

**Land, Water & Conservation Division
Advisory Committee Minutes
Dennis Building, Room 335
Columbia, South Carolina
Thursday, January 24, 2008**

Present:

William S. Simpson, III	Lewis Walker
Lynn Youmans, Jr.	Charles Broadwell
Thomas Garrison, III	Larry Nates
Oscar Stevens	Patricia C. Hartung
Dr. Nadim Aziz	James McLeod
Steve Kinard	Dr. Webb Smathers

Staff:

Steve de Kozlowski	Hank Stallworth
Barry Beasley	Bill Clendenin
Chris Page	Stuart Greeter
Ann Nolte	Marc Cribb
Bud Badr	Hope Mizzell
Mary Crockett	Dorothy Phillips

Call to Order/Welcome: The January 24, 2008, meeting was called to order by Chairman William Simpson at 1:05 p.m. In compliance with the provisions of Section 30-4-80(e) (Freedom of Information Act), notification of this meeting was given to all persons, organizations, local news media, and other news media that have requested such notification.

Mr. Simpson reported that Mr. Murray, Mr. Moss, and Mr. Davant were absent.

Approval of October 18, 2007, Minutes: Motion was made by Mr. Lynn Youmans to approve the October 18, 2007, minutes and seconded by Dr. Nadim Aziz. All were in favor.

Draft 2008 Aquatic Plant Management Plan: Chris Page, Aquatic Nuisance Species Program Coordinator, reviewed program accomplishments in 2007 and program goals for 2008. In 2007, 35 water-bodies were managed, including State Park lakes. Phragmites led the control efforts with 1,738 acres treated at a cost of \$324,617. In total, 4, 208 acres of invasive species were treated at a cost of \$773,263.

Mr. Page highlighted problem areas that were treated: Back River Reservoir, 422 acres - \$61,212; Winyah Bay, 100 acres - \$17,388; Bonneau Ferry, 53 acres - \$5,889; Cooper River, 329 acres - \$43,126; Goose Creek, 299 acres - \$27,043; and Lake Greenwood, 140 acres - \$36,469. Projects are initiated in several ways, from phone calls from the public, referral from conservation district personnel, and regular surveys.

2008 program goals will provide habitat enhancement, monitor the occurrence and spread of aquatic invasive species, and provide education on them. Staff anticipate treating 35 water bodies, including State Park lakes.

Mr. Simpson asked if the drought reduced their coverage. Mr. Page responded that most areas of the Santee Cooper Lakes with hydrilla were dry, but when water levels return it will remain a problem.

Draft S.C. Aquatic Invasive Species Management Plan: Steve de Kozlowski, Interim Deputy Director, said this is the first comprehensive plan to identify and manage the impact of invasive freshwater and marine species in South Carolina. A task force of about 33 individuals, representing federal and state agencies and non-governmental organizations, held seven meetings between July 2006 and August 2007. Their goal is to prevent and control the introduction, spread, and impact of aquatic invasive species (AIS) in the state. Eight objectives were formulated:

1. Increase coordination of AIS activities.
2. Educate public and private stakeholders.
3. Monitor the occurrence and spread of AIS.
4. Eradicate newly established and established AIS when possible.
5. Manage AIS when eradication is not possible.
6. Identify and implement needed research.
7. Strengthen legislative and regulatory authority.
8. Secure funding.

The 160-page draft plan will be completed in March and returned to federal and state agencies for final approvals. It will then be transmitted to the Governor's Office and to Washington for approval by the Aquatic Nuisance Species Task Force. Some federal funds may be available. Several states have requested copies of the draft.

Drought Update: Ms. Hope Mizzell, State Climatologist with the State Climate Office, briefed the committee on the drought status, showing pictures of low lake levels around the state, including Lakes Marion and Moultrie, Lake Hartwell, and Lake Jocassee. The U.S. Army Corps of Engineers was operating the Savannah Corps lakes at Trigger Level 3. The State Drought Committee met on January 23 and maintained the "severe" drought status for all counties except Beaufort and Jasper, which remained "moderate." Streamflows and lake levels had not recovered to normal ranges; the S.C. Forestry Commission remained concerned about wildfires. Ms. Mizzell noted that a large percentage of the state had recently received above normal rainfall.

