

August 17th, 2022

9:00 AM – 12:00 PM

Meeting No. 26 (Hybrid)

Clemson Edisto Research & Education Center, 64 Research St., Blackville, SC 29817

Edisto River Basin Council

August 17, 2022, Meeting Minutes

Edisto RBC Members Present: Mark Aakhus, Joel Duke, Amanda Sievers, Johney Haralson, Alta Mae Marvin, John Bass, David Bishop, Hank Stallworth, Jason Thompson, Laura Bagwell, Jerry Waters, Kirk Bell, Brandon Stutts, Eric Odom, Hugo Krispyn, Alex Tolbert, Jeremy Walther, Alan Mehrzad & JJ Jowers

Edisto RBC Members Absent: Landrum Weathers & Will Williams

Planning Team Present: John Boyer, Scott Harder, Tom Walker, Leigh Anne Monroe, Andy Wachob, Joe Koon, Pam Miller & Kaleigh Sims

Total Present: 40

1. Call the Meeting to Order (Hank Stallworth, RBC Chair) 9:00–9:10

Hank, we do have a quorum between the people online and in-person.

- a. Review of Meeting Objective

- b. Approval of Agenda

Think about who we want to be speaking at the public meetings

Motion to approve meeting agenda: 1st – Jason Thompson and 2nd - Hugo Krispyn – unanimous approval

- c. Approval of July 20th, 2022, Minutes and Summary

Motion to approve previous meeting minutes and summary documents: 1st – Jerry Waters and 2nd – Hugo Krispyn – unanimous approval

2. Public and Agency Comment (John Boyer) 9:10–9:15

- a. Public Comment Period

- b. Agency Comment Period

No comments received

3. Old Business / New Business – RBC Open Discussion Opportunity (Hank Stallworth and John Boyer, CDM Smith)

- Article about EPA letter to SC in Post & Courier, would like to ask group to think about sending a letter to Charleston paper to let them know what we have been working on and what our plans are and that we invite them to attend public meetings in November
- Recommend sending them information on previous meeting so they can see what we have been doing
- Some disagreement with sending this information through certain news outlets or news outlets in general, group would like to review any letters before being sent out
- Recommendation is to draft a letter that is letting the public know about the RBC planning process and for the RBC to review and approve before sending out
- Would like to see this group deal with 1) overallocation 2) most enhanced protections do not apply to over 90% of withdrawals, I think we need to recognize those things

4. Update of Draft Edisto River Basin Plan Chapters (John Boyer) 9:15–9:20

- Sent RBC chapters 9 & 10 for review and will talk about them today
- Also send any final comments on chapters 1 & 2
- Drought response and summary resources we are sending out next week then Chapter 6 & 7 will go out in the follow weeks which you have already reviewed once
- We want to stick to this schedule for chapter completion

5. Review of July Meeting (John B) 9:20–9:30

- Survey results were circulated
- Reviewed 5 year implementation plan and incorporated into Chapter 10
- Had 6 proposed objectives

6. Review and Discuss Draft of Chapter 9, Policy, Legislative, Regulatory, Technical and Planning Process Recommendations (John Boyer) 9:30–9:45

- Summary of survey results, point this was to understand the level of support for the recommendations
- Is everyone okay with the approach summarized in chapter 9?
 - This is just a snapshot of people's opinions we voted on, right? It makes me a little uncomfortable, we didn't really tackle the issues we voted on we just stated reaction to ideas that were thrown out there. I think we can do better than this - we didn't really spell out the changes we would like to see but I would rather be more prescriptive on how to do it
 - John B- might be outside of the scope of the framework to do that, and another thing to consider is that state agencies will take things from these recommendations that go into the state water plan that then will play into legislative recommendations

- Any other comments related to the big picture on how these are presented?
 - If we are going to use graph type form, can the first graph be how many farmers were involved in the survey and what the makeup is of the RBC? Suggesting a graph showing how many people from each group were represented in a graph so people can see who is voting on those items
- One clarification, regulation should be median instead of mean annual daily flow, just want to make sure RBC understands what they were voting on?
 - We all acknowledge it could have been worded many different ways, I just think it is important that however it is worded we all get a chance to review and respond
 - Could we frame it as the issue we see? It is addressed a little in issue 1
 - Can tweak some sentences to address the comments from DNR
- Reasonable use criteria should be applied to all water use requests, want to confirm that there is consensus
 - I thought this statement would create more division among the group, but obviously it didn't
 - Everyone might have interpreted this a little differently, the point of this issue was to address the loophole in use that is exist in the Edisto river basin
 - For different water use sectors there are different water use guidelines
 - There are reasonable use criteria for new and expanding surface water permits
 - To be clear, no matter how we wordsmith this recommendation one RBC member would not behind it because of the feelings it would possibly open up the law
- Transition in talking about SW and GW regulations is not always clear, would like for this to be more clear
 - Just want it to be clear how we talk about the regs and what they apply to
 - Does the RBC want to make a specific recommendation for SW regulations that don't have a review, should be reviewed at some timeframe?
 - Yeah I think this would help address the problem but I think it would be harmful to open up to lessen the current registrations, but registrations with zero intent should be reviewed. How about if we suggest reviewing registrations - we talk in pounds, bushels, bags and if that is a reasonable use so that frivolous registrations cannot show that since they produce nothing and this guards it so we are not going to open up the law and we just say okay if you want a registration what did you produce?
- To do this you would have to update the law and regulation, this can't be done without a change to the law

