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**Commissioners Present:** Chairman Dan Hartley (Gaston County)  
Vice Chairman Hunter Wilson (Mecklenburg County)  
Secretary Treasurer Ray Webber (York County)  
Commissioner Dan Mullane (Mecklenburg County)  
Commissioner A.W. Bill Beers (York County)  
Commissioner Sam Perkins (Mecklenburg County)  
Commissioner Quay Williford (York County)

**Commissioners Absent:** Commissioner Smitty Hanks (Gaston County)  
Commissioner Brad Thomas (Gaston County)

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

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### **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 January 24, 2022 minutes. Secretary Treasurer Webber moved to approve the January 24, 2022 minutes. Commissioner Mullane 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 February 28, 2022 agenda. Vice Chairman Wilson moved to adopt the February 28, 2022 agenda. Commissioner Mullane 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 reported that his team has new leadership and tomorrow he will provide an orientation to their equipment and the lake.

Gaston County Police Department (GCPD) – Sgt. Knupp reported that one of their boats has been out of commission for 8 months and they hope to have it repaired by summer. They will keep their big boat at the McClean property this summer.

York County Sheriff’s Office (YCSO) – Officer Joye reported on behalf of Sgt. Richardson and said that their new office is almost operational.

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

US Coast Guard Auxiliary (USCGA) – Mr. Jim Nass reported that in the past year they have not had vessels on the water, but they hopefully will this year.

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

Duke Energy – Mr. Kermit Taylor reported that lake level is at 97.1', the low inflow protocol is still at Stage 0, and no dredge applications have been approved since the last meeting. Dr. Brett Hartis added that the Lake Wylie target level will increase from 97' to 97.5' from May – October 2022 following completion of the inflatable gate at Wateree. The target level will still be 97' from November 2022 – April 2023. Construction on that project is scheduled to begin in September 2022 and is expected to take 11 to 16 months to complete depending on the number of high inflow events we get. That is a factor because just like the Great Falls project, construction crews must pull off the spillway and stop construction to let the high inflow events pass. Once the water has passed and the lake goes back down, they can restart construction. Construction is expected to be completed in late 2023 or early 2024.

There was a question about clear cutting at South Point boat landing. Mr. Taylor said that new amenities are coming to the South Point boat landing, among others, including a swim beach. The tree clearing you can see has to do with that construction. Executive Director Brennan asked if there was an exception to clearing within the 50-foot riparian buffer; Mr. Taylor advised that the clearing within the buffer was permitted for this project. Commissioner Beers asked if construction has started at Allison Creek. Mr. Taylor will find out.

Catawba Riverkeeper Foundation (CRF) – Mr. Brandon Jones reported that:

- South Fork River Health Committee
  - Submitted planning grant to NC Land and Water fund, expect award end of 2022.
  - Meeting regularly with subcommittees focused on Water Quality, Policy, Access, and Marketing.
  - Planning to install an autonomous sensor at the Boathouse, opportunity for more after piloting.
- River District
  - Met with Marty Davis, new Crescent Communities Director of Land Development.
  - Construction has started.
  - Enhanced stormwater control plan is in place and currently well maintained.
  - There is a large beaver complex and Mecklenburg County stormwater sensor between the active site and lake.
- Catawba Crossings
  - The Southern Environmental Law Center submitted comments opposing the project on behalf of CRF and Clean Aire NC.
  - We are primarily concerned about the development induced by the project and its lack of inclusion in the traffic study and cost-benefit analysis.
  - A comprehensive alternatives analysis will be required under NEPA. We recommended completing this before continuing the promotion and planning of this project.

### **Item 6 – SPLASH Update**

Officer Joye said that SPLASH is retired. [Robotronics](#) is where SPLASH was originally purchased. Executive Director Brennan asked if the LWMC would want to purchase a new SPLASH. Commissioner Beers asked about Boat Show attendance. It was alright, just smaller than usual. It was asked that if participation dwindles at the Boat Show, what is the purpose of the LWMC having a booth. Secretary Treasurer Webber asked if the LWMC bought the last SPLASH and if CMPD stored it. Vice Chairman Wilson said the LWMC would need to have someone operate it who is dedicated.

