

AGENDA

THE COMMISSIONERS OF PUBLIC WORKS OF THE CITY OF SPARTANBURG, S.C. Meeting Place: 200 Commerce Street

REGULAR MEETING

**Tuesday, November 28, 2023, 3:00 p.m.
(or immediately following SSSD meeting)**

This is a regular meeting of The Commissioners of Public Works of the City of Spartanburg, S.C. Written notice of the date, time, and place for this meeting, along with the agenda, has been posted in the lobby and on the Spartanburg Water website, and copies have been forwarded to local and nearby news media (including Spartanburg Herald-Journal, The Spartan Weekly, Greenville News, The Greer Citizen, Hometown News, WSPA-TV 7, WYFF-TV 4, WLOS-TV 13, WHNS Fox Carolina, WORD News Radio, WOLT-FM Radio, Tribune Times, and the Times Examiner) at least 24 hours prior to this meeting.

- 1. APPROVAL OF MINUTES OF REGULAR MEETING OF OCTOBER 31, 2023, RATE AND FEE MEETING OF NOVEMBER 14, 2023, AND RETREAT OF NOVEMBER 14, 2023.**
- 2. MONTHLY FINANCIAL REPORT**

Cam Cole will present a financial summary of SWS expenditures and revenues for the four-month period ending October 31, 2023.

The above is provided as information to the Commission.

- 3. PROPOSED 2024 COMMISSION MEETING SCHEDULE**

January 23	February 27
March 26	April 23
May 21	June 25
July – No Meeting	August 27
September 24	October 29
November – No Meeting	December 3

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4. DRINKING WATER TREATMENT CHEMICALS BID

An online reverse auction event was held on November 8, 2023, in order to obtain pricing for drinking water treatment chemicals for the Spartanburg Water System water treatment facilities. Fourteen vendors participated in the event. The pricing submitted is for the contract term January 1-December 31, 2024. The results of the event are tabulated below.

	Aluminum Sulfate	Fluosilicic Acid 23%	Hexametaphosphate	Sodium Thiosulfate 30%	Polymer Liquid	Poly Aluminum Chloride Delpac	Solar Salt	Residuals Polymer	Liquid Chlorine	Caustic Solution	Sodium Polyphosphate	Sodium Hypochlorite	Hydrogen Peroxide	Calcium Thiosulfate
Estimated Annual Qty	2200 Tons	170 Tons	85 Tons	5500 gals	55,000 lbs.	34,000 lbs	1,000,000 lbs.	10,000 lbs.	4,000 lbs.	16,500 lbs.	300 gals	50,000 gals	17,000 gals	8,000
Unit of Measure	Ton	Ton	Ton	Gallon	Pound	Pound	Pound	Pound	Pound	Pound	Gallon	Gallon	Gallon	Gallon
Shannon Chemical Corp			\$3,629.000											
Polydyne Inc.					\$3.000			\$3.000						
Chemtrade Chemicals	\$399.000													
C&S Chemicals	\$500.000													
Pencco Inc		\$495.000												
Univar Solutions USA		\$494.990		\$4.900		\$1.100	\$0.129					\$1.850	\$2.300	
Carus			\$3,630.000											
Atlenco					\$1.620			\$1.345						
Water Guard														\$7.000
Brenntag Mid-South	\$400.000	\$680.000		\$4.277			\$0.400	\$1.350	\$1.280	\$0.385		\$2.980		
Colonial Chemical Solutions							\$0.126							
Aqua Smart											\$13.967			
Aulick Chemical Solutions											\$13.970			
JCI Jones Chemical												\$1.835		

Management recommends awards to the lowest responsive bidders for those products indicated on the bid tabulation summary. Funding will be provided through the annual operating fund.

5. PFAS CLASS ACTION LITIGATION AND RELATED SETTLEMENTS

So as to eliminate any confusion as to the authority already vested in the Chief Executive Officer of Spartanburg Water to make an Opt-Out decision regarding the PFAS Water Class Action Settlements by 3M or DuPont/Chemours/Corteva, the Commission of Public Works of the City of Spartanburg, South Carolina, confirms the Chief Executive Officer’s authority to Opt-Out of these settlements based on what he deems to be in the best interest of Spartanburg Water and the Commission has adopted a resolution attesting to this authority.

6. UNION STREET WATERLINE REHABILITATION PROJECT

Bids were received on November 15, 2023, from vendors to furnish ductile iron pipe, valves, fittings, fire hydrants, appurtenances, and erosion control

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to the Spartanburg Water System as required for the Union Street Waterline Rehabilitation Project.

The request for bid was advertised in the local media, SWS website, and forwarded to prospective suppliers of which drew responses from four bidders. A tabulation of the bid is listed below.

<u>BIDDER</u>	<u>AMOUNT OF BID</u>
Hayes Pipe Supply, Inc. Greer, SC	\$917,730.80
TEC Utilities Supply, Inc. Greenville, SC	\$929,866.00
Fortiline Greenville, SC	\$1,012,766.77
Ferguson Waterworks Greenville, SC	\$1,022,812.82

Management recommends the contract be awarded to the lowest responsive bidder, Hayes Pipe Supply, at a cost of \$917,730.80.

Funding will be provided in whole or in part by the South Carolina Infrastructure Investment Program (SCIIP), which is administered by the South Carolina Rural Infrastructure Authority (RIA) and funded by federal State and Local Fiscal Recovery Funds (SLFRF) through the American Rescue Plan Act (ARPA).

7. PAL (PLAY. ADVOCATE. LIVE WELL.) GRANT PROPOSAL

In Spartanburg, healthy living comes naturally. It is fun, easy, and safe because we are connected to our community, to each other, and to the nature that surrounds us. We utilize our vast natural resources, gardens, local markets, trails, and parks routinely. We walk and bike through our neighborhoods, play outdoors and share healthy meals. We embrace our wonderful quality of life. The mission of PAL advances active living, promotes eating healthy and fosters health equity. The focus and goal of PAL is to improve health and wellness throughout Spartanburg County by creating an environment and culture that fosters physical activity and healthy

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eating through an equity lens. PAL identifies itself as a small nonprofit working to enact large scale change.

One of PAL's strategic plan intentions is to advance active living by connecting trail systems. PAL requests watershed grant funding focused directly at creating trail signage and introductory videos intended to provide education and training for Spartanburg residents, trail users and other stewardship volunteers related to identification and removal of invasive plants. Their Trails Stewardship Program, hosted in partnership with the Trees Coalition, was formalized in 2020 and consists of multiple invasive species removal sessions each year. Invasive species such as kudzu, privet and English Ivy are especially problematic within watersheds where they crowd out native plant species and alter ecosystem habitats, ultimately impacting water quality and the natural environment.