- The problem is that there isn't a current mechanism to revisit those registrations which allows some to over allocate the river
- At some point we need a real conversation about how to address this SW issue
- If we get all get behind true availability and agree on what that is, we could approach some of these issues in a more unified way with the potential outcome of law in a way that makes sense
- A little bit of what we are saying could be a recommendation for the next RBC to consider issues for various perspective
 - We might not get other RBCs to agree with everything we have done but legislators will be looking at the plans of each council
- One thing we shouldn't expect is that other watershed plans will weight their decisions the same as we will
- To conclude chapter 9 discussion, do any RBC members want to include any other comments on how anything is written on permit reviews?
 - One other suggestion would be to look at intake size, so if someone wants to file frivolous registration, they can install a pump
 - We can include suggestions to include recommendations for reasonableness criteria? No, I would want to talk to farm bureau before I made that recommendation
 - We can emphasize that the way it is impedes growth and development without suggesting criteria
- Any other points of discussion on how chapter 9 is written, you will have more time to review? None

Break 9:45–10:15

7. Review and Discuss Draft of Chapter 10, River Basin Plan Implementation (John Boyer) 10:15–10:30

- Last meeting, we spent time making tweaks, any comments or questions on how it is presented?
 - I like that how its descriptive but simple to follow
 - Looking at table 10-1 I like the way it's presented because it is conveying a lot of information. It can be a little visually challenging but that might be unavoidable, maybe there is a little better way to make use of white space to make it visually less jarring. Laura might have a go at that and send something to John
 - Maybe just break things up instead of one massive objective table
- Noticed that there is \$20 Billion going towards Agriculture through the EQIP program (USDA). I think it's worth mentioning that there might be new or expanding funding sources through the Inflation Reduction Act. Might be something to add to funding section

- Could take a few years to understand more about these grants
- It is a hurdle for smaller farmers to access this information and maybe we make a recommendation to make this more accessible
- Any more comments on chapter 10, still time to review? None.

8. Review and Selection of Proposed Progress Metrics (John Boyer) 10:30–11:00

- Ended last meeting with recommendation of crafting metrics to discuss
- Review of list of proposed progress metrics and want feedback
 - Prioritization of strategies comment added to metric 1a to get more specific
 - We can tweak Metric 1a to say something about how we prioritize strategy
 - Do we want to make these metrics more specific ?
 - Seems it would be hard to get too specific without going too much into the details
- Was there any discussion in PPAC about how specific these metrics were supposed to be?
 - DNR said there was discussion around making them at least measurable, but you don't have to get too specific
- Comment: Not sure that anyone will be able to keep up with measuring this
- Suggested update for Metric 1a for municipal users
- Q: Is there a reasonable goal for Agricultural center pivot retrofits?
 - I don't think this is the platform to evaluate that, we are far more effective at the county office level - not sure that the RBC is the place for this and NRCS would be more effective to do this
- Metric 1b suggestions? No comments
- Metric 2a comments? No suggestions
- Metric 3a comments? No suggestions
- Metric 3b comments? No suggestions
- Metric 4a comments? No suggestions
- Metric 5a,b,c comments?
 - Can we reword these if we cast all of these metrics as an active language, keep subject and verb close?
 - Reason we wrote them as they are is because if we write them as active language then they become the same as our actions

- We can rewrite these so they are more to the point but want to distinguish from action itself
- Metric 1 to add something about increased expenses to the end user should be considered
- Metric 6 comments?
 - I think the platform is crucial for the communication point, if relying on state newspaper to deliver a message it's going to be a twisted message. Will not get facts out using those platforms.
 - Is there a metric that will meet your concern ? No there are no unbiased platforms today
 - Does DNR website track statistics of page visits? Not sure
 - One metric could be number of downloads or web visits
 - DNR comment: means of communication might just be speaking to different groups in the basin, seeking those opportunities out to talk to groups
 - Maybe this is confusing as a progress metric and its more of a desired outcome
 - Just funnel folks to the data for them to review themselves
 - We can see if there is available information on how to track this through DNR Website

9. Planning for the Upcoming Public Meetings (John Boyer) 11:00–11:15

- In this meeting, the presenting would come primarily from the RBC members is what is proposed
- Review of first meeting draft agenda for mid-November
- We can identify people that might be willing to do the presentation on certain topics
- Filling in list of speakers for topics
- Recommend overview of what this cost and where the money went for the taxpayer - important to show the amount of money invested in this
- No RBC member should comment individually to news outlets so that no one view point is representing the whole RBC - need a unified message
- Bylaws probably provide some guidelines - remind everyone about unified message
- Important to highlight all that we have accomplished - not what wasn't accomplished
- Requesting written questions is one method we could go with or open question period at the end and come up to microphone
- Would it make more sense to have one person do the executive summary and have the other subject matter experts be there to field questions?

