

MEETING NOTES

**SOUTH CAROLINA ELECTRIC & GAS COMPANY
SALUDA HYDRO PROJECT RELICENSING
LAKE AND LAND MANAGEMENT TWC**

**SCE&G Training Center
May 8, 2006**

Final ACG 6-6-06

ATTENDEES:

Alan Stuart, Kleinschmidt Associates
Alison Guth, Kleinschmidt Associates
Tommy Boozer, SCE&G
David Hancock, SCE&G
Ron Ahle, SCDNR
Steve Bell, LW
Joy Downs, LMA

Bill Argentieri, SCE&G
Tony Bebbler, SCPRT
Rhett Bickley, Lexington County
Van Hoffman, SCE&G
Randy Mahan, SCANA Services

DATE: May 8, 2006

HOMEWORK ITEMS:

- Distribute draft Shoreline Stabilization document for additional review – Alison Guth
- Internet Search on bioengineering methods and who is performing these activities – Ron Ahle
- Draft section on Limbing for inclusion in the Limited Brushing section of the SMP – Tommy Boozer and David Hancock
- Develop spreadsheet of each SMP issue and note changes and dates of changes made for each issue.
Alan Stuart

DATE OF NEXT MEETING: May 26, 2006 at 9:30 a.m.
Located at the Lake Murray Training Center

INTRODUCTIONS AND DISCUSSION

Alan Stuart opened the meeting and reviewed the Lake and Land Management RCG Mission Statement with the group. He noted that as specified in the mission statement it was the group's responsibility to develop the criteria for the Shoreline Management Plan. Alan also briefly reviewed the Priority Issues that were identified at the February 9th RCG meeting. Steve Bell noted that he agreed that the Priority Issues cover the basic issues that need to be discussed in the group. Steve B. also expressed interest in developing a report on how each issue is being addressed. Ron

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Ahle suggested developing a spreadsheet similar to what was developed for the Catawba Wateree Relicensings. He noted that the spreadsheet had the dates of changes made, and how issues were handled. Alan S. noted that he would work on developing a spreadsheet and everyone agreed it would be helpful.

Van Hoffman then began to give a presentation on a proposed land exchange between an individual (Dr. Fairey) and SCE&G. He noted that this was in reference to a tract of land on the Saluda River where Dr. Fairey owned down to the river. Van H. explained that due to releases from Lake Greenwood, parts of Dr. Fairey's property would flood, making it a good area for the management of waterfowl. Van explained that there was a small piece of property that was owned by SCE&G, however it was not easily accessible by the public without trespassing. Van H. noted that they had originally informed Dr. Fairey that they were not currently selling any fringeland due to the relicensing. However, Van noted that after some consideration SCE&G has proposed that they would entertain the idea of conveying him the tract of SCE&G property with a conservation easement for a 150 foot wide buffer along the water in fee title. Van H. explained that SCE&G feels that this is a win-win situation, which will, among other things, be beneficial for the waterfowl. Van H. continued to explain that they have not yet submitted their application to FERC and wanted to explain the situation to the group. Ron Ahle agreed that a big benefit from this transaction would be the assurance that the large trees along the water front would remain intact. He however expressed concern that a 150 foot wide strip would not be wide enough if all of the trees were cleared behind it or that a conservation easement could not be placed on the entire property. Van explained that they viewed this as the best option as they currently only own flowage rights on the property, he noted that he had originally wanted a 250 foot buffer, however they were only able to negotiate a 150 foot wide strip which equates to about 22 acres. Randy noted that there was a great deal of negotiation behind the proposal, in which conservation easements were thoroughly discussed.

Ron A. noted that when the request is submitted to the FERC, and it goes out on notice, that he is probably going to recommend that some areas be kept for public use, as Dr. Fairey is going to continue to reserve some spaces for his own use. He also noted that he would recommend that an additional 300 ft buffer be placed in a conservation easement behind the 150 ft strip to an organization such as the Congaree Land Trust.

The group then briefly reviewed the topic of limited brushing that was discussed in the previous Lake and Land TWC. Ron A. mentioned that one item that he realized was not discussed was the topic of limbing. He explained that below the 360 individuals are not allowed to cut and noted that possibly the limbing on desired species can be prohibited, or allowed only at a certain plant size. Rhett Bickley explained that there were advantages to the limbing of certain species. After some discussion, the group decided that there was the need for a separate section in the limited brushing

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document that addresses limbing. Tommy Boozer noted that they would develop a strawman section on this issue for the limited brushing document.