Last year, Spartanburg Water awarded PAL with a grant to purchase tools and accessories for their Stewardship Program whereby they were able to host seven events with over 150 field volunteers. This year, PAL is requesting a grant to expand on this Trail Stewardship Program by creating videos and signs that will outline the "what-why-how" of invasive plants and why it is important to remove them from the natural landscape. Specifically, they will produce six videos and five different signs to be placed in two locations (10 signs total). Total Project Budget for this Educational Stewardship Program is \$13,500. They have received a Recreational Trails Program grant from the South Carolina Department of Parks, Recreation and Tourism for \$10,000 and are requesting a match from Spartanburg Water in the amount of \$3,500 to fund the planning, development and implementation phase of the project.

Management recommends the approval of targeted funding for invasive species management education offered by PAL in the amount of \$3,500, with an equal allocation of \$1,750 of the funding from SWS and \$1,750 of the funding from SSSD. Funding will be allocated from SWS and SSSD operating funds.

8. TREESUPSTATE WATERSHED GRANT PROPOSAL

TreesUpstate is a 501c3 founded in 2005 in direct response to stormwater and air quality issues that are a result of tree canopy loss. Their mission is to plant, promote and protect trees in Spartanburg, Greenville, Anderson, Pickens and Oconee Counties. They strategically plant trees in parks,

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greenspace, schools and neighborhoods. They actively promote the benefits of trees and protect trees by providing education and technical support. Since their inception, they have planted and given away over 38,000 trees through a strong volunteer and partnership base.

As we lose tree canopy, more water runs off and less water reaches aquifers. Trees play a critical role in capturing, storing and evaporating water. Trees filter stormwater and reduce overall run-off volume. Planting and managing trees is a natural way to mitigate stormwater, reduce nutrient loadings into surface waters, and reduce erosion potential. Conserving or promoting forested landscapes, forests and individual trees helps to protect surface water supplies - which translates into less money spent on water treatment.

TreesUpstate proposes to work with the Noble Tree Foundation and the Green Infrastructure Center in the development of a canopy map of the City of Spartanburg's land cover and the County of Spartanburg's land cover. Specific deliverables for this project include tree canopy maps, maps of plantable areas, budgeting tools, ecosystem services (e.g., stormwater infiltration benefits) and resilience tools. These maps and tools can be used for planning, education, and/or securing community investments and partnerships. The data and findings will help set goals for urban forestry work (e.g., number of trees to plant, where to plant them, and ecosystem benefits of additional trees planted). The tree canopy study can be customized to meet the needs of Spartanburg Water including an understanding of the impact/benefits of trees in the Broad River Basin watershed, particularly above Lake Bowen, the North and South Pacolet Rivers, and the riparian buffers around Lake Bowen, Lake Blalock and Municipal Reservoir #1.

Total project budget for this initiative is \$40,000 with a request that Spartanburg Water contribute \$10,000 as one of four participating partners. One Spartanburg and The City of Spartanburg have committed funds and a request from Spartanburg County is pending approval.

Management recommends that the Commission approve funding for this Watershed Grant in the amount of \$10,000, with an equal allocation of \$5,000 of the funding from SWS and \$5,000 of the funding from SSSD. Funding will be provided through SWS and SSSD operating funds.

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9. WATERSHED ECOLOGY CENTER GRANT PROPOSAL

The Watershed Ecology Center's mission is to encourage watershed awareness through education, experience, and community outreach. Special emphasis is placed on water conservation, watershed education, water quality, and the study of organisms living in the area encompassed by a watershed. All of the Watershed Ecology Center's educational programming meets state standards and incorporates hands-on learning activities. Last year, programs that focus on water served 23,000 students throughout Spartanburg County through an offering of nearly 1,200 programs.

The Watershed Ecology Center's annual goal for 2024 is to reach 23,000 K-8 students through watershed based educational programming. In addition to their traditional classroom programs, the Watershed Ecology Center will be hosting a summer camp for students aged 6-12. The camp is held at the USC Upstate (USCU) Arboretum (and other sites on the USCU campus). The curriculum will focus on hands-on watershed based activities with a high ratio of staff to child to provide individual attention and a quality learning experience.

The Watershed Ecology Center also endeavors to promote and expand other programs related to watershed awareness by expanding monitoring in the upper regions of the Pacolet River Watershed through the Adopt-A-Stream program, a credentialed citizens monitoring network. This funding will support the training of two additional teams and purchase of monitoring kits for those that monitor in Spartanburg County.

Building on the success of their Teacher Assistance Program to promote watershed learning for educators, they will continue to facilitate existing teacher success in the classroom by providing tools to incorporate both more hands-on education of science and math. The Watershed Ecology Center will further enhance their teacher education program in elementary schools by assisting with training of "pre-service" elementary teachers. This will provide new teachers with an in-depth understanding of the natural world and guide them in the use of STEM tools to support their curriculum for students. Science is a vital part of their curriculum, and the Watershed Ecology Center plans to provide valuable, real-world experiences as part of their education. The continuation of this watershed focused education initiative will expand teacher knowledge and equip them to explain it to their students.

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Management recommends the approval of targeted funding for the aforementioned K-8 educational programs and watershed based program initiatives offered by the Watershed Ecology Center in the amount of \$23,000, with an equal allocation of \$11,500 of the funding from SWS and \$11,500 of the funding from SSSD. Funding will be allocated from SWS and SSSD operating funds.

10. AMENDMENTS TO THE SPARTANBURG WATER SYSTEM POLICIES AND PROCEDURES FOR LAKE WILLIAM C. BOWEN

The proposed amendments modify various sections of Spartanburg Water System Policies and Procedures for Lake William C. Bowen, originally effective October 26, 2022. The purpose of the amendments is to enhance or further clarify language related to acceptable structures and activities, watercraft permits, dock placement, maintenance of the SWS buffer and structures therein, pathway installation, and shoreline stabilization related to Lake William C. Bowen.

Management is proposing the following changes to Spartanburg Water System Policies and Procedures for Lake William C. Bowen.

