

MEETING NOTES

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

**SCE&G Training Center
November 2, 2005**

ATTENDEES:

Alan Stuart, Kleinschmidt Associates
Alison Guth, Kleinschmidt Associates
Tommy Boozer, SCE&G
David Hancock, SCE&G
Ron Ahle, SCDNR
Bob Keener, LMA & LMSCA
Beth Trump, SCE&G
Randy Mahan, SCANA Services
George Duke, LMHC
Mark Leao, USFWS
Chris Page, SCDNR
Ralph Crafton, LMA
Dan Tufford, USC
Dick Christie, SCDNR
Don Tyler, LMA & LMHC
Richard Kidder, LMA
Roy Parker, LMA
Tim Flach, The State (observer)

Robert Yanity, SCE&G
Bill Marshall, SCDNR & LSSRAC
Tom Ruple, LMA
Van Hoffman, SCANA Services
Andy Miller, SCDHEC
Randall Shealy, Lake Murray Historical Soc.
Bill Cutler, LW & SCCCL
Steve Bell, LW
Patrick Moore, SCCCL & Am. Rivers
Teresa Powers, Newberry Co.
Amanda Hill, USFWS
Bill Argentieri, SCE&G
Beth Trump, SCE&G
Rhett Bickley, Lexington Co.
Tony Bebbler, SCPRT
Bill Mathias, LMA & Lake Murray Power
Squadron

DATE: November 2, 2005

ACTION ITEMS:

- Outline of SMP guidelines/Land Use:
Tommy Boozer and Randy Mahan
- Draft Mission Statement:
Alison Guth and Randy Mahan
- GIS Mapping:
Tommy Boozer and David Hancock
- Multi-slip dock application on SCANA website with link to relicensing website.
Alison Guth

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anymore. Tommy then gave an example of an SCE&G permitted water removal system and noted that they were for irrigation use only.

Discussion then moved to excavations, in which David Hancock pointed out that the only time they allow excavation to take place was when the land was dry.

In a discussion on erosion prevention, Tommy showed examples of rip-rap and noted that it was beneficial because it was the easiest to install on the shoreline and probably the most inexpensive. He also pointed out that seawalls are only allowed on the 360-foot elevation. You are not allowed to do any earth-fill encroachments.

Looking at other alternatives, Tommy showed an exhibit done in conjunction with the National Resource Conservation Service. This exhibit included a mixture of rip-rap, vegetation and interlocking blocks. He noted that one problem with interlocking blocks was when bushes were planted in the blocks, the water tended to undermine the root system. In order to use this material, you need to do some kind of grating or sloping. He noted that they were getting ready to send out a Shoreline Buffer Zone Restoration Plan for review.

Tommy discussed the Lake Murray Public Recreation areas and listed the following numbers: There are 16 Public Parks, 11 Future Parks, 23 Impromptu areas, 31 Public Marinas and Landings, 57 Private Marinas, and 65 islands open to the public (David Hancock noted that there are about 48 islands on the lake that are privately owned). Tommy pointed out that impromptu areas can be defined as areas at the end of a road where people could park and walk down to fish.

Discussions then began to center on Land Use classifications, to which Tommy noted that SCE&G is in the process of updating all of the classifications and submitting them to the FERC.

Easement Property was defined as property that SCE&G has sold down to 360. He noted that only about 12 percent is owned by individuals.

It was noted that buffer zones are shown by signs or paint to identify property line between an individual's property and SCE&G's. Tommy noted that it was an effective tool in reminding the property owner where the buffer zone was.

It was noted that fringe land is the property available for SCE&G to sell.

Bob Keener asked Tommy as to whether SCE&G was running into problems on the measurement of the 75 setback?

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Tommy Boozer replied that they had not. That is actually surveyed and it follows the contour, a horizontal distance.

Bob Keener then asked if it was understood by homeowners that it is measured horizontally.

Beth Trump noted that if SCE&G was going to sell, it is clearly marked.

Docks were discussed and it was noted that when they first started the inventory, there were 7800, and now there are over 9000. It was noted that all docks that were on the Lake before 1978, when they did survey, were grandfathered in, including docks with sitting areas on the end or middle of docks and boat houses. Tommy also noted that the dock permitting program is always changing.

David Hancock noted that SCE&G performs a shoreline inspection every year, meaning that they start an inventory and inspection of the docks that were built and permitted throughout the year and identify what has been built without a permit. They encouraged people to call if they notice something happening that they believe is not allowed.

Tommy presented a picture of an Environmentally Sensitive Area (ESA). Not all ESAs are restricted to the back of coves. Many are on open water.

Aquatic Plant Management was the next topic, and Tommy noted that *hydrilla* moved in in 1993 and then “exploded” during the drought. It was noted that treatments and drawdowns have been done to control it. Yellow primrose has encroached deeper in the past years but has started to die back.

A picture was shown of *hydrilla* infestation. It was noted that Cindy Aulbach Smith investigated *hydrilla* by diving, using an underwater camera, and rake in all the areas that traditionally had *hydrilla* and found that there was only a couple of short strands there.

