

Lake Wylie Marine Commission



**February 26, 2007
7:00 p.m.**

**Red Fez Club
16,600 Red Fez Club Road
Charlotte, NC**

Minutes

Commissioners Present: Chairman Joe Stowe (Gaston County), Commissioner Don Cloninger (York County), Commissioner Bo Ibach (Mecklenburg County), Vice-Chairman Billy McLean (Gaston County), Commissioner Troy Blackmon (York County)

Commissioners Absent: Secretary/Treasurer Sandy DuPuy (Mecklenburg County), Commissioner Dan Ballou (York County)

LWMC Staff Present: Mike McLaurin, Executive Director, Chris Clark, Legal Counsel, Annette Lawing, Clerk,

| Topic | Discussion Summary | Action |
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| Welcome & Introductions | Chairman Joe Stowe called the meeting to order at 7:00 pm. | |
| Approve Minutes – January 27, 2007 | <p>The minutes from the January 22, 2007 meeting were approved with the following revision:</p> <ul style="list-style-type: none"> Page 5, Request for Comments, third paragraph – Delete statement <i>Sec/Treasurer Sandy DuPuy stated that the only change that was made to the proposed project since the letter was sent to the Commission is that they will not be stabilizing as much now.</i> | <p>A motion was made by Vice Chairman McLean to approve the January 22, 2007 LWMC meeting minutes with the stated revision. Seconded by Commissioner Ibach. The motion was approved.</p> |

| Topic | Discussion Summary | Action |
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| Consent Agenda | Consent Agenda - None | |
| Public Comments | Public Comments – None | |
| Hydrilla Report | <p>Hydrilla Report – Guest speaker Bob Elliott with Lake Norman Marine Commission reported that in 2003 the LNMC began working with Duke Energy and area citizens concerning the growing problem of <u>Hydrilla</u>. A committee consisting of lake residents, CMUD, NC Wildlife, LUESA, fishermen, Covekeepers, chambers of commerce and planning directors was formed to address this problem. This committee met to see what options were available to control the problem. Ken Manual of Duke Energy provided valuable assistance in this area. Options included herbicides (which were used initially) annual harvesting (the most expensive option) and sterile grass carp. Grass carp were selected as the best long-term option.</p> <p>In 2004, 6,000 grass carp were added to Lake Norman, 3,000 in 2005, 600 in 2006, and 400 to be added in 2007. The fish inventory needs about a 20% replacement rate due to fish dying, being caught or going over the dam into Mountain Island Lake. A population study will be conducted at Lake Norman to the grass carp to determine the age of the existing grass carp. This study helps determine how many fish need to be restocked.</p> <p>Mr. Elliott recommended that the Lake Wylie Marine Commission stock the lake sooner than later. The more that the Hydrilla grows; the more costs the Commission will incur to control the problem. At Lake Gaston, they currently have an extreme problem with Hydrilla and are having to fund approximately \$700,000 to control the problem. You don't need to wait until the problem is that extreme according to Elliott. Lake Norman Marine Commission hired an outside consultant, Dr. Kirk, to assist them in their efforts. Mr. Elliott recommends that LWMC do the same.</p> <p>Duke Energy's Ken Manual told the Commission that it is very important to get on top of this issue. Lake Wylie has 3,500 acres of potential habitat for this plant. Grass carp have worked well in other lakes to control this plant. In areas on Lake Wylie where Hydrilla are not well established yet, herbicides will be used. One of these areas is around the I-85 bridge. Duke will apply herbicide to that area this summer.</p> | |

