

MEETING NOTES

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

**SCE&G Lake Murray Training Center
August 28, 2007**

Final acg 11-8-07

ATTENDEES:

Alison Guth, Kleinschmidt Associates
Alan Stuart, Kleinschmidt Associates
Steve Bell, Lake Watch
Carl Sundius, SouthShore Marina
Joy Downs, LMA
Amanda Hill, USFWS
Ron Ahle, SCDNR
Tommy Boozer, SCE&G
Jenn Taraskiewiez, SCWF

David Hancock, SCE&G
Bill Argentieri, SCE&G
Suzanne Rhodes, SCWF
Roy Parker, LMA
John Frick, property owner
Tony Bebbler, SCPRT
Van Hoffman, SCANA
Randy Mahan, SCANA

HOMEWORK:

- Alan Stuart to contact Jim Ruane about water quality presentation

DATE OF NEXT MEETING: **October 16, 2007**
Lake Murray Training Center

MEETING NOTES:

These notes serve to be a summary of the major points presented during the meeting and are not intended to be a transcript or analysis of the meeting.

Alan Stuart opened the meeting and noted that this meeting was called to allow for group discussion on a few key items of interest. Tommy Boozer welcomed the group and noted that he would like the groups input on several problem items that either came up from time to time, or were foreseeable problems in the future.

Tommy began by explaining some boating issues that they are experiencing to a small degree now, and could have problems with in the future. He explained that on Strom Thurmond Reservoir they

were having problems with individuals building behind the setback and then leaving boats along the setback area. He explained that on Lake Murray, one problem that they are dealing with now is a 106 ft houseboat that was at Lake Murray Marina, but was then being parked at a residential dock. He noted that they can control boats that are parked at docks because it is not permissible to park a boat larger than 30 ft. at a residential dock. However, Tommy explained that if the boat is pulled up on the bank, it is more difficult to require the property owner to move it. He also pointed out that another concern was, if the lake started to loose the commercial marinas then there would be no place for those individuals with boats larger than 30 ft. to go. Tommy explained that they are not sure if they want to undertake having recourse on where these boats go. David Hancock asked if they wanted to add a rule noting that individuals cannot pull boats up onto shoreline. Tommy emphasized that they are not looking to create more work, however, when individuals call, they expect a solution to a problem.

David suggested that it is harder to regulate individuals who own down to the 360, and pull the boat up onto their property. However, if an individual has pulled a boat up onto setback property or ESAs, then SCE&G can tell them to move the boat. Ron Ahle noted that if a boat greater than 30ft is not allowed at a residential dock, then certainly it is not allowed to park on the shoreline either. It was noted that this was a requirement in the General Permit, that boats greater than 30 ft were not allowed to park at a dock due to pump out issues.

Carl Sundius explained his concern that by limiting the number of slips that housing developments were allowed to have, that more and more individuals would park their boats along the shoreline. There was discussion in the group on whether or not a state law was needed to prevent boats from parking along the shoreline. Roy Parker pointed out that it would be impossible to address every single violation, however, there was a need to address the flagrant violators.

Tommy noted that with the group input, they would go back and look at this issue. He noted that their main concentration would be on ESA and Forest and Game Management Areas, and they would currently deal with it on a case by case basis.

The next issue of discussion was Tree Management. Tommy explained a little about the background of this issue. He noted they just received a letter from Harbor Watch explaining that they have 213 dead pine trees on their property, and they wanted to know at what time SCE&G was going to come remove them. Tommy explained that the cost of this is about 1000 dollars a day, and if the trees are large, they may only be able to take down several a day. Tommy added that in Harbor Watch's case, they were going to have to undertake a lot of replanting, as well. Tommy noted that they were considering placing the liability back on the dock permit noting that any trees that posed a danger should be the responsibility of the property owner. David also noted that an increased dock fee was another way to take care of the tree management issue. Randy pointed out that in theory, if SCE&G wanted to place the responsibility of dealing with 'danger trees' in the setback area or below the 360' contour, on the back property owner, it could exercise its right set forth in every dock permit to cancel the permit upon thirty days. He continued to note that SCE&G then could re-issue all the dock permits, requiring all the dock owners to sign new permits. The new permits would contain an additional term – one that as part of the permittee obligation in exchange for SCE&G's issuance of the permit, requires each permittee to bear responsibility for dealing with danger trees, subject to their securing SCE&G Lake Management review and approval for a tree removal before taking that action. Ron explained that the easiest way to handle this may be to come up with cost estimates for the management of dead trees around the lake, and then divide it by the number of dock permits and add it to the dock fees. Steve Bell noted that SCE&G's license requires the company to remove dead trees that are a problem within the project boundaries

and would object to SCE&G shifting that cost to homeowners.(see additional comments). The group discussed the positives and negatives of each option, and some group members preferred one option over the other.

The group questioned that if SCE&G went with the increased annual dock fee, then what would SCE&G do on property that does not have docks. Tommy replied that this would be something that they would have to deal with. David pointed out that that is where an annual fee is more plausible. Tommy noted that it was SCE&G's preference to take care of the trees if the money was available, because in their experience, many times home owners do more than just remove one tree.

