

Lake Wylie Marine Commission
August 28, 2023 Meeting
Clover Community YMCA – York County



Commissioners Present: Chairman Hunter Wilson (Mecklenburg County)
Secretary Treasurer A.W. Bill Beers (York County)
Commissioner Brad Thomas (Gaston County)
Commissioner Dan Hartley (Gaston County)
Commissioner Quay Williford (York County)
Commissioner Sam Perkins, (Mecklenburg County)

Commissioners Absent: Secretary Treasure Beers (York County)

Staff Present: Neil Brennan, Executive Director; Chris Clark, Legal Counsel
Alice Flowers, Administrative Assistant

Meeting Minutes

Item 1 – Welcome

Chairman Wilson called the meeting to order at 7:00 PM.

Item 2 – Approval of Minutes

The minutes were approved as presented.

Item 3 – Approval of Agenda

Commissioner Hanks moved to amend and adopt the agenda to include a presentation by Mr. Robert Wylie regarding an Allen Steam Plant water intake proposal. Vice Chairman Webber seconded the motion and it passed unanimously.

Item 4 – Public Comment

Ms. Nancy Smith handed out fliers to the Catawba Yacht Club Labor Day event on Sunday, September 3, from 2 to 5 PM, She encouraged everyone to stop by to say hello and grab a cold drink and snacks.

Mr. Phillip Bryant from Steele Creek Fire Department (SCFD) updated everyone that the new boat is officially in the water and in use. He also thanked the LWMC for purchasing the VHS radio that has been installed and is now in use as well. Mr. Bryant requested assistance with purchasing a Medevac Rescue Litter (backboard) for their boat. Other water law enforcers have one on each of their boats. The LWMC committee will discuss this and get back to Mr. Bryant with comments.

Commissioner Hanks motioned to add Steele Creek Fire Department (SCFD) as an LWMC Stakeholder. Vice Chairman Webber seconded the motion, and it passed unanimously.

Item 5 - Stakeholders

Charlotte-Mecklenburg Police Department CMPD – Officer Reitano reported on the continuing issues with rental boats and charter boats on the water. He reported that an individual is using his boat to charge people for tours on Lake Wylie. It appears that this gentleman’s business is not in accordance with the guidelines issued by Duke Energy. The CMPD along with the US Coast Guard will be doing more investigating and report back the findings to the Commission. This report gave credence to the need for both charter boat and vessel rental regulations on Lake Wylie. Commissioners cited other examples of individuals renting unseaworthy personal watercraft.

The CMPD also reported that there seems to be more activity on the lake lately, like a holiday weekend. There were multiple jet skiers on the water without a life vest; some of them were ticketed. The CMPD officers handed out water safety brochures as it appeared that some of the jet skiers were not educated about water safety.

Gaston County Police Department GCPD – Sergeant Knupp reported that the GCPD is coming up on the last weekend of operation. Some other agencies will be out on the lake helping to provide safety. Sergeant Knupp also mentioned that they have had issues with Mr. Morgan and are working with other agencies to ensure that the issue gets resolved. The GCPD is still waiting on the Gaston County Board of Commissioners to approve acceptance of the funds before they can purchase the Sonar Radio

York County Sheriff's Office (YCSO) – No report was given.

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

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

Mecklenburg County Sheriff's Office – No report was given.

NC Wildlife Resources Commission (NCWRC) – Sergeant Laton reported that the summer has been busy and there have not been any boat accidents that they are aware of. Chairman Wilson asked if they were to draw a geofence within a 20-mile perimeter around the lake, pull boat registration of the addresses with the radios, and send educational mailers directly to their homes. Sergeant Laton will investigate and get back to them with more information.

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

US Coast Guard-Sector NC – No report was given.

US Coast Guard Auxiliary (USCGA) – No report was given.

Mecklenburg County Land Use Environmental Service (MCLUES) – Mr. Dave Ferguson was not present but submitted his report to Executive Director Brennan. Mr. Ferguson reported on the lake report for July, and the August summer bacteria run that was completed the week of August 25. During that August run, the lake was low from lack of rain, and the data showed that there were barely any turbid areas at all throughout the lake. Bacteria values were very low, so that's a good thing about a low lake. These past few days of rain off and on, and the coming days as well, have and will probably muddy up the major creek coves for sure, and more than likely, Dutchman's Creek and the South Fork River as well. MCLUES will be back out on Lake Wylie later in September for their routine run, which will also be their final "Summer Bacteria" run for the year.

Duke Energy – Mr. John Bradley reported that the current lake level is 97 and there are no approved dredges this month. There will be a dredge report soon for the South Port area. Vice Chairman Webber mentioned that the cleats and lights are in the process of being updated. More information will be provided should additional lights be needed.

Catawba Riverkeeper – Ms. Ambar Torres Molinari reported that there was no source of pollution to report. All the sites on the swim guides passed the August testing. The last test will be in the latter part of August. All parks that were closed due to high levels of bacteria have been reopened. The Riversweep cleanup event is scheduled for Saturday, October 7, 9:00 AM - 12:00 PM. Ms. Torres-Molinari thanked LWMC for being a sponsor of the event. She also encouraged those who are interested in volunteering or want to visit any of the sites to pre-register at <https://www.catawbariverkeeper.org>.

