

Upper Savannah River Basin Council

**September 13, 2023 Meeting Minutes**

**RBC Members Present:** Reagan Osbon, Tonya Winbush, Scott Willett, Harold Shelley, Carl Price, Mack Beaty, Daniel Milam, Tim Hall, Jeff Phillips, Melisa Ramey, Alan Stuart, Katie Hottel, Billy Owens, Jon Batson, Chuck Connolly, Mark Warner, Tonya Bonitatibus, Will Williams, Cole Rogers, Dan Murph, Cheryl Daniels, Jill Miller, and John Hains

**RBC Members Absent:** n/a

**Planning Team Present:** Ashley Reid, John Boyer, Kirk Westphal, Tom Walker, Joe Koon, Andy Wachob, Alexis Modzelesky, and Hannah Hartley

**Total Present:** 43

1. Call the Meeting to Order (Ashley Reid, Facilitator) 10:00–10:10
  - a. Review of Meeting Objectives
  - b. Approval of Agenda
    - Approved – 1<sup>st</sup> – Chuck Connolly and 2<sup>nd</sup> – Mark Warner
  - c. Approval of July 26<sup>th</sup> Minutes and Summary
    - Approved as amended – 1<sup>st</sup> – Harold Shelley and 2<sup>nd</sup> – Carl Price
  - d. Housekeeping Items
    - Bathroom/ water fountain location
    - Giving alternate info
  
2. Public Comment (Ashley Reid) 10:10–10:15
  - a. Public Comment Period
  - b. Agency Comment Period
    - No public or agency comments

July RBC meeting review- pop quiz
  
3. Review of the Planning Framework and Q&A 10:15–10:45  
(Alex Pellett, SCDNR)
  - Planning framework overview
    - Contents of planning framework
    - Introduction- purpose and importance of state/ river basin planning, role of state water PPAC, guiding principles, regulatory framework

- River basin planning process- how river basin plan will be developed, roles and responsibilities, public participation, coordination
- Methodologies- models, scenarios, definitions
  - Based on TX methods
  - 4 scenarios
    - Current surface water use- based on 10-year average
    - Permitted and registered- based on permits, sometimes above actual use
    - Moderate/ high water demand projections- room for interpretation. Moderate or high growth. Hope it's unrealistic. Possible.
    - Water demand side. Water supply based on historical stream flow
  - SWAM model- model surface water availability
  - TACS- provide RBCs with assistance or support. Quarterly/ biannual meetings
- RBP table of contents- minimum requirements
- RB planning process implementation- we're in first phase of 4. Implementation of planning process, not of RBP. Get progress reports
- RBP implementation- Not static documents. 5 year implementation plan. Meet annually. No ongoing funding stream, need broader stakeholder buy in, regulatory authority- just recommendations
- State water plan- combine 8 RBO
- SCDNR hydrology website
- Questions
  - River basin broken up into 2 pieces, need coordination. Water demand spikes because of dam
    - Lower Savannah planning already begun. Opportunity for coordination, some things to work out
  - Drafts go out for public comment for RBC and state water plan
  - Does DNR or councils address comments?
    - RBCs address comments in annual meetings
  - Education/ outreach is in the plans

4. South Carolina Surface Water Law and Regulation (Joe Koon, SCDHEC) 10:45–11:15

- Overview of SC water resources law- SC Water Resources Planning and Coordination Act, SC Surface Water Withdrawal, Permitting Use, and Reporting Act, SC Groundwater Use and Reporting Act- DHEC covers last 2, next July, DES covers all