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| Hydrilla Report (continued) | <p>Executive Director Mike McLaurin asked Ken Manuel if there were any regulations in South Carolina to harvesting grass carp. Ken was unsure of any legislation against fishing for grass carp. SCDNR Sgt. Todd Campbell said grass carp couldn't be taken by hook and line in South Carolina.</p> <p>The estimated costs of the sterile grass carp are \$5.00 each and usually takes about 15-20 fish per vegetated acre, stated Ken Manuel.</p> <p>Vice Chairman Billy McLean asked if herbicides only attack Hydrilla. Ken replied that the herbicides can kill other algae species but they're used at such a low rate that there is no concerns of harming fish or children while swimming.</p> <p>Chairman Stowe thanked Bob Elliott and Ken Manuel for their great insight and advice. The commission will continue to address this problem.</p> | |
| County Reports | <p>Charlotte Mecklenburg Police Department and SPLASH Report – Officer Terry Everhart reported</p> <ul style="list-style-type: none"> ❑ SPLASH Trailer – Graphics have been applied to SPLASH trailer ❑ Mid Atlantic Boat Show – very successful and SPLASH was a big hit. ❑ Display Board – a fiberglass display board was printed to promote unity among the area law enforcement agencies. ❑ Chris Decarlo – Chris distributed a prototype of a laminated pamphlet which described the various boating safety rules or emergency contact numbers (NC and SC), Some of the information included who can operate a PWC or a motorboat, equipment regulations, operation information, emergency contact numbers and information on boating safety classes. This lamination makes the handout waterproof and costs around \$1.00/ea. Chris asked if the Commission would be interested in assisting in funding this project. Chairman Stowe suggested that Chris bring a written request for funds to the March LWMC meeting. <p>Gaston County Police Department – No report</p> <p>York County Sheriff's Office – Deputy Ware reported</p> <ul style="list-style-type: none"> ❑ The dive team has been involved with monthly training ❑ Attended the Mid Atlantic Boat Show ❑ Requested that the Commission fund an additional law enforcement display board, similar to the one CMPD displayed at the Mid Atlantic Boat Show. In case there | <p>A motion was made by Commissioner Cloninger to approve the commission spending up to \$200 on the purchase of an additional law enforcement agency display board. Seconded by Commissioner Ibach. The motion was approved.</p> |

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| <p>County Reports (continued)</p> | <p>similar to the one CMPD displayed at the Mid Atlantic Boat Show. In case there was more than one event-taking place on the same day, two law enforcement agencies would have access to a board.</p> <p>N.C. Wildlife Resources – No report</p> <p>Tega Cay Police Department – No report</p> <p>S.C. Dept of Natural Resources – Sgt. Todd Campbell reported</p> <ul style="list-style-type: none"> □ Patrolling lake on an “as needed” basis. □ New officer in York County <p>Mecklenburg County Land Use and Environmental Service Agency (LUESA) – David Buetow reported</p> <ul style="list-style-type: none"> □ Will report during item #VI on the agenda (Environmental) <p>Duke Energy of the Carolinas – Ronnie Lawson reported</p> <ul style="list-style-type: none"> □ Docks Approved (4) □ Lake level is at 97.7 <p>Lake Wylie Lakekeeper – Steve Johnson reported</p> <ul style="list-style-type: none"> □ South Carolina cities and counties are not required to report to the public when there is a sewage spill. Steve brought this issue to the attention of DEHC. Chairman Stowe stated that Lake Wylie Marine Commissioner Dan Ballou is actively pursuing a policy to address this issue. □ Attended a training session for inspectors for Phase II Environmental Control. In Phase II, inspections have to be done every two weeks by the owner or the inspector hired by the owner. Steve distributed photos , which he had taken during one of his inspections. □ The Covekeepers have been testing water quality on the South Fork, Crowder’s Creek and various sites on Lake Wylie for the past 6 years. Funds will have to be raised by the Lake Wylie Covekeepers to continue this effort. The Covekeepers will work on this in the spring. | |

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| County Reports (continued) | <p>Mecklenburg County Parks and Recreation – Darrell McAllister reported</p> <ul style="list-style-type: none"> □ Darrell introduced himself as Park Watch Coordinator who will be working with Jason Holden at Latta Nature Preserve. | |
| Environmental | <p>Discussion of Sewage Spill on Long Creek – Angela Lee and Stuart Rosenberger with Charlotte Mecklenburg Utilities reported.</p> <p>Angela Lee manages the Field Operations Group with Charlotte Mecklenburg Utilities. This group manages the water sewage infrastructure for the County and lift stations are a part of this. Ms. Lee stated that while they have a strong record in managing the 72 lift stations that are in the County, unfortunately there was a sewage spill at the Neal Branch lift station on February 25th, which impacted Withers Cove.</p> <p>A construction crew cut a telephone line at or around the station. This damage resulted in disruption in the alarm communicating between the lift station and CMUD communications center. CMUD depends on these telephone lines to get communications back to its headquarters when there is a malfunction. Dispatchers are to check to make sure these lines are always working and if they cannot get through to these dialers, then they are to notify the technicians who will physically inspect the lift station. CMUD employees failed to follow procedure in this incident.</p> <p>Ms. Lee said that the malfunction occurred at around 3:00 p.m. on Saturday with the actual spill occurring at 11:00 p.m. The malfunction was not detected until Monday.</p> <p>Neal Branch lift station was supposed to be checked on Monday and Thursday. Once this spill was detected, CMUD notified the Catawba Riverkeeper Foundation, LUESA, NC DENR, SCDEHC and also distributed 70 door hangers at area residences. Since this error, CMUD has made several improvements to help prevent this from happening again in the future. For example, the station is receiving daily inspections instead of twice a week. CMUD is working to install automatic polling to all of the lift stations. This system will be able to detect if there is a phone line down and will notify the personnel if there is a problem. They have also increased the amount of checks (manually calling the lift stations) until this polling software is installed. Ms. Lee apologized for the error and stated that hopefully with these upcoming changes this error will not happen again.</p> | |