Proposed Amendment: Pages 3-5 – “General” Section

Existing Language	Proposed Language
5. No person shall pollute SWS Property or the waters of the Reservoir with any sewage, garbage, rubbish, tree limbs, stumps, debris, or waste of any kind. No person shall use gasoline, oil, lubricants, pesticides, herbicides, or any other toxic or hazardous substance that may cause pollution of the water supply.	5. No person shall pollute SWS Property or the waters of the Reservoir with any sewage, garbage, rubbish, tree limbs, <u>tree leaves or grass clippings</u> , stumps, debris, or waste of any kind. No person shall use gasoline, oil, lubricants, pesticides, herbicides, or any other toxic or hazardous substance that may cause pollution of the water supply.
7. Except for the lawful possession of firearms or fireworks by a Contiguous Landowner within their Buffer Access area, the use or possession of firearms or fireworks on SWS Property is prohibited.	<u>7. Only Contiguous Landowners within their Buffer Access Area may possess or utilize fireworks on SWS property.</u>

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Existing Language	Proposed Language
9. Except for Contiguous Landowners within their Buffer Access Area, no camping, picnicking, cleaning, or cooking of fish or other foodstuffs is permitted on SWS property.	<u>9. Except for Contiguous Landowners within their Buffer Access Area or in designated picnic areas within Lake Bowen Park, no picnicking or cooking of fish or other foodstuffs is permitted on SWS Property except for Contiguous Landowners within their Buffer Access Area.</u>
N/A – Addition	<u>14. Any Contiguous Landowner wishing to install electrical wiring on the Buffer Access Area must complete an Indemnity and Hold Harmless Agreement Related to Electric Wiring. NO wiring may be installed without a valid SWS permit.</u>
N/A – Addition	<u>19. No fences, aboveground or underground, may be permitted on SWS property.</u>

Proposed Amendment: Page 6-7 – “Boating” Section

Existing Language	Proposed Language
10. At times when the Wardens deem the Reservoir to be too congested with boat, watercraft, or vessel traffic to permit safe navigation, the Wardens, in the interest of safety, may close boat landings and otherwise restrict access to the Reservoir.	10. At times when the Wardens deem the Reservoir <u>or park</u> to be too congested with boat, watercraft, or vessel traffic to permit safe navigation, the Wardens, in the interest of safety, may close boat landings and otherwise restrict access to the Reservoir <u>or park</u> .

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Proposed Amendment: Page 7-8 – “Watercraft Permits” Section

Existing Language	Proposed Language
<p>4b. This restriction does not apply to tow boats or any Coast Guard approved boat commonly referred to as an inboard boat designed by the manufacturer for towing water skiers with the motor or engine near the midpoint of the boat between the bow and the stern, propeller driven by a single rod drive shaft extending through the hull, with the propeller located under the boat in front of a rudder.</p>	<p>4b. This restriction does not apply to tow boats or any Coast Guard approved boat commonly referred to as an inboard boat designed by the manufacturer for towing water skiers with the motor or engine near the midpoint of the boat between the bow and the stern, propeller driven by a single rod drive shaft extending through the hull, with the propeller located under the boat in front of a rudder. <u>Boats commonly referred to as V drives are not allowed on any SWS reservoirs.</u></p>

Proposed Amendment: Page 8 – “Grading and Erosion Control” Section

Existing Language	Proposed Language
<p>N/A – Addition</p>	<p><u>2. Land disturbing activities, including construction, will incorporate all necessary steps to prevent silt, runoff, or other debris from entering onto SWS Property or the Reservoir.</u></p>

Proposed Amendment: Page 8-10 – “Structures” Section

Existing Language	Proposed Language
<p>1. Only Contiguous Landowners with lots approved for residential construction by Spartanburg County and SCDHEC, having a minimum of 40 feet of property at the 827’ contour line may be permitted to construct, install, establish, or create permitted marine structures (docks) on SWS property.</p>	<p><u>2. Only Contiguous Landowners with lots approved for residential construction by Spartanburg County and SCDHEC, having a minimum of 40 feet fronting and abutting on the ponded water at normal pool elevation when the side boundaries are extended across SWS property may be permitted to construct, install, establish, or create permitted marine structures such as docks on SWS Property.</u></p>

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Existing Language	Proposed Language
2. Dwellings, outbuildings, swimming pools, kennels, play houses, boat ramps, fencing, roads or driveways are prohibited on SWS property.	3. Dwellings, outbuildings, swimming pools, kennels, play houses, <u>playground equipment</u> , boat ramps, fencing, roads or driveways are prohibited on SWS property.
5. Contiguous Landowners performing maintenance on marine structures (“Marine Structure Maintenance”) must notify SWS that work is taking place by submitting a Structure Maintenance Notification form. This form must be submitted before work begins. Structure Maintenance Notification forms are available at the Lake Offices and online at www.spartanburgwater.org .	6. Contiguous Landowners performing maintenance on marine structures (“Marine Structure Maintenance”) must notify SWS that work is taking place by submitting a <u>Maintenance Form</u> . This form must be submitted before work begins. <u>Maintenance Forms</u> are available at the Lake Offices and online at www.spartanburgwater.org .
5a. ...Marine Structure Maintenance, as defined herein, does not require a new permit, but does require the Marine Structure Notification form referenced above.	6a. ...Marine Structure Maintenance, as defined herein, does not require a new permit, but does require the <u>Maintenance Form</u> referenced above.
N/A – Addition	10. <u>Contiguous Landowners who have more than one licensed or permitted marine structure installed on a single qualifying parcel may maintain these structures in their current conditions. Should Contiguous Landowners desire to make any changes to any of these existing marine structures, ALL marine structures associated with the adjacent parcels must be brought into compliance with current SWS Policies and Procedures.</u>

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Existing Language	Proposed Language
<p>16. No new boat ramps will be permitted. Existing boat ramps may be licensed as long as they are maintained and in good repair. At any time the licensed boat ramp becomes in a state of disrepair, the contiguous landowner must remove the boat ramp at their own expense.</p>	<p>16. No new boat ramps will be permitted. Existing boat ramps may be licensed as long as they are maintained and in good repair. At any time the licensed boat ramp becomes in a state of disrepair, the contiguous landowner must remove the boat ramp at their own expense. <u>A permit will be required for any desired maintenance to be conducted on a permitted or licensed boat ramp.</u></p>

Proposed Amendment: Page 10-11 – Relocation of existing fire pit/fire ring language from under the “Structures” Section to a “Fire Pits/Fire Rings” Section

Existing Language	Proposed Language
<p>2. Contiguous Landowners using fire-pits must monitor the conditions for safe burning and shall abide by any applicable alerts, advisories, or bans that may be issued by the SC Forestry Commission or the Fire Marshall. During periods of drought or when the SC Forestry Commission or Fire Marshall issues High Fire Conditions alerts, the use of fire pits will be suspended.</p>	<p>2. Contiguous Landowners using fire-pits must monitor the conditions for safe burning and shall abide by any applicable alerts, advisories, or bans that may be issued by the SC Forestry Commission or the Fire Marshall. <u>When the SC Forestry Commission, Governor, or local jurisdictions issue burning bans, the use of fire pits will be suspended.</u></p>

Proposed Amendment: Page 12 – “Irrigation Systems and Water Withdrawal” Section

Existing Language	Proposed Language
<p>N/A – Addition</p>	<p><u>3. It is unlawful for irrigation systems using water withdrawn from the Reservoir to connect to a potable water source.</u></p>
<p>N/A – Addition</p>	<p><u>5. Contiguous Landowners are required to install and maintain an irrigation electrical disconnect safety switch on new permitted irrigation pumps.</u></p>