In October 2007, Governor Sanford urged voluntary water conservation. The SCO sent water surveys to 619 water systems to determine their response to the current drought. A follow-up survey was mailed in December 2007. Of the 242 surveys returned, 43 had mandatory restrictions, 137 had voluntary restrictions, 114 had no water restrictions, and three had both voluntary and mandatory. Fifty-six percent of the state's population that is served by water systems had been asked to voluntarily conserve. Twenty-six percent of

the state's population was under some type of mandatory restrictions, most occurring in the Catawba-Wateree Basin. Staff received no response from 10% of those surveyed and 8% did not plan to ask their customers to restrict their water use.

Mr. Jim McLeod asked about requirements for water systems that depend on groundwater. Ms. Mizzell responded that water systems are asked to provide DNR with trigger levels for their wells and reservoirs, but the agency does not have the authority to mandate they take certain actions. The Drought Response Act contains a mechanism that allows the Drought Response Committee to overrule local water system ordinances and take action to curtail non-essential water usage, such as outdoor irrigation. Ms. Mizzell noted she did not anticipate such an action occurring. However, if rains had not occurred in December, the State Drought Committee might have been faced with such circumstances in January. If working with the local water systems does not provide needed results, the Committee may provide recommendation(s), such as curtailment of essential and non-essential water use, to the Governor.

Ms. Mizzell closed by stating that the long-range forecast is for below normal precipitation until May.

Lynches and Catawba Scenic River Eligibility Studies: Ms. Mary Crockett, River Conservation Program, presented the various steps in the process of designating a stream or portion of a stream a State Scenic River. The benefits of this cooperative, voluntary program include the DNR partnership with the communities around the scenic river and their management of that river forever. Designation increases the river's recognition and the need to conserve and manage it. The river is managed by an advisory council of local river-bordering landowners who have developed a management plan for the river. South Carolina now has nine State Scenic Rivers. The Catawba River would become the tenth and the Lynches designation would extend the current scenic river status to the Great Pee Dee.

The first step in the process is a local request is received for designation. For the Catawba, the Nation Ford Land Trust and the Katawba Valley Land Trust made the request. For the Lynches, the City of Johnsonville and the Francis Marion Trail Commission made the request. Following receipt of a request, staff prepares an eligibility study. The draft eligibility study has a 30-day public review period to receive comment(s). The final version of these two studies will be posted on the agency website. Public meetings for the Catawba were scheduled for January 28, 29, and 30 from 7 p.m. – 9 p.m. (Lancaster, Chester, and Rock Hill). The public meeting for the lower Lynches River was January 28 (Johnsonville) from 7 p.m. – 9 p.m.

Following the public meeting(s), the eligibility study is taken to the LWC Division's Advisory Committee and then the DNR Board for approval. A bill is then drafted and introduced in the General Assembly for designation. Once a river is designated, letters are sent to all river-bordering landowners and any others who are interested. This letter normally contains a questionnaire for them to return if they are interested in becoming an advisory council member or in working on this project. For both the Catawba and

Lynches Rivers, an existing management plan will be updated. The Catawba River's management plan was written in the 1990s and the Lynches' was rewritten two to three years ago.

The Lynches designation would include the river from the lower end of Lynches River County Park to the confluence with the Great Pee Dee. Residents along this stretch will be incorporated into the existing Lynches River Advisory Council. The Catawba designation is from Lake Wylie Dam to Highway 9/Fishing Creek Reservoir.

Mr. McLeod asked staff to insure that the local conservation districts are aware of the public meetings. Ms. Crockett said a conservation districts staff person has worked on the Catawba project since it began. She also said media coverage was good for both rivers. Mr. de Kozlowski noted that two conservation district staff manage the Ashley and Little Pee Dee Scenic Rivers, resulting in a close internal network.

Mr. McLeod moved that the LWC Advisory Committee approve the two eligibility studies supporting the designation of the Catawba and lower Lynches Rivers as State Scenic Rivers contingent upon the conclusion of all public meetings. Mr. Oscar Stevens seconded the motion. All were in favor.

S.C. Geological Survey Update: Dr. William Clendenin, State Geologist, provided a presentation titled "Land and Geology – Another Catch 22." The Catch 22 is that land exists because of geology, but geology does not exist because of land. The Geological Survey's enabling legislation states it

- 1) ... shall conduct ... studies in geologic reconnaissance, mapping, ... and related gathering of surface and subsurface information. (nature)
- 2) ... shall provide ... advice and assistance to other ... agencies engaged in environmental protection.... In addition, ... must be involved actively in ... regional planning and effective land use in the State. (function)
- 3) ... shall encourage economic development ... by disseminating published geological information as bulletins, maps, ... and reports to appropriate agencies and private industry. (purpose)

Whether the Survey is involved with environmental protection, regional planning, or effective land use, the key word is effective. Efficiency is being able to do something the right way, while being effective means that something is done right. Dr. Clendenin emphasized the need to consider the subsurface in order to have effective land use. The final purpose of the Geological Survey is to disseminate information to other state agencies, private industry, and the public.