- I think the meeting would be more efficient by putting presentations together and have presenters sitting up front
- Comment: I don't think it is unreasonable to ask public to sit and digest information for a while, as long as we say upfront we realize it is a lot of information and let them know at the end we have set aside time for questions, if you have questions along the way we ask you to write it down
- Second public meeting is more for an opportunity to present the final plan

10. Upcoming Schedule (John Boyer) 11:50–11:55

- September - No RBC meeting
- October - review comments, release draft plan- we will need consensus on draft plan could do consensus meeting virtually
 - I think you could do a survey or virtual, but it is up to RBC
 - Put this item on the agenda for the October meeting to accomplish prepping for public meeting and testing for consensus
- November - first public meeting
 - Where will this be held? Orangeburg maybe, will check into meeting space
 - Aiken Co-op and University of South Carolina - Aiken have publicly available auditorium spaces, just a suggestion - I like the Edisto REC but those are two options that came to mind
 - Do you want us to prepare the slides ? John B was going to take a shot at preparing a few slides to frame what you would talk about then the speaker would tweak it
- December - RBC meet to review public comment
- January - Second public meeting

11. Meeting Conclusion (Hank Stallworth, RBC Chair) 11:55–12:00

Minutes by: Kaleigh Sims and Tom Walker

Approved: 11/16/22

RBC Chat:

08:50:10 From John to Thomas Walker(Direct Message):

good morning

08:50:57 From Thomas Walker to John(Direct Message):

good morning!

08:58:28 From Alta Mae to Everyone:

Good Morning

08:59:47 From Thomas Walker to Everyone:

good morning! will get started in a few mins

09:03:51 From Mark Aakhus to Everyone:

good morning

09:05:14 From Thomas Walker to Everyone:

public comment?

09:05:24 From Alex's iPad to Everyone:

Sorry I'm late.

09:05:31 From Thomas Walker to Everyone:

agency comment?

09:05:47 From Thomas Walker to Everyone:

no problem just getting going

09:10:28 From Jeremy Walther to Everyone:

every meeting we've had has been open to the public why are we having public meetings now?
can the ERBC vote on whether we have these or not?

09:11:27 From Thomas Walker to Everyone:

these are the public meetings to present the plan to the public. similar to the public meetings we held in 2019 to solicit applications

09:11:49 From Thomas Walker to Everyone:

it is in the framework

09:12:00 From Alta Mae to Everyone:

I agree with Hank about a response to the P&C

09:12:31 From Laura Bagwell, Aiken Soil & Water to Everyone:

Public meetings, dedicated to presenting and summarizing our results, are a defined part of the river basin planning process.

09:12:42 From Thomas Walker to Everyone:

one second Jeremy and i'll get you recognized

09:20:08 From Laura Bagwell, Aiken Soil & Water to Everyone:

Farm Bureau is a vocal lobby for agriculture.

09:26:45 From ctruesd to Everyone:

This is Chad Truesdale with SCDA. Is the RBC allowed to release information to the press, or is that the duty of the larger collective? My understanding is that the RBC's charge is to make recommendations to the proper authorities, not to create press releases.

09:31:19 From Laura Bagwell, Aiken Soil & Water to Everyone:

I believe we should respond to the CP&C with a brief factual statement that summarizes the efforts of the council and announces forthcoming public meetings.

10:31:48 From Thomas Walker to Everyone:

15 min break

11:11:32 From Laura Bagwell, Aiken Soil & Water to Everyone:

Perhaps we include these general process metrics in the report with an acknowledgment that they are general and may be difficult to measure/document, but that we also were concerned about making them SMART without an organizational mechanism to track, measure, etc.

11:19:38 From Mark Aakhus to Everyone:

I've mentioned this before but when considering reducing municipal water demand there is also a financial impact. Ultimately, at least for our municipality, if there is less demand than the end user will be charged more in order to cover operational cost and debt service on the water system

11:22:07 From Laura Bagwell, Aiken Soil & Water to Everyone:

Can we consider rephrasing these metrics in active language rather than passive language? For example, "Identify or construct monitoring wells in the Calhoun County groundwater area of concern."

11:41:33 From Laura Bagwell, Aiken Soil & Water to Everyone:

Depending on schedule, if John can help prepare summary slides, I can present groundwater modeling scenarios & results in five minutes!

12:06:00 From Laura Bagwell, Aiken Soil & Water to Everyone:

Suggestions for public meeting: 1) We should ask the audience to save questions until the end; questions can be submitted orally or written on postcards. 2) Regarding Jeremy's suggestion about financial transparency, I suggest a simple message: "Our river basin council received funding of \$XXX from SCDNR. The council convened XX times and received detailed research and presentations from various subject matter experts. These public meetings and the final report are the result of 2.5 years of work."

12:27:11 From Thomas Walker to Everyone:

thanks all, this chat will be in the minutes