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Proposed Amendment: Page 13-14 – “Tree and Vegetation Management” Section

Existing Language	Proposed Language
<p>3. Except the Authorized Maintenance Activities, a permit is required to cut and remove any tree or established vegetation from SWS Property, regardless of the tree or vegetation’s condition. If a permit is issued, the Contiguous Landowner will conduct such work at his/her expense and will be required to replant the affected area.</p>	<p>3. Except the Authorized Maintenance Activities, a permit is required to cut <u>or</u> remove any tree or established vegetation from SWS Property, regardless of the tree or vegetation’s condition. If a permit is issued <u>to remove a tree or other established vegetation</u>, the Contiguous Landowner will conduct such work at his/her expense and will be required to replant the affected area <u>as specified in the permit document</u>.</p>
<p>6. For undeveloped or naturalized areas within the Buffer Area, no trees or vegetation shall be removed without the contiguous Landowner applying for, and obtaining, a validly issued permit for the desired activities in or changes to the Buffer area. SWS will carefully evaluate permit applications for activities or changes to the Buffer Area, consulting, when appropriate outside guidelines or advisors.</p>	<p>6. For undeveloped or naturalized areas within the Buffer Area, <u>the following conditions will apply:</u></p>
<p>N/A – Addition</p>	<p><u>6a. Shrub/understory vegetation must remain at least 12 inches in height. Tree saplings measuring less than 2 inches at ground level may be cut to ground level. All permitted Vegetation Management will be conducted at the Contiguous Landowner’s expense and in strict compliance with the requirements of the permit.</u></p>
<p>N/A – Addition</p>	<p><u>6b. Tree and Vegetation permits will only be applicable to those buffer areas with less than 8% slope.</u></p>
<p>N/A – Addition</p>	<p><u>6c. No new turf grass lawns may be established within SWS Property.</u></p>

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Existing Language	Proposed Language
N/A - Addition	<u>6d. The collective length of the linear frontage to be maintained may be up to 2/3 the length of the SWS-owned buffer and shoreline, not to exceed a total of 200 feet.</u>

Proposed Amendment: Page 14 – Creation of a “Pathways” Section

Existing Language	Proposed Language
N/A – Addition	<u>1. If the slope of the Buffer Area is greater than 8%, a hard pathway will be required. A permit must be obtained prior to the beginning of construction. Hard pathways will consist of wooden stairs or boardwalks, and may not exceed 4’ in width.</u>
N/A – Addition	<u>2. If the slope of the Buffer Area is less than 8%, Contiguous Landowners may apply for a soft pathway if desired. A soft pathway will not be required provided the Contiguous Landowner does not wear a track on the existing lawn.</u>
N/A – Addition	<u>3. The soft pathway must either have natural ground cover or be constructed of natural materials and follow the contour of the land. Pathways are not allowed to be constructed with concrete, asphalt, or other impervious surfaces.</u>
N/A – Addition	<u>4. Contiguous Landowners performing maintenance on pathways must submit a completed Maintenance Form to SWS prior to initiating work.</u>

Proposed Amendment: Page 15 – Creation of “Shoreline Stabilization” Section

Existing Language	Proposed Language
N/A - Addition	<u>1. For the purposes of SWS reservoirs, shoreline stabilization is defined as the installation of structural systems such as seawalls or rock and/or natural systems such as vegetation to protect the shoreline by minimizing erosion and enhancing the resistance of the shoreline to wave action.</u>

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Existing Language	Proposed Language
N/A - Addition	2. <u>SWS permits the installation of seawalls, natural stone, or vegetated shoreline stabilization around Lake Bowen. A Contiguous Landowner must apply for and be issued a valid Shoreline Stabilization permit before initiating any shoreline stabilization work.</u>
N/A - Addition	3. <u>All Shoreline Stabilization permits will be accompanied by a planting plan and Tree and Vegetation permit. Contiguous Landowners are responsible for the installation and maintenance of the permitted vegetation as described within the conditions of their Tree and Vegetation Permit.</u>
N/A - Addition	4. <u>Applications for shoreline stabilization must include all of the following:</u>
N/A - Addition	4a. <u>Measurement of the length of shoreline to be affected</u>
N/A - Addition	4b. <u>Description of all materials.</u>
N/A - Addition	4c. <u>Dimensions of shoreline stabilization to be installed (height, width, dimensions of materials if using lumber or block, etc.)</u>
N/A - Addition	4d. <u>Planting plan to supplement requested shoreline stabilization. Only plants native to the Piedmont region of SC may be installed in the Buffer Area.</u>
N/A - Addition	5. <u>Seawalls may be permitted on Lake Bowen at the discretion of SWS staff. Contiguous Landowners are not guaranteed a seawall permit upon application, and approval will depend upon conditions such as bank height, existing vegetation, and other preexisting conditions.</u>
N/A - Addition	6. <u>No seawall will be permitted that exceeds 4’ in height. Seawall height is measured from the lake bed to the top board or cap of the seawall.</u>
N/A - Addition	7. <u>Seawalls may be constructed of either treated lumber or interlocking blocks. Additional information concerning construction specifications may be found in Appendix D.</u>

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Existing Language	Proposed Language
N/A - Addition	8. <u>All seawalls will require the installation of natural stone at the base of the wall.</u>
N/A - Addition	9. <u>All seawalls must be installed by a licensed and insured contractor.</u>
N/A - Addition	10. <u>Any seawalls requested that exceed 4’ in height from the lake bed to the top of the wall must first be submitted to Spartanburg County for approval. These schematics must be stamped by a licensed Structural Engineer. Upon approval by the county, SWS may permit the construction of a wall that exceeds 4’ in height. If approved the wall must otherwise be installed as described above and as depicted in Appendix D.</u>
N/A - Addition	11. <u>Natural stone may be permitted on Lake Bowen. Natural stone will be installed in such a way that the stone extends 2’ into the reservoir for every 1’ in height to ensure adequate bank support. Additional guidelines for natural stone may be found in Appendix D.</u>

