

**Lake Wylie Marine Commission
April 22, 2024 LWMC Meeting
Catawba Riverkeeper – Gaston County**



Commissioners Present: Chairman Ray Webber (York County)
Vice Chairman Brad Thomas (Gaston County)
Commissioner David Stonner (Mecklenburg County)
Commissioner Brian Yarmon (Mecklenburg County)
Commissioner Jerry Smith (Gaston County)
Commissioner Sam Perkins (Mecklenburg County)
Commissioner Quay Williford (York County)
Commissioner Dan Hartley (Gaston County)

Commissioner Absent: Commissioner Ray Williams (York County)

Staff Present: Chris Clark, Legal Counsel
Lenessa E. Hawkins, Administrator

Meeting Minutes

Item 1 – Welcome

Chairman Webber called the meeting to order at 7:00 PM and welcomed everyone present to the new meeting place at the Catawba Riverkeeper.

Item 2 – Approval of Minutes

Chairman Webber asked if any changes need to be made to the March 22, 2024 minutes. Commissioner Brad Thomas moved to adopt the March 22, 2024 minutes as amended. Commissioner Jerry Smith seconded the motion. There was no further discussion and the motion was approved unanimously.

Item 3 – Approval of Agenda

Chairman Webber asked if any changes or additions were needed to the April 22, 2024 agenda. Commissioner David Stoner moved to adopt the April 22, 2024 agenda. Commissioner Quay Williford seconded the motion. There was no further discussion and the motion was approved unanimously.

Item 4 – Public Comment

Mr. Hunter Wilson - Mr. Wilson (former Commissioner) wanted to let everyone know that he was the new owner of Tail Race Marina. He also shared that it is planned to continue the same operations as the previous owner and continue to Riversweep. He further stated that he plans to be just as involved as he was as a Commissioner. They will continue to rent boats out of the Riverside Marina, focusing on paddle crafts and hopefully starting tubing activities. He will also be submitting an expansion plan. The plan includes activating the T heads at the end of each stop, adding a fuel station as well as moving the kayak rental business into the Head race area. Kayaks are now currently launched on the shoreline creating a hazard.

Item 5 - Stakeholders

Charlotte-Mecklenburg Police Department (CMPD) – Lake Unit - Officer Joye reported the department will be fully staffed as of the first week of May. McDowell Park and Copper Head Island will be regulating their boat ramps and will not allow them to be used to launch rental vessels without registration. Signage will be erected soon. The Department will start letting people know that in order to operate their vessels, they will have to register with the Parks. This will help as this is private property under the department's jurisdiction. There has been a jet skiing incident already. There is a lot of activity occurring in that area. Throughout the summer, the Department will keep the Commission updated.

Gaston County Police Department (GCPD) – Sargeant Eric Knupp reported that he was trying out two new officers in a week and a half. He expects to have them hired soon. Sargeant Knupp was contacted by ORCA about a Swim Meet scheduled for May 4th. They were asking for assistance with the route starting near Hwy 27 up to the Dam and back. They will start around 7:30am and will end around 10 am. The Department is scheduled for RiverFest near the end of May and will be assisting the Belmont Police Department with Kayakers. He further reported that there was a Boating incident the past Saturday night involving multiple people aboard a vessel that they thought was sinking. Gaston County responded first and found that it was not sinking. No one was injured. The funding has been approved for the new Collar (large) boat which will be replaced after the season. May 1st will have a boat back down on the water by Morning Star and will speed up response times. Sargeant Knupp stated that starting after graduation, which will be on May 24 and he will have several officers on the water. He went on to inform the Commission that he would have officers on the water Friday, Saturday, Sunday, Monday and rest of the holiday week. After this time, the training will be complete and those officers will be full time. Capt. Sigmon only had the boating incident to report but could not be here.

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

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

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

Tega Cay Fire Department (TCFD) – Chief Glynn Hasty reported they have a joint education event on May 11 at their firehouse in partnership with Coast Guard mainly focusing on children and life jackets. Then on Friday June 21st paddle boarding event will start at Mountain Island Lake Park access and will proceed down to Tega Cay. It will begin at 6am and is expected to be complete by 7pm. The event is somewhat of a marathon with the aim to paddle the length of the lake, 24 miles . (They may be an access issue as the park has been closed for a while.) Another item for your calendar is a boat parade on July 5th in Tega Cay. Time has not been announced yet but will be on the website soon.

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

NC Wildlife Resources Commission (NCWRC) – Sergeant Laton reported no reportable incidents; however, there was a near miss reported. They expect a busy summer. On April 2, the department's annual meeting with Duke Energy was held. They discussed current projects on the waterway south and mainly highlighted public use issues. One big topic was unlawful commercial use of access areas without Commercial Use permits required from Duke and from NCWRC. They continue to look for ways to prevent recreational users from being hampered by commercial use. Commercial users are using the access ramps to float materials such as rip-rap and material stores on barges down the Lake. The Department asks if someone sees something to let them know and they will verify.