### **Item 7 – Endorsement for the America's Boating Club of the Catawba**

Commissioner Beers described the America's Boating Club of the Catawba's Children's Outing program. The program is designed to provide underserved children with positive experiences in, on, and around Lake Wylie. They are planning to expand programmatic activities and anticipate needing additional funding. Potential funders often ask for letters of support from kindred organizations. Commissioner Beers said that America's Boating Club of the Catawba is not asking for money but are asking for a letter of endorsement from the LWMC. Secretary Treasurer Webber asked if the LWMC endorses any other organization on Lake Wylie. Legal Counsel Clark did not recall. It was asked if there a downside to endorsing organizations and answer was likely not. Secretary Treasurer Webber suggested that the group contemplate guidelines around an endorsement process. Secretary Treasurer Webber moved that the LWMC endorse the letter... Commissioner Williford seconded the motion. Discussion: Executive Director Brennan noted a typo in the letter. The vote was taken and approved. Commissioner Beers recused himself from the vote.

### **Item 8 – Follow up: Automated Monitoring Buoys**

Executive Director Brennan suggested that the LWMC wait and see how CRF's monitoring buoys work out first. He added that once CRF gets their monitors in the water, perhaps the City of Belmont could buy one for the South Fork River. There was discussion about putting a small committee together to assess how the monitors would be used.

### **Item 9 – 2022 Mid-Atlantic Boat Show Review**

Executive Director Brennan reported that 37 people signed up for Riversweep 2022 at the Boat Show and many people came by to learn about the LWMC. He will contact agencies for more handouts (e.g., carbon monoxide; electric shock). River Fest on May 14 is the next event. The LWMC will need to order more whistles. They ordered 1,000 whistles last time. Ms. Parker will add this item to the March agenda. Chairman Hartley noted that those whistles break easily and that law enforcement has better, more substantial whistles. Vice Chairman Wilson brought up shut off clips as a giveaway. He said if the LWMC is going to have giveaway items they should be something useful on a boat. He will investigate other giveaway options.

### **Item 10 – Buoys and Buoy Maintenance Update**

Executive Director Brennan said he got a call from Captain Adam Huth saying he re-anchored buoys at Copperhead Island.

### **Item 11 – Treasurer's Report**

Secretary Treasurer Webber reported that four checks written in the last month.

- Gaston County has paid through June 30, 2022.
- York County is up to date through Q3 (March 31, 2022).
- Mecklenburg County is up to date through Q3 (March 31, 2022).

### **Item 12 – Chairman's Report**

Chairman Hartley brought up RiverFest 2022 and asked Mr. Brandon Jones if there is a fee for a booth. Mr. Jones said there would be no fee.

### **Item 13 – Executive Director’s Report**

Executive Director Brennan reported that:

**FERC Application:** The Belmont Rowing Club has forwarded the necessary updates to the surveys and drawings to the City of Belmont. The City is reviewing them and will forward them to Duke for a final check. Once Duke agrees the package is ready, the City will send the FERC application to the various agencies for comment and approval by the numerous stakeholders who are required to sign off on the application. That process will take several months.

**South Fork River Health Committee (now the South Fork River Health Project):** Signed the SFRHC Memorandum of Understanding after incorporating the recommended changes and gaining Counselor Clark’s agreement that the LWMC could be signatories of the MOU as amended. I am chairing the Policy and Advocacy Subcommittee. I met with the other subcommittee chairs on February 24 to develop the courses of action to achieve the tasks in the Action Plan. At that meeting, Chairman John Searby SFRHP (who is also Executive Director of the Catawba Riverkeeper Foundation) advised that the SFRHP is trying to set up an automated monitoring system similar to the Continuous Monitoring and Alert notification Network (CMANN) in service in Mecklenburg County. The LWMC will look into whether funding one of these monitors is advisable. The SFRHP anticipates having a headquarters in Cramerton to provide a venue / meeting area to advance all the work delineated in the Action Plan.

**Idle Speed Zones:** Recommended to the North Carolina Wildlife Resources Commission that the code that addresses no-wake and speed zones be amended to require idle speed around all docks, boat ramps, and marinas as is required in York County (50 feet) and on Lake Norman (50 yards) by state laws. The applicable code, NCAC 15A 10F 0.333, requires idle speed within 50 yards of only public docks, boat ramps, and marinas. Chairman Hartley, and Counselor Chris Clark, and I met with NCWRC officers Major Ben Myer, Sgt. William Laton, and Lt. Josh McConnell on February 16 to discuss the issue further. NCWRC advised that they do not have the authority to issue a blanket regulation such as exists on Lake Norman and in the South Carolina waters of Lake Wylie. They advised that either a state law or a regulation issued by the LWMC would be appropriate and one they could enforce.

