

Saluda River Basin Council
November 20th Meeting Minutes

RBC Members Present: KC Price, Rebecca Wade, Michael Waddell, Kaleigh Sims, Thompson Smith, Robert Hanley, Larry Nates, Eddie Owen, Rick Huffman, Josie Newton, Kevin Miller, Jeff Boss, Charlie Timmons, Phil Fragapane, Jay Nicholson, Katherine Amidon, Melanie Ruhlman, Rett Templeton, & Brandon Grooms

RBC Members Absent: David Coggins, Jason Davis, Devin Orr, Justin McGrady, Tate Davis, David Lawrence, Paul Lewis, & Patrick Jackson

Planning Team Present: John Boyer, Tom Walker, Alexis Modzelesky, Joe Koon, Scott Harder, Hannah Hartley, Kirk Westphal, & Jeff Allen

Total Present: 33

K.C. Price, Chair, called the November 20th, 2024, meeting to order. The Saluda RBC's November 20th meeting objectives meeting included Discussing comments on Draft Chapters 5 and 6, Introducing Draft Chapter 7, Finishing development of Plan recommendations, and Beginning discussion and development of implementation plan.

K.C. Price called for approval of the meeting agenda. Robert Hanley – 1st made a motion to approve the meeting agenda with Michael Waddell – 2nd, which was approved unanimously. There was a motion to approve the October 30th meeting minutes and summary. Michael Waddell – 1st – made a motion which was seconded by Robert Hanley – 2nd. Members unanimously approved the last meeting minutes and summary.

WaterSC Update: The biggest thing on the website is WaterSC's stakeholder communication plan and how it plans to hold meetings and bring in stakeholders. I recommend we send out a link to that so that everybody can review it and also mention the work of the RBCs.

In addition, Katherine offered to draft a one-page letter stating that we are from the Saluda RBC, are following the process and paying attention, are interested in being part of the conversation and would like to be involved in the meetings. The drafted letter should be sent to the RBC members to give a review/feedback 2 to 3 days before sending it to the WaterSC. (This letter aims to demonstrate or highlight our work, including state water resource planning, utilization, availability, etc., and to open a two-way communication channel for further dialogue/discussion). A motion was made and members agreed to the letter. KC Price suggested all RBC members participate and follow the WaterSC process individually and to not speak on behalf of the RBC.

Q: is the WaterSC meeting online or in person, and do they meet monthly?

A: The meetings are broadcast online and you can provide comments during the meetings on the SCETV portal. Details of their meetings are available to the public.

Q: What's the purpose of the letter, what will it accomplish?

A: For folks on WaterSC that have not been involved in the process, this is who we are. Going to be a friendly outreach letter.

Motion: Saluda RBC to draft a letter and submit to WaterSC. 1st – Michael Waddell and 2nd – Robert Hanley

The letter will be drafted and sent before the 12/12 WaterSC meeting.

Public and Agency Comment: there were no public and agency comments.

Discuss Comments on Draft River Basin Plan Chapters 5 and 6:

John Boyer facilitated this session by discussing two proposals that were sent to us, including recommendations to use all the existing data and the flow-ecology relationship for larger rivers in the Saluda Basin. Brandon Peoples, Clemson, joined the meeting to answer questions about the proposals.

Suggestion: They are a good data set, and it is called a space for time approach, which means that we have to have many locations across an ecoregion that experience different stream flow conditions. While we could incorporate that in our efforts, it doesn't give us the amount of spatial coverage across the Blue Ridge Ecoregion we would need to develop relationships adequately.

Q: so what can we do with the data?

A: the data could be used to look at how things have been or changed in those 2 to 3 locations. Also look at potential changes in stream flow over time and relate that back to those communities.

Q: Are macroinvertebrates better statistical indicators for fish?

A: We are specifically talking about the Blue Ridge, and there is plenty of data in the other Ecoregions, and there is a limit of data in the Blue Ridge Ecoregion because there are not enough locations for us to be able to develop robust statistical relationships between the stream flow factors and biological metrics. As to the fish and insects, we had 2 sets of models for all our in-stream flow work in our basins and eco-regions. One used macroinvertebrate indices, and the other used fish indices because both can be informative. This is based on a space-time approach which requires a certain number of locations to be able to develop these relationships. In addition, our method has been able to sort through all those relationships and identify only the most meaningful ones, and the most important thing is the mean annual flow.