TowBoatUS – Mr. Logan Thomas reported that they had 73 calls for assistance on Lake Wylie; 69 were routine tows. There were a couple of boat incidents where they needed assistance from the SC Department of Natural Resources and the Tega Cay Fire Department.

Allen Steam Plant Water Intake – Mr. Robert Wylie is a Principal Consultant with Environmental Resource Management (ERM). Mr. Wylie was invited to the LWMC meeting to give an overview of the South Water Withdrawal Intake proposed project located in Gaston County. The intake is needed to provide water for dust suppression to support site construction activities. It is projected that the maximum amount of water to be withdrawn is 0.32 million gallons per day. The runoff from this water will either be absorbed in the ground, or it will run into a NPDES permitted wastewater treatment system.

Commissioner Hanks motioned to put the request to a discussion and a vote. Vice Chairman Webber seconded the motion and it passed on a vote of eight in favor and one opposed.

Item 6 – Hydrilla Control: Dr. Brett Hartis of Solitude Lake Management reported that over the last three years, they have found only a small population of Hydrilla in a couple of areas near the lake. For the last two years, they have treated the affected areas to isolate and control any new growth of Hydrilla. With the approval of the LWMC (along with Catawba Wateree Water Management Group and NC Department of Environmental Quality), Solitude Lake Management is planning another Hydrilla treatment at Kevin Loftin Park in the first week of September. Commissioner Hanks motioned to approve the Hydrilla Contract for treatment. Vice Chairman Webber seconded the motion and it passed unanimously.

Item 7 – Newsletter, Website, & Clean Marine Program Management: Chairman Wilson and Commissioner Mullane will be rolling off the LWMC on September 30, 2023. Commissioner Perkins will take over managing the website and newsletter. At the September meeting, the Commissioners will review, discuss, and decide who will take over the Clean Marina Program Management.

Item 8 – Review Duties of Executive Director: Vice Chairman Webber made a motion to renew Executive Director Brennan for another term in the role of Executive Director for the LWMC. Commissioner Thomas seconded the motion and it passed unanimously. Executive Director Brennan suggested the Commissioners review the job description and make any necessary revisions. All changes should be submitted to Chairman Wilson.

Item 9 – Vessel Rental Regulations: Chairman Wilson and Counselor Clark have drafted a Charter Boat and Vessel Rental Regulation similar to ones drafted by the Lake Norman Marine Commission. As was the procedure followed for enacting the Idle Speed regulation earlier this year, the LWMC will submit the draft to law enforcement leaders, to the Gaston and Mecklenburg County Commissioners, and to the York County Council Members for comment. Chairman Wilson suggested asking them for a 60-day review and feedback. The goal is to enact the regulation is on January 1, 2024.

Item 10 – Abandoned Vessel Regulations: Executive Director Brennan suggested creating similar regulations for abandoned vessels. Again, input from law enforcement and others is crucial for the success of the vessel regulations.

Item 11 –HF radios: The radios for the Steele Creek and Charlotte-Mecklenburg fire boats and the York County Sheriff's Office have been delivered. With these radios, the various agencies can readily communicate in emergencies.

Item 12 – Buoys and Buoy Maintenance Update: Mr. Logan Thomas reported that the buoys are in good shape but will probably need to order more within the next couple of months.

Item 13 – Buoy Tracking Follow-Up: No update was given.

Item 14 – Treasurer's Report: No report was given.

Item 15 – Executive Director’s Report – August Report

Executive Director Brennan reported:

County Briefs

The brief for the Gaston County Commission is scheduled for September 12. The Mecklenburg County Commission brief is scheduled for October 3.

Federal Energy Regulatory Commission (FERC) Application

HDR, the engineering firm shepherding the FERC application through the process for the City of Belmont, reports the Pre-Construction Notification is with the U.S. Army Corps of Engineers for their review. That review will take between 30 to 90 days. It will then go to Duke for final review and then to FERC.

Update on the South Point Swim Area

Duke Energy reports that the new swim area will remain open at no charge through Labor Day. It will close for the season on September 5. It’s anticipated that Gaston County will take over the facility later this fall in November. The NC Rules Review Commission met last week and gave final approval for the Rule for 15A NCAC 10F .0333(c), the restricted area requested by Duke Energy around the South Point Access Area swim beach in Gaston County. The effective date of this Rule will be September 1.

Riversweep

Arranged for:

- Dumpsters from the counties for the Lake Wylie sites, one site below the Lake Wylie Dam, one site on Mountain Island Lake, and one site on Lake Norman
- Gloves from the Catawba Nuclear Station
- Bottled water from the Allen Steam Plant
- Grabbers from Lowe’s Belmont

Regulations

Ascertained from Duke Energy officials that they would support an LWMC regulation addressing abandoned vessels.

Miscellaneous

Removed outdated LWMC signs (dated 2001) from the Copperhead Island Access ramps. Wrote the August Newsletter.

Item 16 – Administrator’s Report: Mid-Atlantic Boat Show February 8 -11, 2024

Item 17 – Public Relations: Commissioner Perkins is making updates to the website. Executive Director Brennan recommended that each Commissioner take responsibility for managing a portion of the website.

Item 18 – Announcements: Election of Officers (Chairman, Vice Chairman, and Secretary-Treasurer) will be held at the September 25 meeting.

Item 19 – Adjournment at 8:39 PM.