As a homework item from the last TWC meeting, the group began to review bank stabilization guidelines from the Corps and TVA. Tommy B. noted that in general the TVA does a better job explaining the options for shoreline stabilization. Steve Bell mentioned that he intended to call TVA and would discuss what their preferred method of stabilization was with them. In looking at guidelines distributed by TVA, the group viewed diagrams that illustrated examples of bank stabilization, and thought it a good idea to have similar diagrams in the version that they developed

The group then began to discuss the strawman that Ron Ahle developed for shoreline stabilization. Ron also suggested that it may be beneficial to the group to have Larry Dyck present a few examples on bank stabilization to the group, as he was very knowledgeable on this topic. Tommy Boozer also suggested Gene Hayes as a possible presenter. However, the group decided that initially Ron A. would begin this task by performing an internet search on bioengineering on shores and compile a list on who is performing these activities and what is being done.

The group began to discuss ideas on shoreline stabilization and interactively made changes to the strawman document. Tommy B. noted that it may be beneficial to include a section in the document that specified where one can purchase stabilization materials, as well as who will perform the work. Tommy B. also explained to the group that although they generally do not permit seawalls, there are a few situations where they are appropriate. Ron Ahle agreed that some wording may be placed in the plan that indicated that seawalls were permitted on a case to case basis.

After lunch the group continued to go through the draft version of Shoreline Stabilization criteria. David Hancock noted that they have come across situations where individuals want to add to existing rip-rap and he questioned whether another permit would be needed to accomplish that. Ron A. replied that if there is already an existing permit in place for a designated area that a new permit would most likely not be needed if they stay within the designated area.

The group began to discuss if there was a need for an offset between bank stabilization activities and an ESA. Ron A. noted that Duke had put in place a requirement of a 50 foot offset between an ESA and shoreline stabilization projects. Tommy B. noted that generally this should not be a concern due to the fact that the majority of ESA's around the lake are in shallow cove areas or in the backs of coves where there is no need for stabilization. Ron A. noted that his intention in this was to target areas with gentle slopes and aquatic vegetation. Although it was noted that this was generally not going to be an issue the group placed it in the plan for consideration.

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Final ACG 6-6-06

The group continued to discuss items from the draft plan. There was discussion on the applicant obtaining permits from appropriate local, state and federal agencies and these items were put into the parking lot.

The group continued through the document and made changes where needed (document with changes attached below). At the conclusion of the meeting Alison Guth noted that she would distribute the document by email once more before the next meeting, when they would finalize the draft document. After briefly reviewing the homework items the group noted that they would meet again on the 26th of May at 9:30.

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SOUTH CAROLINA DEPARTMENT OF NATURAL RESOURCES
Division of Wildlife and Freshwater Fisheries
Environmental Programs Office

MEMORANDUM

To: L & LM TWC (Saluda Hydro Project)
From: Ron Ahle
Date: 5-05-06
Subject: Straw-man for Shoreline Stabilization Criteria

Criteria for Shoreline Stabilization Permits *[Provide good diagrams]*

1) Since every possible situation cannot be anticipated, SCE&G Lake Management reserves the right to make special rulings in cases not specifically covered by these guidelines.

All shoreline stabilization efforts must be approved by SCE&G Lake Management prior to implementation and/or construction.

2) Adjoining property owners should be aware that conducting all shoreline stabilization activities at a federally licensed hydroelectric project (e.g., Saluda Hydroelectric Project, FERC Project No. P-516) is a privilege that can only be granted with authorization from the Licensee. No riprapping, seawalls, or retaining walls may be constructed, replaced, repaired, or added to without a permit from SCE&G. Furthermore, there are some areas of the lake where facilities may not be permitted because of environmental considerations, development patterns, physical lake characteristics, impacts to cultural resources, or other reasons.

3) New or expanding stabilization activities (excluding bio-engineering) may not be undertaken within a 50 feet offset from an Environmentally Sensitive Area (ESA) classification identified in the Shoreline Management Plan (SMP). All shoreline stabilization activities affecting ESA will be assessed on a case-by-case basis.