Proposed Amendment: Page 17 – Creation of “Glossary of Terms” Section

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Existing Language	Proposed Language
N/A - Addition	<p><u>Buffer Access Area—The SWS property immediately adjoining the Contiguous Landowner’s property which serves as a buffer area between the contiguous property and the reservoir.</u></p> <p><u>Contiguous Landowner - Those individuals, corporations or trusts owning lots adjoining the SWS Buffer Area above the 827’ elevation contour line (SWS property boundary)</u></p> <p><u>Docks – Those structures constructed to be all or partially over the water surface to be used as a structure for which a watercraft it moored to, or used for access to and from a watercraft. A dock can also serve as a passive recreation structure such as a fishing area and/or sitting area.</u></p> <p><u>Fire Pit-- A fire pit must be portable, easily moveable and no larger than 30-inches in diameter. It shall have legs at least 4-inches in length so that it does not touch the surface it is sitting on. The fire pit shall also have a screen cover to prevent embers from being emitted.</u></p> <p><u>Hard Pathway – A hard pathway is a structural pathway (for example, wooden stairs and landings, hand rails, etc.) that is constructed on the ground surface or elevated above the ground surface, to allow safe passage across the Buffer Area due to a land surface slope of greater than 8%.</u></p> <p><u>Marine Structures - Marine structure includes the dock, boat lift, PWC lift, etc., and encompasses the total amount of amenities, whereas a dock is just simply the dock and does not include any of the amenities that can be added to form a marine structure.</u></p> <p><u>Shrub— Woody plant species that are less than 3 inches in diameter at ground level and have several main stems arising from the base.</u></p> <p><u>Structures - Permanent or semi-permanent structures of any type that are not marine structures, including, but not limited to dwellings, outbuildings, kennels, play houses, and fences.</u></p>

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	<p><u>Soft Pathway – A soft pathway may be permitted if the slope of the Buffer Area is less than 8%. The pathway shall be no more than four feet wide, a soft natural material cover (mulch, pine straw, etc..) and shall be designed in a winding manner to avoid impact to trees greater than four inches in diameter at the ground and areas on which restrictive covenants (Restricted Parcels) have been placed.</u></p> <p><u>Tree—Any species of single-trunk woody perennial plant with a trunk diameter measuring 2 inches or greater at ground level.</u></p>
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Management recommends that the Commission adopt these amendments to the Policies and Procedures for Lake William C. Bowen.

11. AMENDMENTS TO THE SPARTANBURG WATER SYSTEM POLICIES AND PROCEDURES FOR LAKE H. TAYLOR BLALOCK

The proposed amendments modify various sections of Spartanburg Water System Policies and Procedures for Lake H. Taylor Blalock, Rev. October 26, 2022. The purpose of the amendments is to enhance or further clarify language related to acceptable structures and activities, watercraft permits, dock placement, maintenance of the SWS buffer and structures therein, pathway installation, and shoreline stabilization related to Lake H. Taylor Blalock.

Management is proposing the following changes to Spartanburg Water System Policies and Procedures for Lake H. Taylor Blalock.

Proposed Amendment: Pages 3-5 – “General” Section

AGENDA – Commissioners of Public Works of the City of Spartanburg, SC, Regular Meeting, held at 200 Commerce Street, November 28, 2023

Existing Language	Proposed Language
<p>6. Any permit, license or agreement issued by SWS may be revoked if the permit holder willfully or continuously violates any of the conditions of the permit(s) or agreements, or the policies, procedures, or restrictions governing the use of SWS Property, any applicable laws or regulations, or any contractual obligations.</p>	<p>6. Any permit, license or agreement issued by SWS may be revoked if the permit holder willfully or continuously violates any of the conditions of the permit(s) or agreements, or the policies, procedures, or restrictions governing the use of SWS Property, any applicable laws or regulations, or any contractual obligations. <u>Contiguous landowners are responsible for any contractors conducting work on their behalf in the Buffer Access Area.</u></p>
<p>8. Commercial use or operations are not allowed on SWS Property.</p>	<p>8. <u>Other than the permitted construction of marine structures, shoreline stabilization, tree and vegetation management, and/or contractors performing other permitted work,</u> commercial use or operations are not allowed on SWS Property</p>
<p>9. Except for the lawful possession of firearms or fireworks by a Contiguous Landowner within their Buffer Access Area, the use or possession of firearms or fireworks on SWS Property is prohibited, except for waterfowl hunting on the Reservoir in accordance with all applicable SWS Policies and Procedures.</p>	<p>9. <u>Only Contiguous Landowners within their Buffer Access Area may possess or utilize fireworks on SWS Property.</u></p>
<p>11. Except for Contiguous Landowners within their Buffer Access Area, no camping, picnicking, cleaning, or cooking of fish or other foodstuffs is permitted on SWS Property.</p>	<p>11. Except for Contiguous Landowners within their Buffer Access Area <u>or designated picnic areas within the Lake Blalock Park,</u> no picnicking or cooking of foodstuffs is permitted on SWS Property. <u>No camping is permitted on SWS Property except for Contiguous Landowners within their Buffer Access Area.</u></p>

AGENDA – Commissioners of Public Works of the City of Spartanburg, SC, Regular Meeting, held at 200 Commerce Street, November 28, 2023

Existing Language	Proposed Language
N/A – Addition	<u>21. Any Contiguous Landowner wishing to install electrical wiring on the Buffer Access Area must complete an Indemnity and Hold Harmless Agreement Related to Electric Wiring. No wiring may be installed without a valid SWS permit.</u>
N/A – Addition	<u>24. No fences of any kind may be permitted on SWS property. Any existing fence must be removed from SWS property at time of property transfer.</u>

Proposed Amendment: Page 7 – “Grading and Erosion Control” Section

Existing Language	Proposed Language
2. Contiguous Landowners will conduct all construction activities on adjacent lands, taking all necessary steps to prevent silt, runoff, or other construction debris from entering onto SWS Property or the Reservoir.	2. <u>Land disturbing activities, including construction, will incorporate</u> all necessary steps to prevent silt, runoff, or other debris from entering onto SWS Property or the Reservoir.

Proposed Amendment: Pages 9-11 – “Structures (Marine and others)” Section

Existing Language	Proposed Language
2. Permanent or semi-permanent structures of any type, including, but not limited to dwellings, outbuildings, kennels, play houses, and fences are prohibited on SWS Property;	<u>3.</u> Permanent or semi-permanent structures of any type, including but not limited to dwellings, outbuildings, kennels, play houses, <u>playground equipment</u> , and fences are prohibited on SWS Property;

AGENDA – Commissioners of Public Works of the City of Spartanburg, SC, Regular Meeting, held at 200 Commerce Street, November 28, 2023

