

**Minutes of the Edisto RBC Meeting  
Wednesday, November 18, 2020**

***Meeting was held virtually via the Zoom application***

Members Present: Mark Aakhus, Laura Bagwell, John Bass, Kirk Bell, David Bishop, Danny Burbage, Joel Duke, Richard Hall, Johnny Haralson, J.J. Jowers, Hugo Krispyn, Alta Mae Marvin, Eric Odom, Hank Stallworth, Jason Thompson, Alex Tolbert, Jeremy Walther, Jerry Waters.

Alternates Present: Brandon Stutts (sitting in for Mike Mosley), Charles Wingard (sitting in for Landrum Weathers)

Members excused: Trey McMillan and Charles Shugart

Planning Team Present: Scott Harder, Jeffery Allen, John Boyer, Rob Devlin, Alex Butler, Joe Gellici, Andrew Wachob, Tom Walker, Chikezie Isiguzo, Andrew Waters & Vincent Guerrero

Total present: 73

**1. Call to Order, Approval of agenda and October 21<sup>st</sup> minutes and summary.**

John Boyer called the meeting to order at 9 a.m. He announced the meeting would be recorded and recognized Tom Walker for his assistance in running the meeting.

John reviewed the agenda that had been previously submitted to the council.

He announced that Danny Burbage is replacing Natalie Tarpein as an RBC member. He is representing water-based recreational interests on the Edisto RBC.

The submitted agenda was approved unanimously.

The revised minutes and summary from the previous meeting were also approved unanimously.

**2. Public Comment**

John invited members of the public to submit comments. There were no comments submitted from the public.

**3. Coastal Aquatic Resources Presentation**

John introduced presenter Joseph (Joey Ballenger) Ballenger, an aquatics expert with S.C. DNR. He has a PhD in biological oceanography.

Dr. Ballenger's presentation was titled "Lower Edisto River Basin and Coastal Resources Monitoring." The presentation slides are available for download and review.

The presentation focused on current DNR research on coastal fisheries and S.C. estuaries and coastal environments. DNR surveys have encountered over 100 fish species since 1991 and approximately 450,000 different organisms.

#### **4. Review of Freshwater Aquatic Resources**

John introduced Chris Thomason, freshwater biologist with SCDNR.

Chris's presentation was titled "Freshwater Fishes of the Edisto River Basin." The presentation slides are available for review and download. The presentation gave an overview of the freshwater fish species of the Edisto and various fisheries research efforts underway on the Edisto by SCDNR.

87 native species and 3 introduced species have been surveyed in the Edisto. This survey includes the Edisto River and tributaries. The river is not known to have lost any of its native species.

#### **5. Review of Cultural Resources**

John introduced Sean Taylor, senior archaeologist for DNR. Sean's presentation was titled "Cultural Resources: What are they and What do they have to do with SCDNR?" The presentation gave a brief introduction of DNR's archaeological program, which is part of the Heritage Trust Program. SCDNR has 98,203 acres in the Natural Heritage Trust Program. Seventeen properties in the Heritage Trust program protect cultural/historic resources.

Sean reported that climate change is having a significant impact on South Carolina cultural resources.

The presentation focused on current archaeological research of shell rings on Fig Island in Botany Bay. These are rings of mainly oysters (and other shellfish, mammal, and avian species, that are consumed and then discarded in a circular manner). Currently, there is no definitive evidence suggesting why these rings were created. Theories include that they were areas for habitation, meeting, trading, or celebration. One of the rings on Fig Island is 40 feet high. The land area around this shell ring is eroding very quickly, Sean reported.

#### **6. Review of Water Law**

John introduced Josh Eagle, a professor of environmental and natural resource law at University of South Carolina. Josh's presentation was titled "Some Thoughts on Water Law for the Edisto RBC." His presentation focused on legal issues that might be encountered by the RBC in the context of South Carolina property law. Josh reported we have relatively little water

law in South Carolina because the state historically has had an abundance of water resources. He suggested this may change as water resource availability changes in upcoming years.