4) The applicant must be the owner of the tract of land immediately adjoining the high water mark (360-foot elevation), or SCE&G-owned buffer zone or have the written permission of the easement property owner on water rights tracts (i.e. SCE&G only has a flowage easement). SCE&G Lake Management will hold the applicant fully responsible for ongoing adherence with the current SMP

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(including maintaining structures in good repair). This responsibility transfers automatically along with ownership.

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5) All shoreline stabilization activities must comply with all local, state, and federal regulations, if applicable. Prior to beginning any activity/construction within the high water mark (360-foot elevation), the applicant must obtain all necessary governmental permits or approvals, and written authorization from SCE&G Lake Management, especially for any stabilization activities associated with native aquatic plants such as water willow beds.

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6) An individual permit from the US Army Corps of Engineers in South Carolina is required for stabilization that exceeds 500 linear feet of shoreline. Additionally, the South Carolina Department of Health and Environmental Control (SCDHEC) may require an individual permit for large shoreline stabilization projects.

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7) In order to protect aquatic resources typically all shoreline stabilization activities shall be performed when water elevation is below work area. When water elevation is above the work area, critical/emergency shoreline stabilization activities may be performed in the inundated work area during the months of July through February. The applicant should make every reasonable effort to minimize any adverse impact on fish, wildlife, and other natural resources.

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8) Riprap material must be quarry-run stone, natural stone, or other material approved by SCE&G. Tires, scrap metal, crushed block, construction/demolition debris or other types of material are not allowed for stabilization.

9) Minimal clearing below the high water mark (360-foot elevation) is allowed to create corridors for equipment access for stabilization projects. Access corridors should be incorporated into permanent pier/dock access corridors (i.e. foot paths) where practical. Vegetation removed to accommodate construction access for shoreline stabilization shall be replaced with native vegetation.

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10) Applicants are encouraged to avoid activities (including stabilization) that could have an adverse impact upon existing native aquatic plants. Bio-engineering is a preferred shoreline stabilization technique and is encouraged especially in eroded areas associated with emergent aquatic vegetation. Shoreline stabilization activities are limited to the eroded bank. Any unavoidable impacts to existing emergent aquatic vegetation, as a result of stabilization installation, require replanting vegetation in the impacted area(s). Rip rap installed below the high water mark (360-foot elevation) in vegetated areas must be limited to one layer deep to allow spaces between the stone for vegetation recruitment.

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11) The type of plantings utilized in bioengineering and landscape-planting projects should be native to South Carolina, and must be reviewed and approved by SCE&G Lake Management prior to introduction.

12) Approved bioengineering techniques and enhanced riprap techniques shall be required for eroded banks less than one foot and recommended for eroded banks up to two feet. (Figure for examples of acceptable enhanced rip-rap techniques).

13) Riprap use should be limited to only that area necessary to adequately stabilize the existing eroded bank. Riprap should be confined to the area between 6 feet below the high water mark (360 foot elevation) and high water mark (360 foot elevation), except where the entire placement is above severely eroded banks. These areas must be sloped back or terraced to provide minimum bank stability.

14) Stabilization of eroded banks that are 2 feet in height or higher or that are not associated with emergent aquatic vegetation can be stabilized using S C D O T Class B or larger size riprap with filter cloth. bio-engineering using significant live staking and planting, or other forms of bio-engineering within the riprap.

15) Retaining walls are only allowed for erosion control where the average eroded bank height is greater than 3 feet and the wall is constructed at the high water mark (360-foot elevation). Earth fills below the high water mark (360-foot elevation) are prohibited.

16) A layer of riprap (SCDOT Class B or larger) extending 6 feet lake-ward from full pond must be placed along the entire base of all retaining walls. The 6-foot requirement is measured vertically for steep slopes and horizontally for more gradual slopes where the vertical requirement would prove impractical.

Consequences for Violations

1. SCE&G Lake Management representatives will issue Stop Work Directives for any violations that are detected within the high water mark (360 foot elevation) of Lake Murray. Consequences for violations will include one or more of the following:

- Unwanted delays.
- Suspension or cancellation of approved shoreline stabilization permit.

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- Modification or removal of non-complying structures and restoration of disturbed areas at the owner's expense.
- Cancellation of all current shoreline permits and loss of consideration for future shoreline permits

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