John further stated that we need to learn more about what is discussed and figure out what additional analysis could be done to help us make recommendations or propose something different to help fill the data gap in the Blue Ridge.

Q: what is the magic number for the number of sites to make it statistically valid?

A: there is no magic number that depends on the strength of the effects. It goes around the variability of the effect.

Kevin Miller made a motion to discuss further the recommendations (conversation on understanding ecological flow requirements), seconded by Micheal Waddell. Unanimously approved.

Chapter 5 Comments- Comparison of Water Resource Availability and Water Demand:

C: There was a brief comment during our October meeting about Safe Yield only being discussed within the context of reservoirs. I was wondering, and this might be more general feedback/an area to discuss openly with the RBC, but should safe yield be looked at on rivers and streams well? Should this have been factored into the model or should we maybe propose in one of our recommendations that this is an area for study during future phases?

Noted: Safe Yield is the surface water supply for reservoir system, and that surface water supply is the maximum amount of water that occurs 100% of the time. And this is really nothing about the law.

Chapter 6 has to do with the water management strategy, reclaimed water programs and their characterization, which includes- potentially having high or adverse effects, or potential low adverse effects or moderate positive effects. Basically, our comment is whether we give it a green or a red or leave it white.

Q: Regarding Chapter 5, our data is presented in different scenarios- we did not establish a surface water condition.

A: correct.

C: Model results without a surface condition could take it to zero which could be misleading. Needs a footnote that we are not considering MIF.

Introduction to Draft Chapter 7:

Water Management Strategy Recommendations:

- Selection, Prioritization, and Justification for each Recommended Water Management Strategy- List of strategies agreed to during our March RBC Meeting
- Remaining Issues Regarding Designated Reaches of Interest- The Hydrologically impaired 14-mile section downstream of Saluda Lake
- Adaptive Management- Considers uncertainties and potential for changing conditions which might trigger the need for a water management strategy

Water Conservation and Efficiency Strategies- RBC Decisions—

Agricultural Portfolio of Water Efficiency Strategies:

- Water Audits and Nozzle Retrofits
- Irrigation Equipment Changes
- Soil Management and Cover Cropping
- Irrigation Scheduling
- Crop Variety, Crop Type, and Crop Conversions
- Future technologies

They are all supported by the RBC, and no priority was assigned, given that each may apply differently to different growers.

C: Local solutions for local problems approach.

Municipal Portfolio of Water Conservation and Efficiency Strategies

- Public Education of Water Conservation (elaborate, add species, like rain barrel, native plants, etc)- **Higher Priority**

While the following items below will be left for local solutions/decisions:

- Conservation Pricing Structures/Drought Surcharge
- Leak detection and Water Loss Control Programs (and Replace Aging Infrastructure)
- Residential Water Audits
- Time of Day Watering Limits
- Reclaimed Water Programs
- Landscape Irrigation Program and Codes

C: Like public education up top. We'll need tiered pricing in the future. Spending a lot of money looking for leaks to find we don't have a problem

C: Utilities will decide what is good for them

C: Goal of the RBC is to not have any hydrologically impaired portions of the basin. Active engagement to address concerns

C: Science there to support hydrologic impairment – so would RBC be willing to add another reach of interest for hydrologic impairment?

C: That is getting into a different realm than what we were charged with doing. Actively work to address a concern without putting our head on chopping block

C: Rather go after recommendation for good stormwater management. Still support recommendations for stormwater management

Q: What is hydrologic impairment?

A: 4c of the Clean Water Act

The 2 other items mentioned in Chapter 7, which include Remaining Issues Regarding Designated Reaches of Interest and Adaptive Management, we have not made a lot of progress on tackling because we are trying to get a conversation going and make some recommendations including continuing to address this after development of this plan. John suggested we continue to spend time on it.

C: There should be an active engagement with Northbrook Power to address the reach of interest.

C: What would you want? Continuous flow or timed release?

C: MIF is what I want – 35-38% is minimal navigable flow

Discussion and Development of Plan Recommendations:

Q: Since we have decisions coming along, do we have a quorum?