Existing Language	Proposed Language
<p>4. Contiguous Landowners performing maintenance on marine structures (“Marine Structure Maintenance”) must notify SWS that work is taking place by submitting a Marine Structure Notification of Maintenance form. This form must be submitted before work begins. Marine Structure Notification of Maintenance forms are available at the Lake Office and online at www.spartanburgwater.org.</p>	<p><u>4.</u> Contiguous Landowners performing maintenance on marine structures (“Marine Structure Maintenance”) must notify SWS that work is taking place by submitting a Maintenance Form. This form must be submitted before work begins. Maintenance Forms are available at the Lake Office and online at www.spartanburgwater.org.</p>
<p>8. Contiguous Landowners adjacent to a cove who request a marine structure permit will be evaluated on a case-by-case basis. No marine structure may extend beyond one-third the width of a cove and configured so that it is a minimum of 14 ft. from the adjoining parcel’s projected side lot lines.</p>	<p>8. No marine structure may extend beyond one-third the width of a cove and configured so that it is a minimum of 14 ft. from the adjoining parcel’s projected side lot lines.</p>
<p>N/A – Addition</p>	<p><u>10. No new docks will be permitted in the main river channel upstream of Parris Bridge Road.</u></p>
<p>18. No new boat ramps will be permitted. Existing boat ramps may be licensed as long as they are maintained and in good repair. At any time the licensed boat ramp becomes in a state of disrepair, the contiguous landowner must remove the boat ramp at their own expense.</p>	<p>18. No new boat ramps will be permitted. Existing boat ramps may be licensed as long as they are maintained and in good repair. At any time the licensed boat ramp becomes in a state of disrepair, the contiguous landowner must remove the boat ramp at their own expense. <u>A permit will be required for any desired maintenance to be conducted on a permitted or licensed boat ramp.</u></p>
<p>N/A – Addition</p>	<p><u>19. Contiguous Landowners must have an SWS-issued permit for any kayak/canoe racks, picnic tables, flagpoles, etc. Kayak or canoe racks must be installed adjacent to permitted pathways or marine structures.</u></p>

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Proposed Amendment: Page 11 – Relocation of existing fire pit/fire ring language from under the “Structures” Section to a “Fire Pits/Fire Rings” Section

Existing Language	Proposed Language
<p>4. Contiguous Landowners using portable fire pits must monitor the conditions for safe burning and shall abide by any applicable alerts, advisories, or bans that may be issued by the SC Forestry Commission or the Fire Marshall. During periods of drought when the SC Forestry Commission, Governor, or Fire Marshall issues High Fire Conditions alerts, the use of fire pits will be suspended.</p>	<p>4. Contiguous Landowners using portable fire pits must monitor the conditions for safe burning and shall abide by any applicable alerts, advisories, or bans that may be issued by the SC Forestry Commission or the Fire Marshall. <u>When the SC Forestry Commission, Governor, or local jurisdictions issue burning bans, the use of fire pits will be suspended.</u></p>

Proposed Amendment: Pages 11-12 – “Irrigation Systems and Water Withdrawal” Section

Existing Language	Proposed Language
<p>2. Contiguous Landowners must apply for and obtain a validly issued permit and pay all applicable fees before withdrawing any water from the Reservoir for irrigation purposes. A drawing with the location of the septic system should be included with the application for a new irrigation system. Placement of irrigation lines and sprinkler heads are prohibited over the drain field.</p>	<p>2. Contiguous Landowners must apply for and obtain a permit and pay all applicable fees before withdrawing any water from the Reservoir for irrigation purposes. A drawing with the location of the septic system should be included with the application for a new irrigation system.</p>
<p>N/A – Addition</p>	<p><u>3. It is unlawful for irrigation systems using water withdrawn from the Reservoir to connect to a potable water source.</u></p>
<p>N/A – Addition</p>	<p><u>5. Contiguous Landowners are required to install and maintain an irrigation electrical disconnect safety switch on new or replacement irrigation pumps.</u></p>

AGENDA – Commissioners of Public Works of the City of Spartanburg, SC, Regular Meeting, held at 200 Commerce Street, November 28, 2023

Proposed Amendment: Pages 12-14 – “Tree and Vegetation Management” Section

Existing Language	Proposed Language
<p>2. Contiguous Landowners must first obtain a Vegetation Management permit before removing, pruning, damaging, or otherwise harming any tree on SWS Property including trees in their Buffer Access Area. For these purposes, a tree is defined as any species of perennial plant with a trunk measuring 2 inches or greater at ground level. A tree sapling is defined as any species of perennial plant with a trunk measuring less than 2 inches at ground level.</p>	<p>2. Contiguous Landowners must first obtain a <u>Tree and Vegetation Permit</u> before removing, pruning, or otherwise <u>altering</u> any tree on SWS Property including trees in their Buffer Access Area. For these purposes, a tree is defined as any species of <u>single-trunk woody</u> perennial plant with a trunk <u>diameter</u> measuring 2 inches or greater at ground level. A tree sapling is defined as any species of <u>woody</u> perennial plant with a trunk <u>diameter</u> measuring less than 2 inches at ground level.</p>
<p>6. Contiguous Landowners must first obtain a Vegetation Management permit before removing or thinning of shrub/understory vegetation. For these purposes, shrub/understory is defined as woody plant species which are less than 3 inches in diameter at ground level. Typical examples of shrub/understory varieties include viburnum, mountain laurel, muscadine, catbrier, and other species.</p>	<p>6. Contiguous Landowners must first obtain a <u>Tree and Vegetation Permit</u> before removing or thinning <u>any</u> shrub/understory vegetation. For these purposes, shrub/understory <u>vegetation</u> is defined as <u>natural grasses or</u> woody plant species <u>that</u> are less than 3 inches in diameter at ground level <u>and have several main stems arising from the base</u>. Typical examples of shrub/understory varieties include viburnum, mountain laurel, muscadine, catbrier, and other species.</p>

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Existing Language	Proposed Language
<p>7. Please note that clearing/thinning cannot result in the total removal of all shrub/understory vegetation such that an obvious maintained appearance develops. Undergrowth is critical to proper management of the Buffer area and water quality in the Reservoir. Accordingly, shrub/understory must remain at least 12 inches in height. Tree saplings measuring less than 2 inches at ground level may be cut to ground level. All permitted Vegetation Management will be conducted at the Contiguous Landowner’s expense and in strict compliance with the requirements of the permit. If the Contiguous Landowner fails to comply with the requirements of any Vegetation Management permit, the Contiguous Landowner will be responsible for the cost of restoring the damaged areas to the satisfaction of SWS.</p>	<p>7. Please note that clearing/thinning cannot result in the total removal of all shrub/understory vegetation such that an obvious maintained appearance develops. Undergrowth is critical to proper management of the Buffer area and water quality in the Reservoir. Accordingly, shrub/understory must remain at least 12 inches in height. Tree saplings measuring less than 2 inches at ground level may be cut to ground level. All permitted Vegetation Management will be conducted at the Contiguous Landowner’s expense and in strict compliance with the requirements of the permit. If the Contiguous Landowner fails to comply with the requirements of any Vegetation Management permit, the Contiguous Landowner will be responsible for the cost of restoring the damaged areas to the satisfaction of SWS. <u>The collective length of the linear frontage to be maintained may be up to 2/3 the length of the SWS-owned buffer and shoreline, not to exceed a total of 200 feet.</u></p>
<p>N/A – Addition</p>	<p><u>8. Tree and Vegetation permits will only be applicable to those buffer areas with less than 8% slope. Areas with steeper slopes are more susceptible to erosion when vegetation is removed. Selective limbing of trees may be allowed at the discretion of SWS in these areas provided the Contiguous Landowner applies for and obtains the appropriate permit(s).</u></p>