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| <p>Environmental (continued)</p> | <p>Chairman Stowe asked if Ms. Lee knew of any entity that informs the public of such a spill. Ms. Lee responded that part of CMUD's responsibilities is to contact LUESA and DENR when there is a spill. They also distribute door hangers at area residences and work with the media.</p> <p>Vice Chairman McLean asked if the door hangers were hung on Saturday when the spill began. Ms. Lee responded that CMUD was not made aware of the spill until Monday morning. Vice Chairman McLean wanted to know how many gallons were estimated to have spilled. Approximately 650,000 gallons, stated Ms. Lee.</p> <p>How many of the 72 lift stations are in the Lake Wylie area, asked Vice Chairman McLean. Stuart Rosenberger replied that there are approximately 6 lift stations in the Lake Wylie area.</p> <p>Commissioner Ibach asked Ms. Lee if daily inspections on the lift stations are done seven days a week. At this point, checks are not being done on Saturdays or Sundays unless there is an alarm, stated Ms. Lee.</p> <p>Executive Director Mike McLaurin asked Stuart Rosenberger what type of auxiliary power would these stations have for the automatic polling system in case of an ice storm. Mr. Rosenberger replied that there are backup generators to handle such a problem. Out of the 72 lift stations, 68 have or will have generators as a backup. These generators are checked monthly.</p> <p>David Buetow with Mecklenburg County Land Use Environmental Service distributed to the commission the news advisory that was released on January 30, 2007 regarding this spill. Mr. Buetow went to this spill site several times throughout the week and took water samples. These results were provided to the commission as well. After about a week of sampling, the fecal results were less than col. /100ml. The swimming advisory was lifted on February 7th.</p> <p>Commissioner Bo Ibach asked David if he did any testing on the other side of the bridge at Withers Cove. David replied that he did indeed take several samples and on February 5th the results were less than 100ml.</p> | |

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| <p>Environmental (continued)</p> | <p>Fuel Spill on Lake Wylie – The NC Department of Environmental Resources was invited to speak regarding this fuel spill but did not attend the meeting. John Marks of the <u>Lake Wylie Pilot</u> covered this story so Chairman Stowe asked if he could give a report on this spill. John said that before beginning his report, he wanted to comment on the CMUD sewage spill. He said that he received his first report from CMUD within hours of their discovering the spill. On Mecklenburg County’s website, anyone can sign up for news releases which will also help in getting the word out when an incident happens.</p> <p>This fuel spill happened February 7 at the upper part of Lake Wylie. John visited with an area resident that lives approximately ten miles from the spill and the smell of diesel fuel was very evident. A boom was placed across the river in order to channel the fuel down stream. An estimated 100 gallons of diesel was spilled.</p> <p>Two Withers Cove residents wanted to state that they did not get proper notification of the sewage spill in Withers Cove.</p> | |
| <p>Request for Comments</p> | <p>Riverside Marina – Randy Clawson reported The Commission received the request for the proposed public marina on River Road at their January 22, 2007 business meeting. At that meeting there was a discussion about having the development participate in the Clean Marina Program. Ann Duncan with Permits For You, stated that they would agree to participate in the Clean Marina Program once the marina is built. Following that meeting, Chairman Stowe and Secretary/Treasurer DuPuy visited the site. Chairman Stowe noticed in the application that once dredging was done, the contents from that dredging were going to be left on site. Chairman Stowe asked for clarity on this matter. Randy Clawson stated that a hole would be dug and used for a sedimentation basin. This hole would be about the size of the debris being dredged. The dredge contents would then be dumped in the hole and would be covered over. In time, this area would settle and harden. This is a good tool to monitor how much is dredged. Finally, Chairman Stowe asked if the marina would be tapped onto City water and sewage. Randy replied that they would indeed be on City water and sewage.</p> <p>The Commission approved the project and an approval letter will be generated.</p> | <p>A motion was made by Commissioner Cloninger to approve the proposed Riverside Marina project as submitted with the stipulation that the marina would participate in the Clean Marina Program. Seconded by Vice Chairman McLean. The motion was approved.</p> |