- Water quantity programs- Surface Water Withdrawal Program, Capacity Use Program, Water Use Reporting
- Surface Water Withdrawals- statewide and Upper Savannah
- Surface Water Regulation- R. 61-119
- Existing/ Grandfathered permits
- New or expanding surface water withdrawer criteria
- Agricultural registration criteria
- Exemptions
- Conceptual Statutory Changes
  - Substantial changes- resource-centered, 30 yr. permits with 10-year reviews
  - Minor changes- public notice online
- Questions
  - Permits go to everyone, what does that look like? Are there fees if someone violates?
    - 3 million threshold would still remain. Reevaluate all permits for reasonable criteria
  - Different programs rolled into DES
    - Decisions made by general assembly. Ask them why they chose not to bring drought piece over. Put in recommendations
  - Army Core of Engineers only sells storage. If you don't use storage, then it's the State's. Issue with regulation
  - Models show that in drought times, there is not enough water for all users. Existing permits allow for overallocation. How do permits allow for growth?
    - A lot of permitted water not being used. If new user does permit, go through process decision made by DHEC. What is benchmark for new development? No consideration to non permitted withdrawals
  - Mechanism for one group to buy allocations from another group?
    - Permits can be transferred, registrations can't. water can be purchased
  - No definition for surface water reasonable use but is ground water. People get permits that they're not intending to use.
    - Unintended consequences
  - Is there enforcement?
    - Enforcement for not reporting, permit/ modification fees. People seek permits for 30-50 years.
    - 30% of capacity in Anderson being used. By end of permit, 60% will be used
  - Is there demand modeling?
    - Looking at all upstream/ downstream users
    - Issue with demand, issue with over allocation without intending to do so
  - Does water have to be used for permitted use?

- Yes
  - On the department to determine a need for a permit reduction
- Upstream downstream miles
  - The whole basin, doesn't account for GA use
  - Tributary vs free flowing
- Who gets priority if state says they can't use water?
  - Mostly an issue in low flow areas, drought act supersedes
  - New withdrawers have contingency plans
- Any permits get denied?
  - No
- Is there consistency between RBCs?
  - Yes, making same decisions based on same info.
  - Same information, Edisto thought it was a good idea so they do it with all – standardized model runs across basins
- How long is a newly issued permit for?
  - 20 year minimum, 50 max
  - Could lock up water for 50 years?
    - Would need to justify and do calculations
    - Say you're building a golf course but never build it. Need mechanism to stop people from blocking water
    - Have to submit annual water withdrawals. Could revoke permit
    - Reevaluate based on reasonableness criteria
- Where does stormwater fit? Is that in water quality or considered in the flow?

*Break*

11:15–11:30

5. Identification of Process Metrics (John Boyer)

11:30–11:50

- Process metrics- benchmarks used to monitor success of processes, progress-benchmark used to monitor failure of actions
- Should be easy to understand, preliminary data good enough, promote quality, requires resources
- Process metrics- process to select members is transparent, RBCs make plan in 24 months, meetings adhere to timelines, plans are actionable, logical, detailed
- Motion to adopt first 4 process metrics – 1<sup>st</sup> – Mark Warner and 2<sup>nd</sup> – Daniel Milam – unanimous approval
- Info is shared, meetings are focused, members understand information, decisions guided by best available science
  - How will these be measured?
    - After first 5/6 meetings, send out a survey. Presented in meetings, submitted in progress reports
    - Get info before meeting
  - Not focusing on quality

- This basin small component of overall plan, how does that factor in to the development?
  - Change works “are guided” to will “be informed”
  - Can’t measure everything with surveys
    - Decide not to consider study- not best data
  - Number 8 better as guiding principle, not metric because you can’t measure
    - Bring a study to the table, inform
    - Who’s the expert? Who determines what the best is?
      - Multiple studies, multiple perspectives
      - Only looking at DHEC data?
    - Changed back to process metric
  - Information presented in unbiased manner, RBC have equal opportunity to be heard, use of models appropriately documented
    - Survey
    - Competing viewpoints
    - Make sure online people are included
    - Like 5-8, tweak to 7, like 9-11
    - In line with other RBC, some got rid of some
  - RBC approved 11 process metrics
  - Progress metrics more towards end of project
6. Field Trip Ideas (Ashley Reid) 11:50–12:00
- Examples of what other RBCs have done
  - Upper Savannah field trip ideas
    - Anderson County site- Green pump
    - ARJWS tour
    - Recreation interests
    - Hydro facilities- Duke, pump back, Thurman. Joint meeting, Augusta Canal. Thurman Dam has big meeting room. Scott Hyatt - USACE
    - Take Keowee off the list, hard to get there
    - World of Energy
    - Farm tour
    - Augusta canal authority - Boat Tours
  - How many field trips?
    - Nice weather, combine field trip with a meeting
    - 2 field trips. Sometimes multiple things in a day
    - Don’t have to be in the fall
  - Farm tour first, energy tour in the winter
7. Vision and Goals Development and Working Lunch (Ashley Reid) 12:00–1:45
- 3 groups plus online
  - Vision statement and goals should summarize RBC priorities for water resource use and management.

