



Commissioners Present: Chairman Dan Hartley (Gaston County)
Vice Chairman Hunter Wilson (Mecklenburg County)
Commissioner Smitty Hanks (Gaston County)
Commissioner Dan Mullane (Mecklenburg County)
Commissioner A.W. Bill Beers (York County)
Commissioner Sam Perkins (Mecklenburg County)
Commissioner Brad Thomas (Gaston County)

Commissioner(s) Absent: Commissioner Quay Williford (York County)
Secretary Treasurer Ray Webber (York County)

Staff Present: Neil Brennan, Executive Director; Chris Clark, Legal Counsel; Emily Parker, Administrator

Meeting Minutes

Item 1 – Welcome

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

Item 2 – Approval of Minutes

Chairman Hartley asked if any changes need to be made to the October 25, 2021 minutes. Commissioner Thomas said for Officer Joye’s report last month, CMPD lost officers due to the vaccine mandate, not a mask mandate. Vice Chairman Wilson moved to approve the October 25, 2021 minutes as amended. Commissioner Thomas seconded the motion. There was no further discussion and the motion was approved unanimously.

Item 3 – Approval of Agenda

Chairman Hartley asked if any changes need to be made to the November 22, 2021 agenda. Chairman Hartley noted the latest agenda addition, which is Item 8. Commissioner Beers moved to adopt the November 22, 2021 agenda as amended. Commissioner Perkins seconded the motion. There was no further discussion and the motion was approved unanimously.

Item 4 – Public Comment

None.

Item 5 – Stakeholder Reports

Charlotte Mecklenburg Police Department (CMPD) – Officer Joye introduced Officers Suzy Kabbash and Joe Kennelly. The vaccine mandate for the City of Charlotte has been put on hold. For now CMPD lake patrol is operating in a normal fashion with four officers and boats on the water daily.

Gaston County Police Department (GCPD) – No report was given.

York County Sheriff’s Office (YCSO) – Sgt. Richardson reported that they are under construction at the new office and hopefully everything will be ready in December or January. He noted that people have been working from their boats. He picked up a pencil buoy earlier today. SCDNR does all the maintenance, but it is easier for him to retrieve it.

Mecklenburg County Sheriff's Office (MCSO) – No report was given.
Tega Cay Police Department (TCPD) – No report was given.

Mecklenburg County ABC Board Law Enforcement – Officer Bruce Mullis reported that they put their boat up for the year but can get it down and back in the water if need be.

NC Wildlife Resources Commission (NCWRC) – Sgt. Laton said he has been around the lake, but not on it. Duck season stops on November 27 and starts back up in December. The proposed no wake zone for Brown's Cove will be on NCWRC agenda on December 9. Executive Director Brennan would like to resolve the difference between Gaston County rules and what is in the NC Administrative Code regarding speed in no wake zones. He will draft a letter to clarify the word "public" in NCWRC's statute. Sgt. Laton noted that Mr. Brandon Birch (with NCWRC) recently made buoy run. Commissioner Thomas commented about marking the South Fork River in a different way.

SC Department of Natural Resources (SCDNR) – No report was given.
US Coast Guard (USCG) – No report was given.

US Coast Guard Auxiliary (USCGA) – Mr. Dave Wascher reported that the Coast Guard Auxiliary was shut down by the Coast Guard at the end of October. The USCGA will try to have a presence at the February Boat Show. The plan to start patrolling again in April. In the meantime, they are trying to do their best to keep people safe and informed.

Mecklenburg County Land Use and Environmental Services Agency (LUESA) – Mr. Dave Ferguson reported that sampling has been done and bacteria data came back looking good from the lab. They will resume routine monitoring in January 2022.

Duke Energy – Mr. Kermitt Taylor reported that lake level is at 96.8" and we are not in a drought. They approved one dredge application since last LWMC meeting. Commissioner Thomas asked about shoreline types and converting a natural shoreline designation to a commercial designation. Mr. Taylor said that there is very little chance that shoreline classification will change.

Catawba Riverkeeper Foundation (CRF) – CRF Executive Director John Searby reported that all official warnings have been lifted for the harmful algae blooms. He said the algae likely will not be back until summer as sustained sunlight and water temperature are factors for algal growth. The CRF is in the process of selecting sites for the 2022 Swim Guide Program. Catawba Cove will be a new site and Morningstar Marina will host that sampling site. If the LWMC has any site suggestions, the CRF has room to add 3-4 sites on Lake Wylie in 2022. There are currently 10 sites on Lake Wylie and 4 on the South Fork River. They are trying to finalize Swim Guide sites by the end of January. It costs \$500 to sponsor a site.