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

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

US Coast Guard Auxiliary (USCGA) – Officer Mark Wilson – reported 134 vessel safety checks. The whole Region including Lake Norman was a total of 218 vessel safety checks. He reported that there were several events scheduled in May: May 4th and 11th at the Morning Star, Hard Town and McLean locations. Then every second weekend will be out at Tega Cay for vessel safety checks as well. They will be at the Allison Creek location the following weekend. It may be every other month. They will have National Boating Safety Week starting May 18th -25th. They are expecting 100 inspections at the Thunderbird location. They are scheduled to be at Joyner’s Marina on May 23rd, Tega Kay on May 24th and Allison Creek on May 25th. Then USCGA expects going into June to continue routinely with Tega Cay and Allison Creek. They are continuing with every fourth Saturday boater education classes at Cabela. Flyers are being posted. Officer Wilson offered one to anyone interested. Question asked was there Lake Wylie specific information for the Commission’s website. Officer Wilson will send the updated specific Lake Wylie information for the website each reporting period. He further stated that one can search VSC to get information on where and when events are scheduled.

Mecklenburg County Land Use Environmental Service (MCLUES) – Stormwater Services - Mr. Dave Ferguson stated that he checked Duke’s Lake View and confirmed that the Mountain Lake Park access is closed until 2026. He suggested talking to the folks at Hwy 27. The Department was on the Lake this month, April. It is the last off month before the huge season begins. They will return on May 22nd or 23rd pending coordination with their Boat Captain. This will start the May – September routine sampling which will also include summer fecal high intensity site sampling, such as, the Sandbar and Camp Thunderbird. Other than that, April was quiet.

Steele Creek Fire Department (SCFD) –No Report.

Duke Energy – Lake Services Group -Mr. Kermit Taylor reported lake level at 97.5 this afternoon. There was no inflow protocol, no drought and no dredging. Of note, some commissioners will be taking a tour of the Catawba Plant.

Catawba Riverkeeper – Ms. Molinari reported that Swim Guide is right around the corner. Last year was a successful year, particularly with partners such as the Lake Wylie Marine Commission. They would like LWMC to support them again this year at the same sites. She further stated to look for an email tomorrow from Jenny Moore. The South Fork Restoration Protection plan was completed earlier this year. The report is available. She went on to say that if the Commission would like to learn more, she would be happy to review the plan. LWMC would like to have that plan presented soon.

TowBoatUS – Mr. Logan Thomas reported that services calls were picking back up with 45 tows since last meeting with most of them occurring within the last couple of weeks. One vessel removal was for a homeowner on Beaver Dam Creek. They were out at Paddle for the Cure with the Rotary Club on April 20th. They will be present at Riverfest and American Boating Public on May 18th. Chairman Webber requested more details on their invoices. The Pontoon boat was raised to be discarded at the request of a private owner that had been there for a long time.

Item 6 – Update on the FERC Application for the City of Belmont Park – Chairman Webber shared that Duke had some formatting questions with the application and is resolving the last issues with the City of Belmont. Once it is resubmitted to Duke, Duke will have 30 days to review it and provide any additional comments they may have.

Item 7 – Lyngbya Update – Chairman Webber reported that the first application was applied around April 15th. The notification that was provided is now on the website and will be pushed out through a press release. These applications will be ongoing monthly through September. The Chairman further stated he will seek to learn how Lake Norman received assistance from their Counties to assist with paying for the service and what progress

they have made in seeking assistance from the State. Chairman reminded everyone that this strategy will be ongoing expense as it is not expected to lead to eradication.

Item 8 – Charter Boat and Rental Boat Regulation – Chairman Webber and Executive Director Brennan appeared at the Gaston County meeting but have yet to receive comments from the County Attorney John Joye. The Chairman and Executive Director are scheduled to meet with Attorney Joye on Thursday. It is expected that the comments will be received at the meeting. Chairman Webber and Executive Director Brennan will then follow up with Gaston County Chairman Chad Brown and Commissioner Tom Keigher once they have reviewed the comments from Attorney Joye. An item of note is that there is a new type of charter that would offer two separate contracts, bareboat charter. Currently there is debate about the necessity of both contracts. It pertains to chartering without a Captain. Coast Guard rules, as written, do not require a Captain to be a certified Coast Guard Captain. Due to the fact there is a gap in these rules, the Chairman and Executive Director are working with Gaston County and Attorney Chris Clark on clarifying these issues and filling that gap. It is expected that it will be deemed as necessary that the Captain be certified.