A: We have a quorum

Part 1- RBC Adopted Recommendations (Green Bucket)

- Continued Funding
- Building on resiliency planning efforts
- Review of RBC Membership

Technical Recommendations:

- Addressing Uncertainties- Update models to consider future uncertainties (changing weather patterns, population growth, development scenarios, etc)
- Improving Climate Monitoring- The Saluda RBC recommends the funding and establishment of a mesoscale network of weather and climate monitoring stations in South Carolina
- Evaluating Water Quality- Future planning efforts should include evaluation of surface water quality and trends, including nutrient loading and sedimentation
- Addressing Sedimentation in Reservoirs- The RBC supports reducing sediment loading to reservoirs and waterways through:
 - Encouraging local govts to incorporate green infrastructure and enhance stormwater ordinances
 - Studies to better identify sediment loading sources and the financial costs associated with mitigating those sources to our reservoirs and waterways
 - Strengthen penalties for non-compliance of erosion/sediment control permits and ordinances and stormwater permits and ordinances.
- Building RBC Technical Capacity- SCDES should create and maintain an online library of, or a catalog of links to, technical information that will enhance the RBC’s technical understanding of water resources concepts and issues. Historic data and new data, when developed, need to be publicly accessible and in a consistent, standardized format that supports public comprehension.
- Filling Data gaps- Coordinate with DES to identify and define data gaps and possible avenues for filling gaps in future phases.

Part 2- Recommendations Still being Considered (Yellow Bucket)

Planning Process Recommendations:

- Groundwater Resources – in future planning phases, the RBC recommends understanding the potential impacts of private and community/commercial wells and how they may affect surface water (especially during droughts) and/or better characterize growth potential.----- **Approved but not by consensus**
 - C: Mostly fracture up in this part of the state – some communities do rely on them
 - C: Does impact baseflow in rivers
 - C: We have a list of these communities?
 - C: Trailer parks, summer camps, utilities – looking to have gw wells for redundancy

- Improving Public Education and Outreach- The Saluda RBC will support and promote outreach and education to increase awareness with the general public around watershed-based planning---- **Approved by Consensus**

C: Reference SC Watershed Atlas too and would love to see watershed reports come back

- Alignment with other Plans-For River basins with state or federal specially designated streams (e.g., National Wild and Scenic Rivers or State Scenic Rivers), watershed-based plans, and any other similar plans, the RBC should assess alignment between the River Basin Plan and corresponding management plans associated with the special designation-----**Approved by Consensus. Needs to be rewritten**

- Expanding Stream gages- Support continued efforts to maintain and expand streamflow gages. The RBC also recommends that local governments that collect streamflow data make it more publicly accessible----**Approved by Consensus.**
 - C: Not committing to a list
 - C: A, B, C, D a priority list?

- C: No
- ASSOCIATED ACTION FOR IMPLEMENTATION PLAN: The following bodies have been suggested by the RBC but should be further considered during the River basin plan implementation phase (S. Saluda at SC 186 and Middle Saluda at SC 288, Oolenoy River, Saluda below Holiday Dam, and Tribs in Lower Saluda basin may need more gages).
- Data Usage and Acquisition
 - C: Collect data to support RBC goals
 - C: Clearinghouse web page
 - C: Watershed Atlas
 - C: Some things aren't available on the watershed atlas
 - C: RBC can help send in info

Approved by Consensus

- Evaluating the Impacts of Changing Land Use: The Saluda RBC supports evaluation of land use changes on water resources quantity and quality. A GIS-based approach.....Not yet considered
 - C: Provide info making it easier for economic development projects
 - C: Second sentence looks to put it on the RBC. We're advisory and our function is to prioritize land
 - C: How does it get done?
 - C: Counties come to us
 - C: Advocate counties do this
 - C: Don't necessarily like this – would be awesome to do but it can't be a stagnant map. Baseline understanding of land use and do predictability
 - C: DES should put out an RFQ and provide funding
 - C: CWWMG did a study similar – has it been relayed to local government?
 - C: Working on it – using for source water protection
 - C: Even on critical lands map might be on the edge of being outdated. Need a map that can be updated in real time. HUC-10 level – hard to direct outreach to

landowners. Valuable recommendation but direct it to how it impacts water quantity and quality

- C: Counties make random decisions – new council then new random decisions. They are the decision-makers
- C: “A method” for this land priority analysis leaves the door open to someone selecting any way to do it
- C: Could say GIS analysis
- C: First sentence has quality which I object to – our charge is water quantity
- C: Don’t recommend spending money only on quantity without quality

Yellow Bucket (2)

Part 3- The following are recommendations proposed by RBC members or which have been adopted by other RBCs. These have received limited or no discussion and have not been placed in any bucket.