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| Request for Comments (continued) | Big Allison Bridge – Follow Up – Executive Director Mike McLaurin and Roy Highberg with Capital Management and Engineering reported that the Commission, at its November 2006 meeting, gave tentative approval to the proposed SC 274 bridge expansion project contingent upon the Commission approving a sedimentation benchmarking study. Since that time Roy Highberg provided additional information on the environmental protection methods for this site including detailed information on the sedimentation benchmarking study. This information is contained in a letter to Mr. McLaurin dated February 26, 2007. McLaurin recommended that the project receive final approval. | A motion was made by Commissioner Ibach to approve the Big Allison Bridge project as submitted with the benchmarking sedimentation study. Seconded by Commissioner Blackmon. The motion was approved. |
| Update on Splash Trailer and Graphics | Update on Splash Trailer and Graphics – See County Reports (CMPD) for update | |
| Update on the Interbasin Transfer Application by Concord and Kannapolis | Update on IBT – Chairman Joe Stowe updated the commission on the IBT. Chairman Stowe said that he understands that South Carolina is preparing legal documents to sue the State of North Carolina. Chairman Stowe was not aware of where this suit stands at this time. An article in the <u>Rock Hill Herald</u> stated that Representative Gullick and Senator Wes Hayes had introduced two separate bills regulating water quality and water quantity that would work to protect South Carolina waters. | |
| Update on the Law Enforcement Facility Contract | Update on Law Enforcement Facility – Chairman Joe Stowe reported The signed lease agreement has been received from Duke Energy. Subleases have been distributed to York County and SCDNR to sign. York County has signed their lease but there is a zoning problem with having trailers at the Law Enforcement site. Chairman Stowe stated that this is an emergency management facility and temporary trailers should be allowed. | |

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| Update on the Law Enforcement Facility Contract (continued) | <p>This issue is still being pursued. Sgt. Todd Campbell with SCDNR reported that their sublease is in the hands of the Budget Control Board. Legal Counsel, Chris Clark, will follow up with Paul League at the Budget Control Board.</p> <p>The Chairman asked for an update on the costing of moving the trailer.</p> | |
| Review of the Marine Commission Goals Worksheet | <p>Review of the Marine Commission Goals Worksheet –</p> <ul style="list-style-type: none"> □ Public Information, LKW Decals/License Plates – the LWMC decals were for sale at the Mid Atlantic Boat Show but not many were sold. Vice Chairman McLean is in hopes that he can sell more in the upcoming weeks. | |
| Finance and Activity Report | <p>Finance and Activity Report – Executive Director Mike McLaurin reported</p> <ul style="list-style-type: none"> □ Some monies were moved for longer terms savings □ In the process of putting together the FY07-08 budget. This year’s budget will include funds for Hydrilla and the Law Enforcement facility. Commissioner Ibach wanted to state that North Carolina might fund half the costs of adding grass carp to the lake to control the Hydrilla problem. CMUD may too cover some of this cost. This would lessen the impact on the LWMC funds. | |
| Other Business | <p>Chairman’s Report – No report</p> <p>Executive Directors Report – No report</p> | |
| Public Comments | <ul style="list-style-type: none"> □ Public Comments – None | |
| Adjournment | <p>The meeting was adjourned at 8:42 pm</p> | <p>The meeting was adjourned on motions by Commissioner Ibach and Vice Chairman McLean.</p> |

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| Next Business Meeting Date and Location | The next LWMC business meeting will be held on March 26, 2007 at 7:00 at Belmont City Hall, 115 N. Main Street, Belmont, NC | |

Annette Lawing, Marine Commission Clerk

Date