

**TOWN OF MOUNT PLEASANT, SOUTH CAROLINA
SPECIAL MEETING
WATER SUPPLY COMMITTEE
Tuesday, April 23, 2019
Municipal Complex, Committee Meeting Room, 3rd Floor
100 Ann Edwards Lane, Mount Pleasant, SC 29464**

MINUTES

Present: Joe Bustos, Chair; Bob Brimmer and Jim Owens
Staff: Eric DeMoura, Town Administrator
Also: Clay Duffie, General Manager, Mount Pleasant Waterworks

Mr. Bustos called the meeting to order at 11 a.m.

1. Public Comments

[None]

2. Mount Pleasant Waterworks

a. Presentation of draft Groundwater Withdrawal Permit as a result of South Carolina Department of Health and Environmental Control (SCDHEC) policy change reducing groundwater withdrawals

Mr. Duffie provided Committee members with background information on how the process is accomplished. He stated that the Department of Health and Environmental Control (DHEC), has jurisdiction over issuing withdrawal permits over any withdrawer that uses in excess of three million gallons of water a month from the ground. He stated that they have a five year permitting cycle which is contrary to the surface water cycle which is a thirty year permitting cycle. The process begins with a draft permit from DHEC and the request for that permit goes to the Technical Advisory Committee (TAC) of the BCD COG (Berkeley-Charleston-Dorchester Council of Governments). He said the TAC evaluates the

reasonableness of the permit request by the department. He said TAC can recommend approval or denial. He said DHEC does not have to accept the TAC's recommendation and have ultimate authority on issuing permits. He said it can be appealed to the Board of DHEC and if denied an appeal hearing, it can then be appealed to an Administrative Law Judge. He said TAC looks at the technical issues and what MPW is asking the Committee to consider are issues related more to long range planning to having an adequate water supply now and in the future. He said MPW's job is to provide adequate drinking water for residents and businesses, as well as fire protection for the Town of Mount Pleasant and beyond. He said MPW has approximately 40,000 customers and serves an estimated 90,000 people in and outside the Town of Mount Pleasant. He said they look at buildout in their planning and use the Town's comprehensive plan as a guide and do their water masterplan. He said they also look at long range planning, not just a five year increment. He said the fear they have with DHEC is if they reduce their permit by 57%, there may be enough water for next year, but not enough for five years out. He said this is very worrisome. He said they certainly may not have water ten-years out. He said MPW's concern is once DHEC removes the withdrawal capacity from their permit, they will never get it back. DHEC advised that MPW may apply every five years; however, once you accept a permit, there is no "anti-back-sliding", so MPW would not be able to go back and ask for more. He stated that this concerns him greatly. He said DHEC issued MPW a draft groundwater withdrawal permit on April 2, 2019 and the amount indicated is 1,679 million gallons per year. He stated that in 2016, MPW withdrew 1,700 million gallons per year. He added that in 2017 and 2018, MPW was able to reduce their withdrawal by implementing sound conservation practices. He said these conservation measures were successful and last year (2018), MPW withdrew 1,300 million gallons. This reduction was due to conservation efforts. He said there is only so much they are able to do with conservation and at some point, growth and demand for

water is going to overtake any conservation measure they can implement. He stated that MPW's engineers recently completed a Water Supply Master Plan which calls for increasing their use of the aquifer to a sustainable limit. He said they have used the US Geological Survey to perform ground water flow modeling for MPW and they believe that based on their report, technical expertise and sound science that the Middendorf Aquifer also referred to as the Charleston Aquifer, and its ability to meet MPW's growing water demands in the future – up to fifty years (2050). He said the engineers believe that the water in the Middendorf Aquifer is a sustainable amount beyond what DHEC has reduced MPW to. He said that MPW will also be adding an additional connection to Charleston Water on Sullivan's Island to help them meet their peak demands. He stated that they have four basic water supplies: to purchase Charleston Water from their regular rate; purchase Charleston Water through a wholesale rate; use their reverse osmosis to its maximum capacity; and aquifer storage and recovery. He said MPW has four tools to meet the supply requirements of the community. He said that it takes all four and they are not able to operate without one. He said they believe that by DHEC reducing their permit withdrawal to 1.679 billion gallons a year would be punitive and could cause MPW to have a permit violation. He said compliance with regulations is a high priority for them. MPW did meet with DHEC officials on April 17th and MPW has agreed to supply additional information to them by the end of this week. He said their request is for DHEC to reduce MPW's current permit withdrawal limit by 31%, which is a reduction of 3.9 billion gallons a year to 2.7 billion gallons a year. They believe that at 2.7 billion gallons a year, they can sustain that withdrawal for 50 years into the future. He said they are very willing to accept that 31% reduction, because their Master Plan indicates that they can operate with that number. He said they also want to show the region that they are willing to reduce their withdrawals and their permitted amount so that they do not over permit the resource and can properly conserve the