Policy, Legislative, and Regulatory Recommendations:

The following three recommendations were proposed as a group:

- Require permits statewide for all existing and new water withdrawals over 3 MGM, including those before 2011 and all registered users. All users must be evaluated for reasonableness and must meet minimum instream flow (MIF) requirements.
- Revise minimum instream flow (MIF) standards based on best available science to adequately protect designated uses and recognize regional differences.
- Remove the existing definition of “safe yield ” (SY) from implementing regulations for the SCWWA and redefine it to be consistent with the law and protective of minimum instream flow requirements that safeguard the integrity and designated uses of state waters.

C: Some of the wording is reminiscent of wording in law and regs which are qualitative and not quantitative – reasonableness is a tough one

C: Everyone held to the same standard

- C: Model – shows permits the river is overallocated
- C: Against it – keep registrations for ag. The registered use is not a perfect system I admit. Could be connected regulatory – wise. May not need to be redone
- C: Edisto is a poster child for what is wrong
- C: We aren't giving up our permit and reducing without a fight
- C: Opening the law back up opens everything back up
- C: Different standards – paperwork and explanations. Operating under old English riparian system – this furthered that with a reporting requirement. A lot are on tribs and not mainstem and have farm ponds which aren't regulated
- C: All registrations converted to permit in 20 years
- C: Not required to follow MIF and can draw up to the safe yield. 80% of MADF allows rivers to be drained dry
- C: Deprives downstream ag user too
- C: So few ag users and cooperation between ag users. Not ag users fighting as two farmers work it out themselves
- C: CUA program has sector specific criteria
- C: Broad tried to address the registration loophole itself to include reasonable use criteria
- C: Preserving grandfathering but put a limit on it
- C: Reapply in 20 years and keep volume with evidence to support keeping that volume
- C: Who is registering, me or the land
- C: Riparian is associated with land
- C: Registration can't tie up water – trying to get there
- C: This is a legislatively run state – Farm bureau doesn't see the need to open the law but change the regs
- C: Changing regs goes through the legislature
- C: Agencies talk about legislative intent
- C: Laws give agencies ability to define

C: Language in SWWA didn't allow DHEC to interpret but some of us do – it is pretty prescriptive

*DES provide specific criteria for GW at the next meeting – reasonable use

C: Unintended consequences

Q: I support ag users contingency plan for farm ponds

A: Hoping to avoid all of that as we don't have expertise

C: Like to get to Walther Farms level as they are state of the art farm

C: What can we do to improve information – maybe that's a contingency plan

C: Love to build more farm ponds but it is being frowned upon

C: What's magic about 3 mgm – 10,000 gpd?

C: Should have discussion about the threshold.

The following three recommendations were adopted by other RBCs

- Laws that allow for regulation of water use need to be enforceable to be effective. The current water law, which grandfathers most water users, must be improved to support effective management of the state's water resources. (This was a Broad Upper Savannah RBC recommendation)
- The South Carolina Surface Water Withdrawal, Permitting, Use, and Reporting Act should allow for reasonable use criteria to be applied to all surface water withdrawals, like those that currently exist for groundwater withdrawals. (This was a Broad Pee Dee RBC recommendation)
- Water law and implementing regulations should not distinguish between registrations and permits. All water users that withdraw above the identified threshold should be required to apply for a water withdrawal permit. (This was Broad RBC's recommendation)

The other recommendations will be sent to everyone; that way, we respond/give feedback stating whether we support the recommendations. In the next 2 or 3 weeks, we will add in the

final recommendations we already approved, add in some proposed actions, and then decide whether to commit to that.