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Existing Language	Proposed Language
N/A - Addition	<u>9. Once issued, Tree and Vegetation Permits will be valid as long as the Contiguous Property owner owns the adjacent lot. Contiguous Property owners are responsible for submitting Maintenance Forms prior to initiating any Tree and Vegetation work once the initial permit work period has expired.</u>
8. No new turf grass lawns may be established within SWS Property. However, existing turf grass lawns in the Buffer Area prior to June, 2006 may be maintained in their current condition and size so long as such lawn does not negatively impact the Reservoir or the Buffer Area. Contiguous Landowners that maintain any such existing lawn may mow such lawn, but a permit is required for activities such as re-seeding or sodding.	<u>10. No new turf grass lawns may be established within SWS Property. However, existing turf grass lawns in the Buffer Area prior to June, 2006 may be maintained in their current condition and size so long as such lawn does not negatively impact the Reservoir or the Buffer Area. Contiguous Landowners that maintain any such existing lawn may mow such lawn, but a permit is required for activities such as re-seeding or sodding. The selective trimming of native grasses along the shoreline may be permitted by SWS. When permitted, specified native grasses may be trimmed to the height specified within the SWS-issued permit.</u>

Proposed Amendment: Page 15 – Creation of “Shoreline Stabilization” Section

Existing Language	Proposed Language
N/A – Addition	<u>1. For the purposes of SWS reservoirs, shoreline stabilization is defined as the installation of structural systems such as seawalls or rock and/or natural systems such as vegetation to protect the shoreline by minimizing erosion and enhancing the resistance of the shoreline to wave action.</u>

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Existing Language	Proposed Language
N/A - Addition	<u>2. SWS permits the installation of natural stone or vegetated shoreline stabilization around Lake Blalock. A Contiguous Landowner must apply for and be issued a valid Shoreline Stabilization permit before initiating any shoreline stabilization work.</u>
N/A – Addition	<u>3. All Shoreline Stabilization permits will be accompanied by a planting plan and Tree and Vegetation permit. Contiguous Landowners are responsible for the installation and maintenance of the permitted vegetation as described within the conditions of their Tree and Vegetation Permit.</u>
N/A – Addition	<u>4. Applications for shoreline stabilization must include all of the following:</u>
N/A – Addition	<u>4a. Measurement of the length of shoreline to be affected.</u>
N/A – Addition	<u>4b. Description of all materials.</u>
N/A – Addition	<u>4c. Dimensions of shoreline stabilization to be installed (height, width, dimensions of stone, etc.)</u>
N/A – Addition	<u>4d. Planting plan to supplement requested shoreline stabilization. Only plants native to the Piedmont region of SC may be installed in the Buffer Area.</u>
N/A – Addition	<u>5. Natural stone may be permitted on Lake Blalock. Natural stone will be installed in such a way that the rock extends 2 feet into the reservoir for every 1 foot in height to ensure adequate bank support.</u>
N/A	<u>6. Additional guidelines for natural stone may be found in Appendix E.</u>

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Proposed Amendment: Page 16 – “Transfer of Permits” Section

Existing Language	Proposed Language
<p>1. Existing authorizations (permits/licenses) are transferrable to new Contiguous Landowners if the previous holder was in compliance with the permit requirements immediately prior to transferring the property so long as the application for transfer is received and all necessary fees are paid within the 90 days of the transfer of ownership.</p>	<p>1. Existing authorizations (permits/licenses) are transferrable to new Contiguous Landowners if the previous holder was in compliance with the permit requirements immediately prior to transferring the property. <u>The application for transfer must be received and the Property Transfer Fee</u> paid within the 90 days of the transfer of ownership.</p>

Proposed Amendment: Page 17 – “Pathways” Section

Existing Language	Proposed Language
<p>1. If the slope of the Buffer Area is less than 8%, a soft pathway may be allowed with a permit issuance. The pathway shall be no more than four feet wide and shall be designed in a winding manner to avoid impact to trees greater than four inches in diameter at the ground and areas on which restrictive covenants have been placed. Contiguous Landowners owning property adjoining one or more parcels on which restrictive covenants have been placed (Restricted Parcels), must use extreme caution. SWS may add installation conditions when permits for pathways are requested for parcels on Restricted Parcels.</p>	<p>1. If the slope of the Buffer Area is less than 8%, a soft pathway may be allowed with a permit issuance. The pathway shall be no more than four feet wide and shall be designed in a winding manner to avoid impact to trees greater than four inches in diameter at the ground and areas on which restrictive covenants have been placed. Contiguous Landowners owning property adjoining one or more parcels on which restrictive covenants have been placed (Restricted Parcels), must use extreme caution. SWS may add installation conditions when permits for pathways are requested for parcels on Restricted Parcels. <u>Specific pathway guidance is provided in Appendix D.</u></p>
<p>3. The pathway must either have natural ground cover or be constructed of natural materials and follow the contour of the land. Pathways are not allowed to be constructed with concrete, asphalt, or other impervious surfaces.</p>	<p>3. The <u>soft</u> pathway must either have natural ground cover or be constructed of natural materials and follow the contour of the land. <u>Concrete, asphalt, or other impervious surfaces are not allowed within the SWS buffer.</u></p>

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Existing Language	Proposed Language
4. The type (mulch, boardwalk, stairs, etc.) and location of pathways will be determined based on the topography and sensitivity of the site in conjunction with input from the SWS staff.	4. The type (<u>hard, soft</u>) and location of pathways will be determined based on the topography and sensitivity of the site in conjunction with input from the SWS staff.
5. Contiguous Landowners performing maintenance on hard pathways must notify SWS that work is taking place before the work begins.	5. Contiguous Landowners performing maintenance on hard pathways must <u>submit a completed Maintenance Form to SWS prior to initiating work.</u>

Proposed Amendment: Pages 17-18 – “Requests for Variances” Section

Existing Language	Proposed Language
1. Requests for variances from SWS policies and procedures must be submitted, in writing, to the SWS staff at the Lake Blalock Office.	1. Requests for variances from SWS policies and procedures must be submitted, in writing, to the <u>Watershed Management</u> staff at the Lake Blalock Office.
2c. Documentation demonstrating that the variance will not have a negative impact on water quality, safety, the appearance (one in harmony with the existing natural land) or the overall quality of SWS property.	2c. Documentation demonstrating that the variance will not have a negative impact on water quality, safety, the appearance or the overall quality of SWS property.
3. All decisions of SWS related to variance requests are final	3. All decisions <u>made by the Commission of Public Works of the City of Spartanburg, SC d/b/a</u> SWS related to variance requests are final.

