light rail structure, it is planned for span arrangements on both structures to match as closely as they can. As of now, the potential span arrangement for the highway bridge would be a 17-span layout with 94-foot spans. There is also planned to be a 15-foot offset between the separate highway and light rail structures to accommodate for maintenance and snooters. A snooter is a bridge inspection platform that is mounted to a truck and articulates off the deck of a bridge to inspect sides and underneath. He reported that they are trying to work to minimize impacts and structures in water. CATS light rail is physically heavy and will require extra support. NCDOT is partnering with CATS to coordinate driving supports for bridge and light rail at same time.

Since this state funded project is located within US Coast Guard Section 10 Navigable Water, the US Army Corps of Engineers (USACE) has deferred to the US Coast Guard. However, according to Mr. Boland, the US Coast Guard has indicated that no permit is necessary and USACE is hesitant to accept the role as lead agency under the circumstances. Therefore, NCDOT is considering adding federal money to bring Federal Highway Administration (FHWA) into the role of lead federal agency.

Mr. Boland commented that this is an estimated \$40 million project. Commissioner Wilson asked about bridge clearances and if NCDOT has access to this information. Mr. Rackley answered that they have this information. Officer Hamrick with the Gaston County Police Department added that law enforcement boats are too tall to go under this bridge if Lake Wylie is at full pond. This causes or could cause an issue in an emergency situation. Mr. Boland asked about the tallest vessels on the lake and what needs to be able to get under the bridge. He said that safety is the biggest point. Commissioner Goff asked if there will be an environmental impact study. Mr. Boland said, yes, it is in early stages of development. NCDOT staff will be invited to attend the February LWMC meeting.

Item 8 – 2019 Goal Setting Review

Chairman Brennan said that Ms. Parker sent out notes from the 2019 Goal Setting. Commissioner Chacharon commented that goal #9, about developing an anti-litter campaign, should be deleted as it is in progress. Commissioner Wilson moved to approve the LWMC's 2019 goals as amended. Commissioner Mullane seconded. There was no further discussion. The vote was taken and was approved unanimously.

Item 9 – 2019 Boat Show Review

Vice Chairman Hegarty reported that around 80 people signed up to volunteer at Riversweep. He thought that participants were receptive and appreciated access to free resources. Commissioner Hartley commented that it was his first Boat Show. He was surprised by how many people came through and how much people learned. It was noted that people were interested in shorescaping. Secretary Treasurer Bryant thanked West Marine because they gave LWMC life jackets to use for fitting demonstrations.

Item 10 – LWMC Bylaws Review

Chairman Brennan asked that each Marine Commissioner review the bylaws and come prepared with any questions or comments to this meeting. Vice Chairman Hegarty asked if Marine Commissioner terms can be amended. Legal Counsel Clark said that if they are not set in the enabling legislation, then the group can change them.

- Committee Designations: At the 2019 Goal Setting, the group talked about formalizing at least one committee. Because of the LWMC's long-standing involvement with and leadership of Riversweep, the idea was raised to make a Riversweep support committee. Commissioner Hanks moved to establish a standing Riversweep support committee. Secretary Treasurer Bryant seconded the motion. Discussion: The point was made that several Marine Commissioners serve on the Riversweep planning committee. This was acknowledged and Commissioner Goff noted that by setting up this support committee, we would be able to invite further non-LWMC participation to the Riversweep committee. The vote was taken and was approved unanimously. Marine Commissioners on other committees (e.g., Water Quality, Public Relations) were asked to consider whether they want to formalize or not.

Item 11 – Treasurer's Report

Secretary Treasurer Bryant reported that third quarter funds were requested and have come in from Gaston and York counties.

Item 12 – Chairman's Report

Chairman Brennan reported the following:

- Northern Law Center: The Belmont Rowing Club has filed the plat with Gaston County and will be getting the deeds approved by the City of Belmont this week. The site will be surveyed and marked in the next few weeks. Chairman Brennan will review that survey on site to confirm the location of the boat house dock. He will add to the boat house drawings a request for dredging in the event the depth of water proves insufficient for boat lift for the Gaston County police boat. The request must be included in the initial FERC application. Commissioner Hanks added that there is interest in introducing the concept of shorescaping at the Northern Law Center versus using rip rap. Chairman Brennan suggested that Commissioner Hanks get in contact with Shelley DeHart, Planning Director, City of Belmont to discuss it. Chairman Brennan and Commissioner Hanks are to set a time to meet with Ms. DeHart.
- 2019 Boat Show: Chairman Brennan obtained carbon monoxide safety brochures and Federal Requirements for Recreational Boats brochures from the US Coast Guard.
- News Stations: He noted that responses are pending from proposals to local FOX, ABC, and NBC stations that they consider airing Public Safety Announcements (PSAs) in advance of the major boating holidays next year.
- Catawba Nuclear Station and Allen Steam Plant Visits: He noted that Ms. Parker will send out a scheduling poll for each of these proposed tours.
- Lake Norman Marine Commission: Chairman Brennan plans to attend the next Lake Norman Marine Commission meeting.
- Expenses: Chairman Brennan reviewed his expenses related to the 2019 Goal Setting and printing related to the Boat Show. His total expenses came to around \$493.00. Secretary Treasurer Bryant moved that the LWMC approve reimbursing Chairman Brennan for the expenses. Vice Chairman Hegarty seconded the motion. There was no further discussion. The vote was taken and was approved unanimously.
- Commissioner Hanks moved to enter into a separate contract with Ms. Parker for services rendered before, during, and after the 2019 LWMC Goal Setting. Commissioner Goff seconded the motion. There was no further discussion. The vote was taken and was approved unanimously.

Item 13 – Clerk's Report

Ms. Parker said she will send the scheduling polls for the Catawba Nuclear Station and Allen Steam Plant out this week. Commissioner Hanks commented that his contact information needs to be updated on the LWMC website. Ms. Parker will make sure his information is updated.

Item 14 – Old/New Business and Commission Project Reports

- a. Water Quality
 - Clean Marina/Clean Boating: Commissioner Hanks asked if South Carolina Clean Marina standards are at least as strict as North Carolina standards. The answer is, they are. Commissioner Mullane will send a copy of the Clean Marina Checklist document to Ms. Parker to distribute to the group. The Checklist will be discussed at the February meeting.
 - Sedimentation: Commissioner Goff had nothing further to report.
 - Shoreline Plantings: Commissioner Mullane had nothing further to report.
 - PCBs and Heavy Metals in Fish: Commissioner Hanks had nothing further to report.
- b. Northern Law Center: Chairman Brennan had nothing further than was reported above.
- c. Buoys
 - Buoy Maintenance: Commissioner Hanks spoke with Terry Everhart and the goal is to have all buoys ready by end of March.
- d. Safety Programs
 - Life Jackets for Law Enforcement: Secretary Treasurer Bryant had nothing further than was noted above.
 - For Boat Rental Companies: Commissioner Wilson distributed a *Rental Boat Best Practices List* provided to him by the Lake Norman Marine Commission. Chairman Brennan commented that part of the LWMC's mission is to educate lake-users n best practices. Commissioner Wilson is tasked with drafting LWMC's version of the Rental Boat Best Practices List and presenting it to the group at the February 25 meeting.
 - For Paddle Boats (kayaks/paddle boards): Commissioner Wilson had nothing further to report.
 - Vice Chairman Hegarty asked about party boats. CMPD Officer Joye said that in order to take people out, the boat driver must have captain's license, etc.
- e. Public Relations
 - Commissioner Goff noted that there is nothing further to report.

Item 15 – Adjournment

The meeting adjourned at 8:37 pm.