Commissioner Jerry Smith reported that he, Commissioners Yarmon and Williford are working on the process where a potential rental owner will go online (LWMC) to receive their required permit. The sticker design will include the year on it, either a R for Rental or C for Commercial, a vessel number and the Lake Wylie Marine Commission Logo. They have thought of renting a boat as a trial to see how it goes. Hunter Wilson stated he could do that. Each committee member will go through the reservation procedures. Commissioner Yarmon stated that the application process is not to be clunky. It is intended to be on the website and integrated with Centralina systems. Once live, it should be a couple of pages to complete. Each user will be able to attach their certificate of insurance to the application (two page fillable pdf) as well. Then receive the two stickers, one starboard and one port in the mail and installed by the applicant.

Commissioner Smith moved to approve the boat rental from two different vendors up to \$500 each so commissioners could experience a rental experience firsthand and pay both vendors each the same amount. The proposed rental would be ½ day. Commissioner Williford will coordinate the rentals once we are ready to put this in motion. Commissioner Brad Yarmon seconded the motion. The motion passed unanimously

Hunter Wilson recommended to consider free boat safety inspections each year and to request the vessel inspection sheet showing pass. Officer Mark Briggs stated that it cannot be required but you can state that the LWMC accepts Coast Guard's inspections. Chairman Webber encouraged law enforcement departments to feel free to add to the discussions surrounding these impending regulations.

Item 9 – Buoys and Buoy Maintenance Update – Mr. Thomas Logan reported installed NWZ buoys at Joyner's Marina and replaced one by I-85 bridge. One additional one is to be installed by Wither's Cove in front of the firehouse this week. It may be time to order some more, with seven currently in stock. Weather buoy with yellow lighting behind Snug Harbor belongs to Mecklenburg County.

Item 10– Buoy Tracking Follow up – No Report.

Item 11 – Clean Marinas – Commissioner Williford Quay reported all five applications have been completed and the banners have been ordered. Delivery is expected in three weeks.

Item 12 – Catawba Riverkeeper RiverFest - May 18th from 11 am – 4 pm. Chairman Webber will check with Executive Director Brennan.

Item 13 – Treasurer’s Report – Commissioner Perkins stated that not much has changed since last meeting. Commission is still waiting for the York County payment. Chairman Webber stated that the Commission should track expenses for the following: lyngbya, charter issue, and website additions. He stated that the Commission needs to know the cost to justify the fees.

Item 14 - Chairman’s Report – Chairman Webber stated that he has covered much of his items. He stated that if the Commissioners are not sure what parts of the website to review for updates to see him. He also asked that when emailing Secretary/Treasurer Perkins to also copy him so he can follow up.

There is a steel beam hazard in the South Fork River. There is also a concrete pillar near I-85 which is a hazard as well. Vice Chairman Thomas asked how one would determine what gets marked or removed. Duke responded that they do not make a hazard navigation determination. There is a dock from 2019 under the I-85 bridge that would be the owner’s responsibility to mitigate. Commissioner Hartley has a map of all of these hazards. He will forward to the Chairman.

Item 15 – Executive Director’s Report –April 2024

Executive Director Neil Brennan submitted his report on the following items:

Federal Energy Regulatory Commission (FERC) Application

Duke had some formatting questions with the application and is resolving the last issues with the City of Belmont. Once it is resubmitted to Duke, Duke will have 30 days to review it and provide any additional comments they may have.

Lake Wylie Marine Commission Charter Boat and Vessel Rental Regulation

Briefed the Gaston County Board of County Commissioners on April 9th. The Gaston County attorney has promised a mark-up of the regulation to “tighten it up,” and two of the Gaston County commissioners had additional questions. The plan is to meet with the attorney and address the questions of the two commissioners. The required public hearing could likely be scheduled in conjunction with our May meeting.

Hazard to Navigation

Gaston County Commissioner Ronnie Worley advised of a steel beam 4” below the surface in the South Fork River that was discovered during a local cleanup project with the Cramerton Fire Department. Requested the NCWRC to communicate directly with the fire department contact. **See above discussion on the hazards.**

Catawba-Wateree Hydroelectric Project (FERC No. 2232) Comprehensive Relicensing Agreement Final (CRA)Agreement Committee

Attended the meeting of this group on April 22, 2024. The group reviews commitments in the Comprehensive Relicensing Agreement that address recreation commitments, construction projects, and land commitments.

Newsletter

Drafted the April Newsletter. Glad to receive articles for our Newsletter from any commissioner.

Item 16 - Administrator’s Report – No report

Item 17 - Public Relations – The release of the newsletter has done well reported Commissioner Perkins. He stated that he would add the charter vessel information and have the budget prepared.

Item 19 – Announcements: None.

Item 20 – Adjournment: The meeting adjourned at 8:01 pm.