He reported that, generally, states own water when it is still in the ground or in a body of water. But there are features of water common law that create expectations about right to future use. SC groundwater common law is not stated explicitly; we are probably an American Rule jurisdiction, based on his opinion. American Rule says landowner can use as much water as they want for on-tract, non-wasteful purposes. For surface water, we are a riparian rights state, which means adjacent landowners have a right to a reasonable share of the water. "Reasonable" is never considered a specific amount but depends on what other adjacent landowners and the public interest requires for their reasonable use. Permits and rights alter/increase common law expectations. He recommends we develop reasonable expectations about water use for the public.

John Boyer asked how the RBC might want to address recommendations for revision or amendment to current surface water law. Josh responded that the RBC is going to have balance flexibility and predictability in policy and legislative recommendations.

In closing, Josh offered to be a legal resource as needed for the RBC moving forward.

## **7. Vision Statement & Goals**

John outlined a process for working on a vision statement and writing council goals. Tom Walker invited RBC members to unmute and turn on their video. John asked for an open dialog about the vision statement.

The Vision statement and goals should summarize the RBC's priorities for water resource use and management in the Edisto River Basin, John instructed.

John reviewed some samples of vision statements and goals from other river basin planning processes. He then reviewed RBC priorities collected at the August 2020 meeting. He asked the RBC to wrap these priorities into a vision statement.

Charles Wingard recommended we keep the vision statement concise. Alta Mae Marvin recommended we decide how we want to approach the vision statement--long vs. short. Hugo Krispyn responded that in his experience, the mission statement is short and the vision statement expanded on the mission statement. Lists of goals and values should support both statements. Laura Bagwell supported Hugo's recommendation. John asked if everyone agreed with that approach and received no negative response.

John presented drafts of vision statements from RBC members. Members discussed revisions and additions to the drafts presented by members to be presented as a mission statement rather than a vision statement. Hugo asked members to recognize the mission statement is the de minimis representation of the RBC's goals, vision, and values. Jason Thompson challenged

the group to remember that the role of the RBC isn't to replace the roles of other stakeholders such as DNR, Clemson, and DHEC. The issue is to highlight our vision and role in recognition of the role and responsibilities of other stakeholders. Hugo added that our only role is to develop the plan. John remarked that the RBC will also have a role in implementation and updating the plan.

A draft mission statement was developed by John based on member comments. Several revisions and edits were suggested by the council including in the chat (Appendix A, Appendix B). Following is the draft developed during the meeting:

Proposed Mission Statement: "To develop and support implementation of a River Basin Plan for sustainable management of water resources in the Edisto."

David Bishop asked for the opportunity to think about the draft before adopting it. John Boyer suggested we finalize the mission statement and vision statement at the next meeting. The discussion then shifted to development of a "Vision Statement."

John reviewed other vision statement drafts presented by members of the RBC. Discussion centered around the distinction between vision and goals. John then reviewed draft goals presented by members but remarked we don't have time to dive into goals at this meeting. John decided to collect recommendations for vision statements and goals and submit them to the group for consideration prior to the next meeting. By consensus, the group agreed to that approach for moving forward with crafting a vision statement and goals.

## **8. Meeting Conclusion**

John reviewed a proposed agenda for the next meeting on Wednesday December 9, and also the following meeting on Wednesday, January 6. We will only have one meeting in December.

There being no other comments or questions from the group, John adjourned the meeting at 12:05 p.m.

Minutes by: Andrew Waters and Tom Walker

Approved: 12/9/2020

## Appendix:

### A. Edisto RBC Chat (Mission and Vision Statement Discussion)

11:27:53 From Hugo Krispyn : Through my lenses as Edisto Riverkeeper with Friends of the Edisto: "We visualize an Edisto River watershed where the land and its people support a healthy, flowing Edisto River: A thriving ecosystem of native aquatic and riparian plants and animals, protected and enabled to sustainably provide natural, economic, and recreational benefits for all citizens, enhancing the quality of life now and for future generations. Integral to realizing this vision is a collaborative approach, engaging and connecting a broad spectrum of stakeholders."

11:29:23 From Jason Thompson : "The Edisto River Basin Council will endeavor to develop and maintain a river basin plan that acknowledges the importance of this water resource for all existing water withdrawals, recreational uses and the environment, and that prioritizes and protects these as it considers water quantity issues arising from future withdrawals and legislative changes. To this end, the council will utilize the collaborative expertise of all the water users and available data to stay informed of changes in water availability and to support and develop strategies, policies and legislative recommendations that protect the quantity and quality of this resource, thus reducing the likelihood and severity of future rationing events and in order to protect the availability of the resource for future users and generations."

