

MEETING NOTES

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

**SCE&G Training Center
February 7, 2008**

final ACG 4-15-08

ATTENDEES:

Alan Stuart, Kleinschmidt Associates
Alison Guth, Kleinschmidt Associates
Tommy Boozer, SCE&G
David Hancock, SCE&G
Joy Downs, LMA
Ron Ahle, SCDNR
Randy Mahan, SCANA Services
Dick Christie, SCDNR
John Frick, Landowner
Jim Cumberland, SCCCL
Amanda Hill, USFWS

Steve Bell, LW
Bill Argentieri, SCE&G
Tony Beber, SCPRT
Van Hoffman, SCANA
Carl Sundius, CALM
Archie Trawick, CALM
John David Dawfins, Newberry County
Vivianne Vejdani, SCDNR
Roy Parker, LMA
Jim Leslie, Lake Murray Docks
Bill Brebner, YCOA
Suzanne Rhodes, SCWF

DATE: February 7, 2008

INTRODUCTIONS AND DISCUSSION

The meeting opened and the group was welcomed. The first item on the agenda was for property owner John Frick to present the group with a proposal for the framework of shoreline rebalancing. As John presented, he noted that he wanted to discuss rebalancing for Saluda and Newberry counties in a little more detail, as well. John described what he believed should be essentials for rebalancing. John's presentation in its entirety can be viewed at the following address:
<http://www.saludahydrorelicense.com/documents/rebalancingpresentationfrick2-7.ppt> .

John also discussed his straw-man for how the new Shoreline Management Plan should be structured. He noted that he believed all of the undeveloped shoreline along the lake should be protected and that a uniform 75 ft buffer should be established. He continued to explain that in many cases the buffer consisted of a small strip of land and it would be ideal to have the back property owners widen the strip. Steve Bell noted that he believed the 75 ft buffer should be up for discussion, as some stakeholders did not believe this was a wide enough strip of land. John responded that he believed it could be discussed, however there could be a dozen studies done on this issue that come up with many different answers. He continued to note that he believed that a

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uniform 75 ft would be a good option because it would shield the lake from the back property owners.

John continued through the proposal presentation and explained that he believed private docks should be eliminated in the future. He explained that private property owners that own property next to the PBL should receive boating access, however through multi-slip docks and a boat ramp. John also explained in his presentation how the proposed plan could be implemented. He noted that there should be a deeded land exchange between the back property owners and SCE&G to create a uniform 75 ft. buffer. He also explained that following the land exchange, land may be sold to the back property owner where it is larger than the 75 ft buffer. John added that he believed that it should not be mandatory to purchase fringeland in order to have multi-slip docks. John also explained that he believed for every acre that a back property owner purchases from SCE&G, they need to set aside that same amount of acreage in some sort of conservation easement to have no net loss of land. John explained that he believed the land should be developed low-density.

John also presented the group with positive impacts to the counties of Newberry and Saluda. He noted that his proposal would bring a large amount of revenue to the counties. Tommy Boozer asked if the value of the services that the counties would have to provide to the new homes was considered. John replied that the biggest cost to the counties would be the sheriff's protection and the schools; however there still would be a net gain.

Ron Ahle brought up the issue of the conservation easement mitigation with the landowners. He noted that it does not always work out where the conservation easement is where it is needed, simply where the landowner is willing to provide it. Ron added that if there was mitigation, one would need to have the areas specified ahead of time before any property is sold. Ron also noted he had concerns on selling the Forest and Game management lands, as many of the last vestiges of the DNR WMA program lands are above the Black's Bridge area.

John continued to review his presentation and noted that there were positive benefits to the back property owners as well. He noted that his plan allowed for the stabilization of property values at mean levels, there were preservation options available, there are penalties for non-compliance and the plan encouraged low density development.

John completed his presentation and the group continued to discuss the ideas that were raised. Ron pointed out that he liked several aspect of the presentation, however when the lake was considered on the whole, there was not a large amount of undeveloped land left, and forest and game was only 16 percent of this. Ron continued to explain that he believed the best foundation for the preservation of lands on the lake was through the forest and game management lands and the rebalancing process. He added that he did not believe that the forest and game management lands

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should be sold, but should stay in the Project and had more ecological benefits than a uniform 75ft setback. John pointed out that most of the property around the lake was held by private citizens and in order to protect the land, SCE&G would need to work with those private property owners to set it aside.