Captain Battle and Sgt. Knupp of the Gaston County Police Department state that they could support a blanket idle speed regulation of 50 feet within docks, boat ramps, marinas, etc. but that 50 yards would be too limiting in many or the Lake Wylie coves in the Gaston County. Sgt. Joye of the Charlotte-Mecklenburg Police Department concurred that he could support a 50-foot idle speed rule.

Executive Director Brennan spoke with Mecklenburg County Vice Chair Elaine Powell and asked for her guidance. She suggested a two-pronged approach – speaking with state legislators and the LWMC potentially drafting its own rule. It was said that if the LWMC passed something, it would not be codified. Legal Counsel Clark was in favor of speaking with state legislators. He added that these rules across NC and SC could be made consistent by going to US Congress. Executive Director Brennan will contact state legislators with Legal Counsel Clark’s help.

**Boat Show:** Handed out Riversweep “Save the Date” cards at our Boat Show booth as did the Catawba Riverkeeper Foundation at their booth. Signed up 37 potential volunteers. Distributed pamphlets on the LWMC, Federal Boating Regulations, electrical safety for docks, the dangers of carbon monoxide to wake surfers, and “Shorescaping” recommendations.

**Dredging:** Bob Wilson of Rowboat Dock and Dredge has offered to provide a short presentation on dredging at one of our meetings. Secretary Treasurer Webber asked if Mr. Wilson should speak with Duke Energy staff before his presentation.

**Catawba-Wateree Water Management Group:** Provided a brief for the Citizen's Water Academy about the Lake Wylie Marine Commission on February 22nd. Many of the Duke presentations to the Citizens' Water Academy are accessible on the CWWMG website at the 2021 Citizens' Water Academy tab.

Monitored the CWWMG monthly meeting on February 8<sup>th</sup>.

**Recommendation to North Carolina Department of Environment and Natural Resources:** Pursuant to a Citizens' Water Academy discussion with Rebecca Coppa, a Sedimentation Education Specialist with North Carolina Department of Environment and Natural Resources, I suggested a change to the North Carolina Erosion and Sediment Control Planning and Design Manual to require wire mesh backed silt fencing along wetlands, streams, lakes or other surface water bodies as is required by the Mecklenburg County rules which I provided to her. Though the manual describes the construction of this high hazard silt fencing, it allows for less sturdy silt fencing in every case. She is referring the recommendation to her Commission's Technical Committee as they are currently reviewing and updating the E&SC Planning and Design Manual. I also invited to her attention that York County upgraded their stormwater regulation in 2019 following massive sedimentation spills to require wire mesh backed fencing everywhere.

**Harmful Algal Blooms (HABs):** Emily Bores at the South Carolina Department of Health and Environment Control (DHEC) forwarded images of their HAB signs. SC DHEC will post those signs when needed. North Carolina Department of Environmental Quality (NDEQ) has none.

#### **Recommendations**

- Algal Blooms – Executive Director Brennan recommended purchasing algal bloom warning signs.
- Swim Guides – Recommend we sponsor Catawba Riverkeeper Foundation Swim Guides again this year (2 @ \$500 per site).
- Riverfest 2022 May 14 – Recommend we buy a LWMC cover for one of the pop-up tents donated by Leinenkugel several years ago

Commissioner Mullane moved that the LWMC sponsor two (2) Catawba Riverkeeper Foundation Swim Guide sites in 2022. Secretary Treasurer Webber seconded the motion. There was no further discussion and the motion was approved unanimously.

Vice Chairman Wilson moved to get a quote from Commissioner Thomas on the pop-up tent cover. Secretary Treasurer Webber seconded the motion. There was no further discussion and the motion was approved unanimously.

Commissioner Perkins moved that the LWMC purchase algal bloom warning signs. After discussion about SC DHEC staff presenting at the March meeting and bringing a sample sign with her, Commissioner Perkins withdrew his motion.

#### **Item 14 – Administrator's Report**

Ms. Parker reminded everyone to submit their Boat Show receipts either via email or hard copy. The March 28 meeting will be held at the Red Fez Shrine Club.

**Item 15 – Public Relations Report**

Vice Chairman Wilson said the LWMC should consider finding a designer that can create social media-friendly graphic marketing pieces after each LWMC meeting. He said it could take roughly 1-2 hours of designer work per month. He also suggested hiring a design intern from UNC Charlotte. Vice Chairman Wilson will put an outline together of what the LWMC might need in this regard. Ms. Parker will add this item to the March agenda.

**Item 16 – Announcements**

None.

**Item 17 – Adjournment**

The meeting adjourned at 8:16 pm.