11:29:52 From John Bass : to conserve and manage our water resources in order to sustain and enhance our unique coastal environment and economy of the Edisto River Basin."

11:30:43 From Jeremy Walther : I would agree with Charles lets keep it short so you can remember it

11:32:36 From Alex Pellett : Mission: Write a good plan and support its implementation.

11:32:44 From hankstallworth : The ERBC will work with the stakeholders to collaboratively develop river basin policies that reflect the interconnections of the surface and ground water resources so that ecosystem needs are met and the human needs of current and future users are recognized and protected.

11:37:52 From Jeremy Walther : Sustainable use the water resources within the basin conserving them for future generations

11:38:14 From David Bishop : Vision (what we want): The Edisto River basin will have abundant and clean water for people and nature

11:40:10 From Laura Bagwell, Aiken Soil & Water : SUSTAINABILITY (avoiding the depletion of resources) is an obvious need (in mission/vision/goals). Would also suggest incorporation of RESILIENCE into our vision and/or goals. (The notion of resilience implies recoverability over an "acceptable" period of time.)

11:42:31 From Laura Bagwell, Aiken Soil & Water : MISSION: To sustainably manage water resources in the Edisto River Basin. VISION: (how) GOALS: (what +/- when)

11:44:33 From Charles Wingard : Working together to sustainability manage our water resources in the Edisto River Basin

11:44:59 From Charles Wingard : Shows collaboration amongst all stakeholders.

11:51:03 From Laura Bagwell, Aiken Soil & Water : MISSION --> VISION/VALUES --> GOALS --> METRICS

11:51:17 From hankstallworth : "Sustainable" needs to apply to the resource not the plan.

11:51:47 From Jeremy Walther : should we change in the Edisto to within the basin

12:00:31 From Hugo Krispyn : When John gave us the homework assignment, I drafted the above document (Appendix B).

12:00:50 From Hugo Krispyn : My "Values" items can be read as "Goals"

12:02:19 From Laura Bagwell, Aiken Soil & Water : Suggested homework assignment for all ERBC members: Craft a succinct mission statement and set of goals (in the next week). Planning team can digest and distill and we can modify next time and develop a vision statement that bridges the mission and goals.

## **B. Hugo Krispyn Chat Document (Mission and Vision Statement Discussion)**

### Vision

We visualize an Edisto River watershed where the land and its people support a healthy, flowing Edisto River: A thriving ecosystem of native aquatic and riparian plants and animals, protected and enabled to sustainably provide natural, economic, and recreational benefits for all citizens, enhancing the quality of life now and for future generations.

Integral to realizing this vision is a collaborative approach, engaging and connecting a broad spectrum of stakeholders.

## Values

We strive to do what is right for the Edisto River and the watershed. Our decisions and actions are clearly and proudly aligned with our vision, informed and guided by the following values.

☐☐ Integrity: We commit to the principles of truth and honesty. We are transparent and credible, ensuring public trust.

☐☐ Stewardship: We believe all of us are accountable for the health of the Edisto River, its creatures, and the communities that live in its watershed and rely upon its waters.

☐☐ Sustainability: We believe that our society must meet the needs of the present without compromising the ability of future generations to meet their own needs.

☐☐ Leadership: Through thoughtful and decisive action, we strive to inspire and engage others to protect and be stewards of the Edisto River with us.

☐☐ Collaboration: We believe our work is best accomplished through voluntary, inclusive partnerships, and through ideas that empower others to be committed and engaged.

• Expertise: We pursue our mission with professionalism, bringing to bear deep understanding, creativity and scientific/technical proficiency.

☐☐ Equity: The Edisto River belongs to all of us and its gifts should flow equally to everyone in our community. We strive to be culturally competent, welcoming and inclusive of all people, and are committed to using our resources and influence to work on behalf of the health and vitality of the Edisto River.

• Transparency: We are committed to honesty and open communication, even when it is uncomfortable. The RBC is upfront and visible in the actions it takes, and conducts its business internally and externally in a fully transparent manner.