It was noted that herbicide spraying is still an option in some areas, especially in public access areas.

In March 2003, they had 64,500 grass carp placed in areas around lake. Moreover, it was noted that they have been very successful in aquatic weed control.

David Hancock noted that the SMP is reviewed and changed every 5 years due to license requirements. He noted that they may ask for 10 year increments in the next license because sometimes it takes 5 years to get out the SMP, so they are constantly reviewing the SMP.

George Duke asked “Besides Tommy and David. Who deals with the lake?”

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Tommy replied that along with David Hancock and himself, staff included Curtis Stockman, Mary Ann Taylor, Mary Fitts (Secretary), and 4 other individuals do maintenance to public access areas.

George Duke then noted that “The Lake has expanded, but it doesn’t seem like you have grown.”

Randy Mahan replied that the technology has grown substantially, but he does agree that we may need more people out there.

Tommy Boozer noted that there are a couple things they need to look at. “Staffing has a lot to do with experience and we have been out there for many years. We are looking at the possibility of setting up more interaction between the communities. We need to promote information in community newsletters. You are never going to be able to stop violations, but property owners and neighbors can help. We are also looking at assessing more fees on the lake in order to pay for new staff and new equipment.”

Beth Trump also noted, “Land Management Group augments lake management groups. We are coming up with supplemental photography that will help bring information up quickly.”

The group asked “Is that information going to be on web?”

Beth Trump: “No, a lot of this information is not public.”

Bill Cutler asked: “What kind of outcomes are we shooting for and what features are we putting in place? If I understand it correctly, why I have to put in a buffer zone? I am more likely to follow the rules.”

Randy Mahan replied: “We are going to try to do better in public education in a number of areas.”

David Hancock noted: “LMA and other groups can also help out with education.”

Alan Stuart mentioned that one of the homework assignments needs to include thought on what presentations are needed in this group. It was noted that Lee’s presentation may be another option for the next group meeting or a presentation from the Natural Resource Conservation Service on buffer zones. The group agreed it was a good idea.

Bob Keener: “One concern I have is we talked about education. Tommy mentioned Harbor Watch several times and several years ago. I and some other people wrote to FERC about what happened there and FERC said you had to develop a shoreline renourishment plan. What has happened with

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that? I would be interested in seeing an update on those projects and what has been done. It is obvious that they have a lot on their plate.

Ron Ahle: "One thing that I have noticed is missing is success criteria or goals to be met in a time period. If you have that plan, it is easier to see what is expected and I can see us coming up with some good ideas on how to ensure that."

Tommy Boozer: "We are in the process of coming up with a plan that will be reviewed and we are going to address areas that had violations and bring other areas up to standard. It is a draft and it will be open for comment. We wanted to develop a plan that we could see the success in, and we need to get the backing of property owners and other folks to buy in."

David Hancock (in reference to Bob Keener's question above): "I can say that we have, and they have, planted thousands of trees within the last 5 years. A few have not survived, but lots have survived and we continue to plant."

The group then shifted gears to discuss the Operating Procedures. Alan noted that they prepared some draft Operating Procedures, upon which they received comments from SCCCL/Am. Rivers with 9 signatories. He also noted that one of SCCCL's recommendations was to form a procedural group. Alan mentioned that LMA had stated that they did not support an official group for procedures. Randy noted that he would rather develop an ad hoc group as needed instead of defining such a strict box from the beginning.

Randy Mahan: "If it comes down to it, and we need this committee, then we will by all means form an ad hoc group. However, let's not form such a tight box right away."

Alan also pointed out that there had been some confusion with the "parking lot". He noted that any discussion item placed in the parking lot would be addressed in some manner. He noted that a parking lot was put into place so that items irrelevant to the discussion topic would not disrupt the day. It was also noted that with regards to the media, you might speak on behalf of your organization; however, you are not permitted to speak on behalf of the Lake and Land Management Resource Conservation Group.

Randy Mahan: "I do not anticipate that the RCG will be putting out news releases. Minutes will be posted on the website. Any information that the individual wants, they can get from the website. Anyone can make a statement on their own behalf, but not on behalf of the RCG."

The group began to discuss the status of the Operating Procedures and it was noted that they were in the process of being revised to include new comments. They will be finalized in the next couple weeks. Patrick Moore requested that a definition section was included in the procedures.

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Steve Bell: "Since there will not be a procedural committee, are you still accepting comments?"

Randy Mahan: "Yes. However, they need to be submitted in a timely fashion."

Bill Cutler: "There is a specific rationale behind recommendations. I am firmly convinced that there are things regarding the nature of the process that can't be avoided. The comments that we submit express a formalization or framework. The issues are: who are stakeholders; what are the interests of the stakeholders; what is the picture of success; how are solution options generated; how are solution options evaluated; and having agreed upon it, what is the preferred solution and is that solution valid and why? I challenge you to take a look at the questions; omitting questions may have adverse consequences on the outcome. "

Bill Marshall questioned whether the scope of this RCG was exclusively the lake or if downstream was included.

Randy Mahan noted that it included anything in or impacted by project, downstream included.

Bill Cutler: "What about outside the project, like runoff and such?"

