

## **Catawba/Wateree Basin Advisory Commission Meeting October 21, 2005**

The meeting was held at the River Hills Country Club on Lake Wylie and began at approximately 10:15 am. The meeting was staffed with personnel from the South Carolina Department of Health and Environmental Control (SCDHEC) and the North Carolina Department of Environment and Natural Resources (NCDENR).

After a welcome by Sally Knowles from SCDHEC, other Department staff were introduced.

The multiple purposes for this meeting were to:

1. Convene Commission for the initial meeting
2. Explain purpose and powers of the Commission
3. Elect a chairman and vice-chairman
4. Identify stakeholders
5. Identify key issues
6. Determine frequency and dates of future meetings

The authorities for establishing the Commission are legislative acts from North Carolina and South Carolina.

Senate Bill 859 in NC, SL 2004-83, signed by Governor 7/8/2004

Senate Bill 720, Act 262, signed by Governor 7/6/2004

The legislative purpose of the Commission is to:

1. Provide guidance and make recommendations to local, state, and federal legislative and administrative bodies to ensure protection and stewardship of the river and associated natural resources.
2. Provide a forum for discussion of issues affecting water quality, water quantity, and other natural resources.
3. Promote communication, coordination, and education among stakeholders.
4. Identify problems and recommend solutions.
5. Undertake studies related to water quantity, water quality, and other natural resources using existing data available from agencies in both states.
6. Determine the best approach ~~for~~ to provide recommendations for integrated river management including the assimilative capacity of the river.

The legislative mandated powers and duties of the Commission are:

1. Develop rules and procedures of conduct.
2. Establish standing and ad hoc committees.
3. Seek, apply for, and expend gifts, grants, donations, services, and other aid from public or private sources.
4. Exercise the powers of a corporate body.
5. Enter into contracts and execute all instruments necessary to achieve the purposes.
6. Designate a fiscal agent.
7. Perform any lawful acts necessary or appropriate to achieve the purposes.

The Commissioners were reminded that the acts from both NC and SC state: “All authority granted to the Commission is advisory and in no way shall the Commission be construed to have any regulatory authority.”

The Commission consists of 15 members and those present were introduced. A roster of the Commission members is attached. There are eight legislative members, four from each state. Other members represent various **interests** in the basin and are from both states.

Senator Clodfelter from North Carolina nominated Senator Hayes from South Carolina as Chairman. Senator Hayes was elected Chairman by acclamation. Tim Mead nominated Senator Clodfelter as Vice Chairman and he also was elected by acclamation. Senator Hayes began presiding over the meeting.

The Commissioners, along with stakeholders present at the meeting, identified other stakeholders who should be kept apprised of the Commission's activities.

- Crescent Resources
- Land Developers
- Duke Power Lakes Management
- Charlotte Mecklenburg Utilities
- Water Users - public and industrial
- All affected municipal and county governments (Gaston County was mentioned specifically)
- All Stakeholders identified by Duke Power for Catawba/Wateree FERC relicensing
- UCRLA (Private Property)
- Councils of Government
- Covekeepers
- Land Trusts
- NC **Environmental Management** Commission
- SC Department of Natural Resources
- Relicensing Science/Technical Advisory Committee
- Planners
- Farm Bureau (Ann Cone)
- S&WCD
- Recreational Users (Trout Unlimited, BASS, Parks and Recreation, Carolina Canoe Club)
- Marinas
- US Environmental Protection Agency
- US Army Corps of Engineers
- US Fish and Wildlife Service
- US Geological Survey
- Stakeholders downstream of Lake Wateree
- QNRC
- Gaston NRB
- E. Lincoln Betterment Association
- Large Industrial Dischargers

SCDHEC and NCDENR will develop a database of stakeholders to provide them updates on the Commission's activities and to notify them of future meetings.

The Commissioners, along with stakeholders present at the meeting, identified other stakeholders who should be kept apprised of the Commission's activities.

Kathy Stecker, with SCDHEC, served as a facilitator for this Session. She grouped and summarized the issues.

#### Water Quantity

- Interbasin Transfer – make policy recommendations
- Integrated Water Use Plan

- Raw Water Availability, Allocation
- Water Reuse
- Water Distribution Conservation
- Minimizing Evaporative Use
- Groundwater Withdrawals
- Reservoir Capacity

#### Water Quality

- Land Use and Water Quantity
- Phosphorus/Algae (set cap on P loading, also consider drinking water taste and odor)
- Sediment/Siltation
- Aging Infrastructure
- Realistic Fines for Violators
- Move Outfalls Above Intakes
- Effluent Limits
- Other Pollution Sources (NPS)
- Water Quality Standards Consistency Between NC and SC, Including Stormwater
- Reservoir Capacity

#### Land Use

- Growth
- Policy Coordination (Buffers, Stormwater, Wetlands, etc.)
- Land Preservation
- Educating Developers
- Integrate Policies by River Basin, not political boundary
- Conflicts – Growth, Land Use, and Water Quality
- Conservation Design
- Continue Coordination Among Land Trusts and Governments
- Overlay Entire Basin (Zoning)
- Reservoir Capacity – being diminished by silting in

#### Other

- Reservoirs Filling In (Maintain Capacity)
- (Process) Commission = Duke Power's Partner, Help
- Costs of Water

The group discussed the issues and made the following observations:

- New reservoirs are needed to increase supply in future- water quality
- Water quality and quantity are connected – need to address both
- Sedimentation is related to land use etc. therefore water quantity is a more important issue to address
- There are regulations which address water quality but there needs to be more oversight on water quantity issues – policy.
- Duke Power has done calculations to determine the safe yield for the reservoirs. That is the amount of water that can be withdrawn without causing **problems**.
- The Commission should look at next 40 – 50 years water demand. The Commission should hear from in Duke Power and NC and SC experts to address water use needs.
- The Commission should bring in other states that have dealt with interstate water issues. The Delaware River Commission was suggested.

- While there is concern for both water quality and quantity, the Commission should but should start with quantity
- The Commission should take advantage of what has been done in other areas
- Some current plans for interbasin transfers are big issues – find out what is going on with those permits.

One member reminded the rest of the Commissioners that they shouldn't intervene in those decisions, as the Commission has no regulatory authority. The Catawba is water rich compared with other basins but the Commission reached a consensus that water quantity is currently the most important issue that the Commission should address. It is best to address a potential problem when there is no huge crisis looming.

The Commission decided to hold future meetings once per quarter. The next meeting will be the first or second week of January 2006 and will likely be in North Carolina. Senator Hayes suggested the agenda for the next meeting include presentations from Duke Power, SCDHEC, and NCDENR about what is being done regarding water quantity.

The meeting was adjourned at approximately 1:30 pm.