Mr. Searby noted that Ron Eubanks with Charlotte Stormwater responded to several buffer violations and thanked him for doing so. He said that he has seen people living on the island in front of Loftin Park, which may be a private island. There was discussion about what entity may own this island. He said the Duke Energy Habitat Enhancement Program still has funds to allocate this year. There is a defined set of project areas funds can be used for. The CRF would be happy to partner with LWMC if there is a project everyone can agree on. Applications are typically due in late summer and approved in October. Duke Energy has said no more osprey nests, fish attractors, or wood duck boxes are needed. Executive Director Brennan suggested thinking about how the Riversweep process could be improved. Executive Director Brennan and Mr. Searby will talk about a possible project and Mr. Taylor will check who owns the island in front of Loftin Park.

Item 6 – Duke Energy Presentation: Relocation of Four 100kv Transmission Lines at Plant Allen

Mr. Kevin Mason with Duke Energy provided background on this project. He said that in late 2020 the existing switching station adjacent to Allen Steam Station came to the end of its useful life. They will build a new switching station at a new location with four new line crossings supported by light duty steel poles. He said that land disturbance permitting is with NCDEQ and high hazard double silt fences will be in place. There were no questions from the group. Ms. Parker will send Mr. Mason an approval letter.

Item 7 – Duke Energy Presentation: Current Status of Aquatic Plants on Lake Wylie

Dr. Brett Hartis introduced his colleague, Erin Malloy. Their team surveys the Catawba-Wateree basin every 2-3 years. In 2006, they found 90 acres of hydrilla in Lake Wylie. The lake was stocked with grass carp and the carp knocked down the hydrilla. Lake Wylie has 350 miles of shoreline. Their group looks for invasive and native plants, with emphasis on catching invasive plants. Dr. Hartis reviewed results of Duke Energy's 2021 aquatic plant survey. In Lake Wylie, approximately 1,231 points were sampled. Of the points sampled, 252 were noted as vegetated by one or more species. Alligatorweed and spikerush were the most dominant species throughout Lake Wylie. Other species noted include broadleaf arrowhead, brittle naiad, muskgrass, pickerelweed, parrot feather, baby tears, water willow, creeping water primrose, duckweed, and filamentous algae. He noted that his team can do a site visit if people have questions about invasive plants. Dr. Hartis reported that in 2021, survey crews identified two new populations of hydrilla located on the west side of the lake adjacent to the Kevin Loftin Riverfront Park and the City of Belmont water treatment facility. These populations were found in shallow water areas where grazing by grass carp may be inhibited or excluded altogether. Grass carp may be too old and overweight to get into shallow water. He said hydrilla tubers can remain viable for 10 years. The survey team also identified several acres of *Lyngbya wollei*. It is a native plant (algae) but is not natural in reservoirs. The bad news is that there is no real option for getting rid of *Lyngbya*. His team is focused on monitoring this new development. Dr. Hartis said that *Lyngbya* is efficient at mining phosphorous from sediment. *Lyngbya* works at a cellular level and migrates from river bottom to the top with sunlight availability. It does not love sunlight and is self-shading. *Lyngbya* does have the capability to produce toxins and they are trying to figure this out in the lab. Executive Director Brennan asked if we need to be concerned about *Lyngbya*. Dr. Hartis said if you go to SC DHEC website, you will see a warning that says, "when in doubt, stay out." NCDEQ is not issuing warnings. Duke Energy will monitor the situation. They will likely survey Lake Wylie again next year. Someone asked if there is any correlation between *Lyngbya* and water level. Dr. Hartis said not really. *Lyngbya* can exist in shallow water and survive.

Item 8 – Duke Energy Presentation: Camp Thunderbird Marina

Chairman Hartley said that Duke Energy has requested that the LWMC review a facilities proposal for Camp Thunderbird Marina. The proposal says, "Duke Energy is seeking Commission approval for the facilities that were added without Commission approval." Vice Chairman Wilson said he met with the Executive Director of Camp Thunderbird and said everything looks good on site. Commissioner Hanks moved that the LWMC reply to Duke Energy saying 'no objection.' Commissioner Mullane seconded the motion. Chairman Hartley suggested that the response should instead be 'no comment.' The vote was taken and the motion did not pass. Vice Chairman Wilson moved that the LWMC reply to Duke Energy saying, 'no comment.' Commissioner Thomas seconded the motion. The vote taken and approved unanimously. Ms. Parker will send a response letter.