Dr. Clendenin stated the need to consider geology for all types of projects, using the Lake Murray dam as an example. He also referenced Santee Cooper's plans to build a new power plant on the Pee Dee River; their consultant said geology had not been considered.

With a \$212,000 STATEMAP grant from the U.S. Department of Interior, Geological Survey staff will map the following areas: a. south of Lake Moultrie to address growth

issues in the Summerville, Moncks Corner, Goose Creek area, b. the I-95 corridor (56,000 new single family housing units are committed between Bluffton and I-95), c. Aiken County (which will be the first county to be covered with geological maps), d. the Hollywood area (MeadWestvaco is about to release 70,000 acres in that area), and e. the Barnwell area near the Barnwell nuclear waste site. These efforts are directed at the socio-economic need for geological information.

Interim Deputy Director's Report: Interim Deputy Director Steve de Kozlowski said DNR Board member Frank Murray is home recovering from his injuries.

Dean Moss was appointed to the newly formed Savannah River Maritime Commission; he also Chairs the Commission.

Mr. de Kozlowski encouraged the committee to attend the DNR Legislative Reception, January 29, at Seawell's.

Due to concern about the economy, agencies were asked to develop five and 10 percent potential reductions to their state budgets. The final cuts will not be known until the end of the session.

The General Assembly is considering two water resource-related bills: 1. S.C. Water Withdrawal Permitting, Use and Reporting Act. This bill was introduced last year and it has been revised several times. DNR staff are meeting with counterparts at DHEC as well as providing input to the legislature. Two areas are of particular concern. The first is the definition of minimum flow (DNR wants a minimum flow that protects in-stream uses, including recreational navigation, fish and wildlife habitat and water quality). The second concern is the number of exemptions, such as FERC-licensed entities.

The second bill of interest is the Comprehensive Water Management Act of 2008 which was developed by a group in Anderson County that has concerns about how water is managed in the state. This bill directs the DNR to develop a comprehensive water management program that is overseen by a water board largely made up of political appointees. Mr. de Kozlowski said while it raises the awareness of water in the state, which is positive, staff does not think it is workable at this time.

The U.S. Supreme Court appointed a Special Master to hear the Attorney General's lawsuit over the North Carolina Interbasin Transfer of water from the Catawba-Wateree Basin to the Yadkin Pee Dee Basin. This process will take a couple of years.

Mr. Stevens moved that the April 10, 2008, Advisory Committee meeting start at 1:00 p.m., seconded by Mr. Charles Broadwell. All were in favor.

Committee Member Comments: Mr. Simpson asked for comments from committee members. Mr. Tom Garrison noted that attendees of a recent Farm Bureau breakfast were asked to endorse the surface water withdrawal legislation. He hopes the bill has a sound scientific basis. Mr. de Kozlowski responded that he asked the S.C. Association of Conservation Districts to form a committee to review both pieces of legislation. Mr. Larry Nates expressed appreciation to the staff for the excellent annual Conservation Partnership conference the previous week. Mr. Broadwell noted that work will soon begin on restoring the Pocatigo Swamp in Sumter County.

Executive Session: Mr. McLeod moved that the committee go into executive session for the purpose of discussing appointments with second by Mr. Nates. All were in favor.

Mr. Youmans moved to return to open session, seconded by Mr. Steve Kinard. All were in favor.

The Conservation District commissioner re-appointments were approved and are as follows: There were no re-appointments.

The new appointments were approved and are as follows: Mr. C. M. Dantzler, Jr., Jasper; Mr. Lonnie M. Ginn, Jasper; Mr. Thomas Ware, McCormick; Mr. Carl Ben Setzler, III, Newberry; and the Rev. James F. Shealy, Newberry.

Next Meeting Date: April 10, 2008 at 1:00 p.m.

Adjournment: Motion to adjourn was made by Mr. Kinard, seconded by Dr. Aziz. The meeting was adjourned at 3:00 p.m.

Dorothy Phillips
Recording Secretary