resource. He said MPW is committed to protecting the ground water resource. He added that they are also committed to making water supply in Mount Pleasant as affordable as possible. He said affordability, economics, how they implement their Master Plan and the facilities required and being mindful of the cost to the customer. They believe by using those four different supplies of water to meet their demand, they can do so in the most economical fashion possible. He said DHEC is really only concerned about the protection of the resource. He said that DHEC does not need to consider economic factors. MPW believes they are able to meet the economic needs of their community as well as protecting the ground water aquifer now and in the future. He stated that MPW is asking the Water Supply Committee to consider their recommendation and offer any support to their request, either from the Committee and/or from the Mayor. He stated that they would be happy to draft a letter for the Committee and Mayor for review and approval in hopes that the Town will agree to send it to DHEC supporting MPW's request of a 31% reduction to 2.75 billion gallons a year.

Mr. Bustos stated that the County is currently passing an ordinance where MPW will be required to provide water outside Town limits. He asked if this was factored in.

Mr. Duffie responded in the affirmative. He stated that the Town's comprehensive plan not only includes the Town, but also includes County properties as well. He said the Town's growth projections are factored into this. He said the Bull's Bay agreement stated that MPW would provide water service throughout their service area which goes from the Cooper River to the Santee River in Northern Charleston County without discrimination. He said this is part of MPW's water agreement with Bull's Bay.

Mr. Owens asked to clarify if it is 1.6 billion gallons per year or is it 1.6 million.

Mr. Duffie stated that it is 1.6 billion per year and this is what they used in 2016.

Mr. Brimmer asked what the BCD COG's recommendation was.

Mr. Duffie stated that the BCD COG has not made a recommendation. He stated that they will meet on Thursday of this week relative to MPW's permit. He added that their permit is not on the agenda and until MPW submits the additional information to DHEC, they will not ask to have it reviewed at the Technical Advisory Committee. He said they have an opportunity to negotiate with them and the Town's support would be very helpful with those negotiations.

Mr. Brimmer asked how much water was drawn in 2017 and 2018.

Mr. Duffie stated that in 2017, it was 1.56 billion and 2018 was 1.37 billion.

Mr. Brimmer stated that as the Town is growing, MPW is drawing less per year.

Mr. Duffie stated that this is because MPW improved their efficiency. He stated that 2018 was a wet year, so the irrigation demand was low. He said there are different variables that need to be factored in. He stated that at some point there is only so much that can be done and it will either level off or increase. He said MPW's goal is to stay in compliance. He said if DHEC cuts MPW to 1.6 billion it will be harmful to MPW in terms of compliance with their permit.

Mr. Brimmer stated that he is trying to understand how DHEC came up with that number.

Mr. Duffie stated that DHEC simply wants to level off MPW's withdrawal. He stated that the aquifer has been drawn down in a monitoring well at Charleston 14, to a negative 110 feet. The water level based upon MPW's reduction of their demand by buying more water from Charleston, increasing their purchased amount up to six million gallons a day, and all the improvements they have made in their conservation, they have been able to reduce their pumping and have seen the aquifer come back to negative fifty feet. He said there

has been no adverse impact on the aquifer at that level and will ask the Technical Advisory Committee to support that. He believes there is a conservative plan going forward, that if DHEC can accept it, that MPW can protect the groundwater resource and have a mechanism in place where it indicates a point where action must be taken and not base it on possible salt water intrusion or possible sedimentation or subsidence.

Mr. Brimmer stated that he is attempting to get a sense of where the numbers derived from.