- Examples of vision statements for other RBCs
  - Group 1: protecting the Upper Savannah River basin by balancing all our water resources.
  - Group 2: stakeholder-derived long-term management and operational planning for both normal and extreme conditions is based on full consideration on economic, environmental, and quality of life effects throughout the entire Upper Savannah River basin.
    - Full consideration of economic and environmental considerations
    - Nongovernmental and governmental users
    - Use of stakeholder good
    - Locally derived planning
  - Group 3: a resilient Upper Savannah River basin that is sustainably and equitably managed and balances human and ecological needs.
    - Uses trigger words that can tie into federal funding
    - Setting a framework for local government
    - Edited: A resilient US River Basin collaboratively, sustainably, and equitably manages and balances human and ecological needs.
    - Adopted – Reagan Osbon – 1<sup>st</sup> and Tonya Winbush – 2<sup>nd</sup>
  - Group 4 (online): no vision statement
  - Example goals
  - Copy paste Edisto goals
  - Edit 1c to say promote a balance between development, industry, and economic growth in areas with adequate water resources
  - Add enhance collaboration between all stakeholders and water interest groups, including GA and the LSS basin
  - Add 1e identify funding sources
  - Question about resiliency- manage water shortages before it's a longer-term problem. Not just drought
  - Edit 1 to say, within 24 months
  - Edit 2 to say education and communication plan
  - Edit 1d to advocate for
  - Revisit goals after phase 4, give examples on how goals are met and if mission statement has been satisfied.
  - Goals approved – Mack Beaty – 1<sup>st</sup> and Harold Shelley – 2<sup>nd</sup>
8. Upcoming Meeting Schedule and Topics (Ashley Reid) 1:45–  
2:00
- 2nd Wednesday of the month majority
  - October 11, 2023
  - Keep consistent, makes it easier for other people, doesn't conflict with other councils
  - Good central location, going to focus on this location. Can move up and down the basins
  - Meetings always hybrid unless there's no Wi-Fi

- Cover water resources of US, flow monitoring, land use and socioeconomic characteristics, basin climatology, SC drought Response Act
- No discussion items
- Try to do short meeting and field trip. Do 3-4 topics then go to Clemson
- SCWRC currently having HVAC issues, should be done by end of September
- Invite Colonel Sturgeon, invite the Corps
- Vice chair/ chair elections next meetings?
  - Nominations/ elections in the same meeting
  - Chair/ vice chair have to be different interest groups
  - Good to do after field trip
  - Tabled until 4<sup>th</sup> meeting

Meeting dismissed - 2:02 PM.

Minutes: Taylor Le Moal and Tom Walker

Approved: 10/11/23

**RBC Chat:**

09:57:59 From Tonya's iPhone To Everyone:

I'm otw. 20 min out

09:59:14 From Thomas Walker To Everyone:

ok thanks tonya

11:15:59 From Thomas Walker To Everyone:

break until 1130

11:49:06 From Thomas Walker To Everyone:

our projector is acting up, one second

12:08:11 From Jill Miller To Everyone:

The BadCreek Dam would be a spectacular opportunity. Along with the Hartwell dam hydro operation. Although we wont be making decisions that affect Duke or ACOE they are definitely important components of how the watershed.

12:24:36 From Thomas Walker To Everyone:

for the online group we have until 1pm to think through the vision statement for your group. i'll open a breakout room momentarily

12:25:46 From Thomas Walker To Everyone:

we'll be paused on the recording until 1 pm or so

13:03:22 From Thomas Walker To Everyone:

group discussion is ongoing - should be a few more minutes and then some discussion

14:02:34 From Thomas Walker To Everyone:

meeting adjourned