Randy Mahan: "That is certainly an appropriate scope of inquiry for *someone*. My question is: is it an appropriate scope for the relicensing of a project? In terms of overall regional development, I am not sure that there is much we will have to deal with in licensing process."

The group briefly discussed whether or not to group the meetings by issue, in that fashion those who did not have an interest in downstream resources or such did not have to attend that meeting. Randy Mahan noted that he did not have a problem grouping the issues when it made logical sense to group the issues; however he noted that it was up to the committee to decide.

Bob Keener: "I think it is real important that those who are primarily oriented on the lake understand what goes on downstream, and if downstream oriented individuals understand lake issues, then hopefully, we can support each other and there will not have a us versus them syndrome.

The group agreed with Mr. Keener and decided that if necessary, at the end of an agenda, you can have it as an isolated item for discussion.

LUNCH BREAK

Round table discussion on goals people would like to see as a result of regulation.

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SCE&G noted that they would like to see a 10 year or so appropriate SMP review time period, unless something arises that needs to be addressed in the middle of a review process

Bill Cutler noted that he would like to see a robust product that is adaptable to changing realities.

Patrick Moore pointed out that he would like to see a full and comprehensive evaluation on what effects the water has on water levels in Broad and Congaree, a comprehensive analysis on the effects on downstream resources.

Amanda Hill noted on behalf of the USFWS, that they would like to see a completion of current SMP, per the June 23rd order.

Bill Argentieri replied: “We were discussing that the June 23rd order required submission to FERC, and what we have noted that some of those same issues are going to be discussed in this forum, but we need to send something to FERC in the interim. We are developing several plans that we are going to pass around to the agencies and we are submitting that to FERC. Not to say these plans won’t end up in the new plan we submit with the application.

Amanda Hill: “Sounds good. That is what we want to see.”

Randy Mahan: “What we are talking about is the sediment and erosion control program. We think it is going to meet current FERC obligation and, hopefully, agencies will think it is good enough for now, but it can still be improved on in the future.”

Randy Mahan: We may want a goal on developing the concepts on how to enforce violations and prevent people from ignoring. Maybe an education program.

Alan Stuart then led the group into discussions on what the ultimate goal of the group would be. George Duke mentioned that he would like to see the issues put into a “time machine” and their significance to the future looked at.

Ron Ahle noted: (to Alan Stuart) “A goal for this group is that we should be looking at the shoreline management plan and guidelines, and updating these to the current conditions of the lake and get a management plan that everyone can agree upon, that will be of benefit to the lake.”

Amanda Hill added: “And identify those things that are not in the existing plan and include them in the new plan.”

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Randy Mahan: “Then you have to define the appropriate elements in the plan related to various issues. Our goal is to get a settlement agreement.”

From this point, the group then worked on developing a mission statement. Bill Cutler noted that there were several items that should be included in the content of the mission statement, these included: the scope of the group, goal of the group, method of approach. Randy Mahan came up with a “strawman” draft mission statement and noted that they wanted to include all properties within the PBL upstream and downstream and all boundaries outside PBL that the project through its SMP could have a material impact on.

As an aside, Randall Shealy noted the following: “At some point, are we going to be talking about how it is not fair that Lexington and Richland counties get all of the tax breaks and the Newberry and Saluda have to keep things natural. You should come up with some sort of percentage that should be developed versus natural. It is not fair for the other counties. Split it by counties and go by so many buildings per shore mile, so much development per shore mile.

Ron Ahle noted: “That needed to happen 50 years ago. We would love to divide it out for each county and it is too late to do that.”

Randall replied: “[the past] can’t be changed, but you can say from this date forward [it will change].”

Randy Mahan: “I agree with you, but I agree that the challenge is to look at what we have left and look at that in a way that addresses all these issues including the unfairness to Saluda and Newberry. You only have a limited amount of shoreline left and you can’t have it completely balanced, but you can have a goal of trying to get as much consensus as possible. We are going to do the best we can.”

Back on the topic of the Mission Statement, Bill Cutler noted that one thing in the mission statement that wasn’t listed but implied, would be cooperating with the other RCGs.

The Agenda was the next discussion topic and Alan noted that Lee Xanthakos of SCE&G System Control has a very good presentation on the operation of Saluda. Tommy Boozer also noted that he would put a call into NRCS to see if they could give a presentation as well.

Alan Stuart noted that one Homework Assignment would include a review of the Study Requests (passed out in the meeting). Randy Mahan noted that SCE&G believes that they already have information for some of the requests and may only need to do a tabletop study.

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Randy also suggested a homework item include a review of operating procedures and ICD. He noted that the ICD has a lot of information that may have been missed previously; he also recommended that the group look at shoreline management plan book.

The group wrapped up discussions and the meeting was adjourned.

ADDITIONS AND/OR COMMENTS PROVIDED SUBSEQUENT TO THE MEETING:

*Regarding the discussion of Operating Procedures on Page 6, Bill Marshall noted the following:
The Lower Saluda Scenic River Advisory Council also submitted a letter to SCE&G recommending the formation of a procedural group.*