Mr. Duffie stated that MPW was at 3.9 billion and the current permit is for 10.58 million gallons per day, which is 3.9 billion gallons per year. He said that they know they can reduce that permitted number and have never pumped 3.9 billion. He said they have pumped 3.3 billion in 1992 or 1993. He said they have seen the aquifer drop over 15 years and knew that they could not sustain the rate of decline. He said they did a USGS study and looked at buying more water from Charleston and did so. He said MPW has been limiting their withdrawal over the past 15 years and the water level has come from 110 to 105 feet below ground.

Mr. Brimmer stated under DHEC's plan, how much would MPW be allowed to pull each year for the five year term.

Mr. Duffie stated that it would be 1.679.

Mr. Brimmer asked how much MPW is proposing to draw.

Mr. Duffie stated 2.74 which will take MPW beyond the five years. He said they do not anticipate pumping this amount in the short term, but do not want to give up that amount of water for the long term. He said they are committed to maintaining the water levels as high as possible in the aquifer, which is a measure of the pressure in an aquifer. He said when talking about the difference between 50 feet and 100 feet, and they are withdrawing water at 1,800 feet. He said they believe that they can draw the water down to 110 feet safely and sustainably.

Mr. Brimmer stated that it appears MPW and DHEC are working from two different perspectives. DHEC is attempting to reduce down to a more realistic level of the Town's use and MPW is projecting out beyond.

Mr. Duffie said they believe it is smart to have a cushion.

Mr. Brimmer asked if there have been conversations with any other municipalities and are those municipalities also going to be affected.

Mr. Duffie stated that Charleston did not obtain water from the aquifer, but instead from surface water. He added that there are 14 permitted water users in the Charleston Middendorf Aquifer.

Mr. Brimmer asked if Charleston has expressed any concern on the effect this may have on their supply since we would be required to draw more from them.

Mr. Duffie stated that MPW may draw up to twelve million, based on their current contract without significant improvements. He said the technical issues regarding MPW's contract are relatively complex. He said it would cost more if MPW has to purchase water from Charleston.

Mr. Brimmer asked when MPW expects the additional connection from Sullivan's Island to be in place.

Mr. Duffie stated that it is likely three years out. He said the design is at 90% and are working through technical issues relative to Charleston providing adequate pressure for the line to work. He said one of the major considerations in the utility and providing water to 90,000 people is the redundancy in capacity. He stated that if MPW is cut to 1.6 there is no redundancy and they will have minimal water to meet demands. He said if something happened with Charleston, MPW would have to ask for an emergency withdrawal which can be legally obtained, but they do not want to do this every year. He stated that the Sullivan's Island connection would be a wholesale water supply and not a retail water supply.

Mr. Owens stated that MPW had a meeting with DHEC last week and at that time there was a request for reduction at 57% and MPW was able to reduce this to 31%.

Mr. Duffie stated that this has not been agreed upon. He said MPW agreed that they would supply DHEC with more information to justify the 31% reduction. He said it will likely take 30 days.

Mr. Owens asked Mr. Duffie if he is confident that the 31% reduction will sustain the Town of Mount Pleasant.

Mr. Duffie responded in the affirmative.

Mr. Brimmer asked who makes this decision.

Mr. Duffie stated that staff at DHEC makes the decision on issuing the draft permit and once MPW goes through the process with the Technical Advisory Committee review, DHEC may take or reject the Technical Advisory Committee's recommendation. He said that DHEC issues the permit. He said it can be appealed to the Board and if they deny or refuse to hear their appeal, they can appeal to the Administrative Law Judge.

Mr. Owens made a motion to support the request of the Mount Pleasant Waterworks' recommendation and all its details to the Department of Health and Environmental Control in the form of a written response; seconded by Mr. Brimmer.

Mr. Bustos clarified if the written response would be from the Water Supply Committee, Town Council or the Mayor.

Mr. DeMoura stated that if the Mayor is so willing and comfortable with the letter, it would be most appropriate to come from his office.

Mr. Owens clarified his motion that the written response would come from the Mayor's office; Mr. Brimmer seconded.

All present voted in favor.

b. Request for letter of support

Mr. Duffie stated that he will work with Mr. DeMoura and Mayor Haynie in drafting of the letter.

3. Adjourn

There being no further business, meeting adjourned at 11:24 a.m.

Respectfully submitted,

Barbara Ashe

April 23, 2019