Ron suggested that SCE&G develop a proposal on this to bring back to the TWC. David noted that they were going to look at the total cost of administering the SMP, including buffer zone restoration and tree management, and see how that could be spread out.

The next topic that the group discussed was on a scheduled drawdown. Alan explained that they had a Water Quality TWC meeting earlier in the month, and one discussion item was the water quality benefits of a periodic drawdown to 350'. Alan explained that one of the biggest water quality concerns on the lake was the Little Saluda River Embayment. Alan explained that Jim Ruane, of Reservoir Environmental Management Inc., had a concern that that section of the lake was functioning as its own entity and has internal nutrient cycling. It was explained that during stable water levels, the sediments that are accumulating phosphorus are not flushed to the lower areas of the lake, as they are during drawdowns. It was pointed out that it would be beneficial every 5 years, or so. Tommy noted that other reservoirs have this as a part of their SMP. Ron explained that Lake Wateree has a tremendous amount of sediments and is very eutrophic. He explained that they do not want Lake Murray to approach that in water quality.

The group decided that they would like to see a presentation on this from Jim Ruane and Alan noted that he would contact Jim concerning this.

The group then began to discuss the issue of breakwater protection. Tommy explained that they have received requests for breakwater protection due to the wave action on the lake. He noted that their concerns were in the restriction of navigable waters. Tommy explained that one individual has noted that he had new information on breakwater protection. Carl noted that they were floating attenuators, and briefly described the new technology. Amanda noted that in some situations breakwater protection could be beneficial, as they can decrease erosion. The group noted that it would have to be evaluated on an individual basis.

Steve Bell briefly noted that he had been called by an individual who has information on a low profile lift, and is interested in a slip-dock, however he does not have 200 ft. Steve suggested that if a slip dock did not exceed the normal footprint for individual docks and it allowed for low profile boat lifts, then the group should consider reducing the 200 ft. requirement. Tommy explained that in order to have a slip-dock, one would need at least 200 ft. because it allows an individual to park 3 boats. Tommy and David noted that they believed that this individual was referring to a drive on float.

Alan explained that he would like to talk about the land rebalancing exercise with the group. Ron suggested that DNR give a presentation to discuss the numbers and the categories and a future vision for the lake. SCE&G noted that they had a presentation on rebalancing as well. Steve Bell suggested that the group should first discuss and come to a consensus on the problem with the land use plan.

The group briefly discussed the recreation studies that were being performed as a part of the Recreation RCG before closing. Steve Bell reminded the group that the Recreation Management TWC would be making recommendations to the group relating to re-balancing of shoreline uses. The group also discussed agenda items for the upcoming meetings and adjourned.

Additional Comments Provided After the Issuance of the Draft Meeting Notes:

Lake Murray Watch- Additional Comments on 8/28/2007 LLM TWC Meeting

Houseboat parking on shoreline-

Tommy began by explaining some boating issues that they are experiencing to a small degree now, and could have problems with in the future. He explained that on Strom Thurmond Reservoir they were having problems with individuals building behind the setback and then leaving boats along the setback area.

Response- This is also happening on Lake Hartwell where development is occurring behind shorelines designated as "recreation" and "protection". It is my understanding that a new policy has been implemented that prohibits boats from being parked in these areas for extended periods. I will volunteer to contact the Corps for further information.

David suggested that it is harder to regulate individuals who own down to the 360, and pull the boat up onto their property.

Response- Since in most cases SCE&G owns the land below the 360' contour, the company should be able to control what's physically parked there for extended periods of time.

Tree Management-

Tommy B noted they just received a letter from Harbor Watch explaining that they have 213 dead pine trees on their property, and they wanted to know at what time SCE&G was going to come remove them. Tommy noted that they were considering placing the liability back on the dock permit noting that any danger trees were the responsibility of the property owner. Randy Mahan indicated that SCE&G could cancel all dock permits then require a fee in order to re-issue them. (The fee would be used to cover expenses for tree management)

Response- SCE&G's license to operate on a public waterway includes certain requirements including the responsibility to remove dead trees that pose a threat to public safety. I believe this is a part of "doing business" on a federally controlled project. In spite of opposition from agencies and knowing full well its future obligations relating to tree management, SCE&G allowed the development at Harbor Watch to go forward collecting revenues from the sale of over 20 acres of project lands. Knowing the company made a handsome profit on the sale of those twenty acres, I would have issue with the company now wanting to shift the cost of tree management including, Harbor Watch, to all lake residents. Rather than place the burden on lake residents, I would suggest that any future revenues from sales, including those from the sale of the 14 parcels recently approved by FERC, be placed in escrow to help fund the cost of shoreline management including

the removal of problem trees. With due respect to SCE&G, the privilege of using public waters as a free energy source for 30 to 50 years does not come with a “free ride”.

Steve Bell
Lake Murray Watch