Joy Downs noted that she would be concerned that a developer would come in and develop high density with a multi-slip and potentially contribute to a lot of runoff. The group also discussed the parking of boats along the shoreline; John David Dawfins noted that subdivision covenants could state that boats cannot be pulled up onto the shoreline.

The group then began to discuss the straw-man developed on the Public Marina Application Procedure. Tommy discussed some of the definitions with the group and explained that the terms “Commercial” and “Public” was the same thing. He explained that what was being proposed in the straw-man would not apply to private sail clubs or condominium marinas, only true public marinas. Jim Leslie asked if a current public marina was destroyed in a storm, if the new criteria would prohibit rebuilding under their original permit. Tommy noted that this criteria did not apply to existing permitted marinas; however expansions to existing marinas should be evaluated on a case by case basis by a committee. Randy Mahan clarified, regarding the damage to an existing marina from a weather event, that the county may have non-conforming use regulations. He continued to note that, however SCE&G does not have non-conforming use regulations and marina owners can build back under the existing permit.

The group reviewed the document interactively while it was projected on the overhead screen. It was explained that SCE&G was proposing the development of a committee primarily made up of agencies to review marina applications. It was also explained that if a public marina applicant came to SCE&G there would be a set of guidelines that the applicant could review. It was also noted that the applicant would then make a presentation on his plans to the agency committee before he started the permitting process.

As the group discussed the formation of an agency committee, Ron noted that the agencies already met on a regular basis to discuss proposals. After much discussion the group decided that the committee meeting would occur first with the applicant, and then with the inter-agency meeting.

The group continued to review through the document. Tommy explained that SCE&G was looking into charging a fee for a public marina application filing due to the extensive costs related to it. Tommy also explained that they tried to address the lake organizations’ concerns regarding large private marinas through specifically defining “public marina” in the definitions. There was concern expressed that it would be difficult to enforce marinas to stay truly public. Carl Sundius asked if a developer were to build a subdivision across the street from a marina, and the developer wanted to

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wrap up a lease at a dock into the sale of a house, if that would be conflicting with the public marina status. Tommy replied that he did not believe that they could legally prohibit people from doing this, but that they simply wanted to make sure that the public has access to these facilities.

The group discussed whether to implement any conditions that a marina had to meet to be considered a true public marina. Ideas discussed included item such as the marina had to be on a public road, it must be manned 5-7 days per week, or that it must provide restrooms. Steve noted that he believed that there was not a need for more slips on the lake and he did not want to promote boat parking lots. Carl explained that a marina could not reasonably operate without providing slips. David Hancock reiterated that the committee would be looking at the plans for future marinas, which would provide for a review process on what would happen in the future.

After lunch, the group continued discussions and Suzanne Rhodes asked if there would be water quality monitoring at the marinas that had 10 or less slips. Tommy noted that the reason why they did not include water quality monitoring at the small marinas was that it was expensive and they did not have a big impact to water quality.

The group reviewed maps and diagrams on scenarios for new marinas with proposed restrictions. Tommy explained that they choose the orientation of the marina based on where it has the least impact. However, it was noted that there could be a possibility of a variance for existing marina expansions if there were no adjoining property owners or individuals being impacted. Carl noted that not having “no-wake zones”, could affect how things were oriented, especially with fueling operations.

There were some discussions on Dreher Island State Park and the marina operations there. Carl asked if SCPRT could raise the rates on their boat slips so that they were not competing with the commercial marinas. Archie Trawick added that the SCPRT had the resources to afford to put in infrastructure that the commercial marina operators could not compete with. Randy noted that they understand the difficulty in competing; however there was nothing that SCE&G could do regarding the SCPRT. Randy continued to point out that with regards to SCE&G, it is their obligation to provide facilities, however SCE&G does its best to make sure the private sector is able to operate.

The group re-capped the presentations. It was noted that everyone should review the straw-man on Public Marina Criteria and send back comments within a week. It was noted that SCE&G would update the straw-man with some of the information discussed at the meeting, such as a clause for the variance of existing facilities and a revision of the minimum distances for the 11 to 100 slips. Ron noted that he had some recommendations that he had written up and would forward to SCE&G so that it could be brought back to the group with the Public Marina “straw-man”. The group closed and noted that the next meeting was scheduled for March 13th. Group Adjourned.