Before our next meeting, we are close to finishing and addressing comments on 2, 3, and 4.

Afterward, incorporate those in the log and circulate the comment log and revised chapters.

We have enough to go ahead and begin the implementation plan and we've started it.

C: Would love to see the comment log and revised changes

Motion to adjourn the meeting – 1st – Thompson Smith and 2nd – Robert Hanley

Meeting adjourned at 2:03 PM

Minutes: Iffy Ogbekene and Tom Walker

Approved: 12/18/24

RBC Chat:

09:59:01 From Thomas Walker to Everyone:
i hear you rick

09:59:12 From Thomas Walker to Everyone:
mic is working

09:59:18 From Thomas Walker to Everyone:
thanks larry

09:59:26 From Thomas Walker to Everyone:
sounds good

10:03:52 From Eddie Owen to Everyone:
I

10:03:58 From Rick to Everyone:
i

10:04:12 From Eddie Owen to Everyone:
I

10:12:28 From Rick to Everyone:
whats that link to SCTV portal

10:16:03 From Thomas Walker to Everyone:
i'll ask in a minute

10:16:27 From Thomas Walker to Everyone:
should be on watersc.com is the website i heard but i'll ask

10:19:09 From Thomas Walker to Everyone:
look up watersc in google and you will find the page

10:37:21 From Rick to Everyone:
I agree with letter as stated.

10:37:32 From Charlie Timmons to Everyone:
send it. I'd hate water sc to miss the opportunity to benefit from the work done here.

10:37:49 From Josie Newton to Everyone:
Agreed.

11:04:24 From Rick to Everyone:
I would keep it as is. Rick

11:06:44 From Thomas Walker to Everyone:
break until 11:15

11:30:50 From Rick to Everyone:
Watershed education needs to be top priority.

11:32:51 From Josie Newton to Everyone:
Yes

11:32:54 From Rick to Everyone:
yes

11:33:01 From Charlie Timmons to Everyone:
yes

11:52:25 From Thomas Walker to Everyone:
break for lunch - 12:05 - 12:10 return

12:14:46 From Eddie Owen to Everyone:
yes

12:14:46 From Rick to Everyone:

i

12:14:54 From Eddie Owen to Everyone:

yes

12:14:54 From Rick to Everyone:

yes

12:15:08 From Charlie Timmons to Everyone:

yes

12:20:57 From Rick to Everyone:

Watershed education must be a top priority, bullets must be reflective and remain for clarification and definition. keep!

12:21:24 From Thomas Walker to Everyone:

they are going to bring that in the implementation plan

12:21:24 From Rick to Everyone:

yes on grey

12:21:26 From Josie Newton to Everyone:

Yes

12:21:33 From Eddie Owen to Everyone:

Agree

12:24:22 From Rick to Everyone:

yes

12:24:46 From Eddie Owen to Everyone:

yes

12:28:20 From Josie Newton to Everyone:

Not opposed, but think it needs work rewriting for clarity

12:30:56 From Julie Davis to Everyone:

Wilson is right below Buzzards Roost

12:32:07 From Thomas Walker to Everyone:

i'll mention it, thanks Julie

12:38:10 From Josie Newton to Everyone:

I agree with Rob.

12:51:20 From Pfragap to Everyone:

I have to leave for another appointment. See you soon!

12:58:46 From Rick to Everyone:

I agree with Thomas's point, politics always complicate it, land use is key to making decisions.

13:19:38 From Rett Templeton to Everyone:

I agree with KC

13:51:15 From Rick to Everyone:

paralysis by analysis

13:55:00 From Josie Newton to Everyone:

Did Thompson say Rawl Farm? Couldn't catch what he said

13:55:27 From Josie Newton to Everyone:

(Not critical that I know, just wondering)

13:55:56 From Thomas Walker to Everyone:

Walther Farms in Windsor - Edisto basin

14:03:07 From Eddie Owen to Everyone:

thanks

14:03:41 From Charlie Timmons to Everyone:

thank y'all

14:03:45 From Eddie Owen to Everyone:

yep

14:03:44 From Rick to Everyone:

GREAT~~

14:04:04 From Thomas Walker to Everyone:

meeting adjourned