Item 9 – South Fork River Health Committee Report and Talking Points

Executive Director Brennan gave a recap of the South Fork River Health Committee and an overview of their report, which includes a task for the LWMC under *Strategy 8: Develop a coordinated public information and education plan*. He said if anyone would like to get involved in this work, to please let him know.

Item 10 – 2022 Mid-Atlantic Boat Show

Executive Director Brennan introduced this item and confirmed that Commissioner Thomas's company can help set up the booth. The LWMC booth should be in the same location as in previous years. Commissioner Beers will bring different sized life jacket to display. Ms. Parker will send the LWMC a booth staffing sign-up sheet.

Item 11 – Buoys and Buoy Maintenance Update

Vice Chairman Wilson moved to approve Captain Adam Huth's latest invoice. Commissioner Hanks seconded the motion. The vote was taken and approved unanimously. Captain Adam said he needs to purchase wire rope and that he has enough fittings. Captain Adam and Chairman Hartley will connect on what kind of wire rope to purchase.

Item 12 – Treasurer's Report

Chairman Hartley reported that on behalf of Secretary Treasurer Webber:

- York County: Q1 and Q2 funds are in and Q3 funds will be requested in January 2022.
- Gaston County: Q1 and Q2 funds are in and Q3 and Q4 funds will be requested in January 2022.
- Mecklenburg County: Q1 and Q2 funds have been requested but have not come in yet. Centralina finance staff sent a follow up email to Mecklenburg County staff requesting a status update.

Item 13 – Chairman's Report

Chairman Hartley presented gifts to Vice Chairman Wilson and Commissioner Mullane in honor of their new children.

Item 14 – Executive Director's Report

Executive Director Brennan reported that:

Brown's Cove Buoys: The NCWRC has initially approved the establishment of a No Wake Zone at the back of Brown's Cove that is larger in scope than the area originally requested. Per the agreement with NCWRC, the LWMC can deploy the buoys consequent to that initial approval while awaiting full NCWRC executive board approval. Per NCWRC's guidelines, this no wake zone update is hereby announced at a public meeting. A resolution will need to be drafted and sent to NCWRC. Commissioner Thomas moved that the LWMC resolve that the NC Administrative Code be amended to include the aforementioned new No Wake Zone in Brown's Cove. Commissioner Mullane seconded the motion. The vote was taken and approved unanimously.

FERC Application: The revised survey that reflects the final changes to the plans has yet to be received from the Belmont Rowing Club. Once that has been provided, the City will submit the FERC application for comment / approval by the numerous stakeholders who are required to sign off on the application. That process will take several months.

Stormwater Control Measures: Suggested a boat tour to Belmont City Council member Richard Turner for the City Council to acquaint the members with the sedimentation issues on the South Fork River as was done for the Belmont Planning Department. To be scheduled.

Algal Blooms: Attended a virtual forum over two days regarding harmful algal blooms (HABs). The forum provided information to participants on federal sources available to fund the prevention, monitoring, and treatment of HABs. Referred the forum to Rusty Rozzelle of Charlotte Mecklenburg Storm Water Services, Emily Bores of SC DHEC, and Brandon Jones of CRF. Have contacted agencies that participated in the forum to determine if any funds are available for warning buoys.

South Fork River Health Committee: Contacted Ms. Cathy Hart, Director, Gaston County Parks and Recreation Department regarding our joint tasking for the South Fork River Action Plan: 1) To explore the need for improving wayfinding systems to help with communicating location to emergency responders, and 2) To incorporate public art into wayfinding, safety, and informational signage design.

Item 15 – Administrator’s Report

Ms. Parker shared the draft 2022 LWMC meeting schedule and noted that she is awaiting word on the Gaston County location and will know more in early December. She also shared thanks and appreciation for the LWMC sent from Mecklenburg County Vice Chair Elaine Powell who could not attend the meeting.

Item 16 – Public Relations Report

Vice Chairman Wilson said that he shared a Catawba Riverkeeper Foundation post and already got thousands of hits/likes. For public relations it is a good practice to share out through our partners and images are the best way to get engagement. He has a big network on social media, so consistent content is key. The LWMC website is not for putting up and pulling down announcements. Vice Chairman Wilson and Ms. Parker can connect offline to discuss a LWMC webpage review schedule.

Item 17 – Announcements

None.

Item 18 – Adjournment

The meeting adjourned at 8:50 pm.