Proposed Amendment: Page 19– “Glossary of Terms” Section

Existing Language	Proposed Language
N/A – Addition	<u>Shrub—Woody plant species that are less than 3 inches in diameter at ground level and have several main stems arising from the base.</u>

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Existing Language	Proposed Language
N/A – Addition	<u>Tree—Any species of single-trunk woody perennial plant with a trunk diameter measuring 2 inches or greater at ground level.</u>

Management recommends that the Commission adopt these amendments to the Policies and Procedures for Lake H. Taylor Blalock.

12. AMENDMENTS TO THE SPARTANBURG WATER SYSTEM RULES AND REGULATIONS FOR MUNICIPAL RESERVOIR #1

The proposed amendments modify various sections of Spartanburg Water System Rules and Regulations for Municipal Reservoir #1, Pub. December 7, 2022. The purpose of the amendments is to enhance or further clarify language related to acceptable structures and activities, dock placement, maintenance of the SWS buffer and structures therein, pathway installation, and shoreline stabilization related to Municipal Reservoir #1.

Management is proposing the following changes to Spartanburg Water System Rules and Regulations for Municipal Reservoir #1.

Proposed Amendment: Pages 3-6 – “General” Section

Existing Language	Proposed Language
6. Except as provided below, access onto SWS Property is prohibited. This prohibition includes but is not limited to access for the purpose of swimming, wading, bathing, or floating on the Reservoir, and entering and traversing the SWS buffer land.	6. Except as provided below, access onto SWS Property is prohibited. This prohibition includes but is not limited to access for the purpose of swimming, wading, bathing, <u>boating</u> or floating on the Reservoir and entering and traversing the SWS buffer land.
8. Any person who wishes to obtain access to SWS Property should contact the Chief Lake Warden located at the Lake Bowen Warden’s Office, 8515 Highway 9, Inman, SC 29349 for permit application information and forms.	8. Any person who wishes to obtain access to SWS Property should contact the <u>Watershed Management Staff</u> located at the Lake Bowen Warden’s Office, 8515 Highway 9, Inman, SC 29349 for permit application information and forms.

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Existing Language	Proposed Language
<p>9. SWS expects Contiguous Landowners and other members of the public to comply with all applicable environmental, sediment and erosion control, and land use laws and regulations. Contiguous Landowners are responsible for any work conducted in their Buffer Access Area. SWS will investigate and take appropriate legal action to enjoin any activities or abate any nuisances that present a potential threat to the Reservoir or other SWS water system assets.</p>	<p>9. SWS expects Contiguous Landowners and other members of the public to comply with all applicable environmental, sediment and erosion control, and land use laws and regulations. <u>Contiguous Landowners are responsible for any contractors conducting work on their behalf in their Buffer Access Area.</u> SWS will investigate and take appropriate legal action to enjoin any activities or abate any nuisances that present a potential threat to the Reservoir or other SWS water system assets.</p>
<p>19. No phone service lines, cable television lines, gas lines, satellite dishes, or similar items can be installed on SWS property.</p>	<p><u>20.</u> No phone service lines, <u>electrical lines, water lines,</u> cable television lines, gas lines, satellite dishes, or similar items can be installed on SWS Property.</p>
<p>N/A – Addition</p>	<p><u>22. No fencing of any kind may be permitted on SWS Property.</u></p>

Proposed Amendment: Page 6 – “Pathway Permits” Section

Existing Language	Proposed Language
<p>1. If the slope of the Buffer Area is less than 8%, a soft pathway may be allowed with a permit issuance. The pathway shall be no more than four feet wide and shall be designed in a winding manner to avoid impact to trees greater than four inches in diameter at the ground. SWS may add installation conditions when permits for pathways are requested.</p>	<p>1. If the slope of the Buffer Area is less than 8%, a soft pathway may be allowed with a permit issuance. The pathway shall be no more than four feet wide and shall be designed in a winding manner to avoid impact to trees greater than four inches in diameter at the ground. SWS may add installation conditions when permits for pathways are requested. <u>The soft pathway must either have natural ground cover or be constructed of natural materials and follow the contour of the land. Specific pathway guidance is provided in Appendix C.</u></p>

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Existing Language	Proposed Language
3. The pathway must either have natural ground cover or be constructed of natural materials and follow the contour of the land. Pathways are not allowed to be constructed with concrete, asphalt, or other impervious surfaces.	3. <u>Hard pathways are to be constructed with treated lumber or equivalent. Concrete, asphalt, or other impervious surfaces are not allowed within the SWS buffer.</u>
4. The type (mulch, boardwalk, stairs, etc.) and location of pathways will be determined based on the topography and sensitivity of the site in conjunction with input from the SWS staff.	4. The type (<u>hard, soft</u>) and location of pathways will be determined based on the topography and sensitivity of the site in conjunction with input from the SWS staff.
5. Contiguous Landowners performing maintenance on hard pathways must notify SWS that work is taking place before the work begins.	5. Contiguous Landowners performing maintenance on hard pathways must <u>submit a completed Maintenance Form to SWS prior to initiating work.</u>

Proposed Amendment: Pages 7-9 – “Structures” Section

Existing Language	Proposed Language
3. These non-conforming structures are permitted only upon the continued strict adherence to the terms and conditions of the Non-Conforming Structure License. Existing authorizations (permits/licenses) are transferrable to new Contiguous Landowners if the previous holder was in compliance with the permit requirements immediately prior to transferring the property so long as the application for transfer is received and all necessary fees are paid within 90 days of the transfer of ownership.	3. Existing authorizations (permits/licenses) are transferrable to new Contiguous Landowners if the previous holder was in compliance with the permit requirements immediately prior to transferring the property so long as the application for transfer is received and all necessary fees are paid within 90 days of the transfer of ownership.

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Existing Language	Proposed Language
<p>6. Contiguous Landowners performing maintenance on marine structures (“Marine Structure Maintenance”) must notify SWS that work is taking place by submitting a Marine Structure Notification of Maintenance form. This form must be submitted before work begins. Marine Structure Notification of Maintenance forms are available at the Lake Office and online at www.spartanburgwater.org.</p>	<p>6. Contiguous Landowners performing maintenance on marine structures (“Marine Structure Maintenance”) must notify SWS that work is taking place by submitting a Maintenance Form. This form must be submitted before work begins. Maintenance Forms are available at the Lake Office and online at www.spartanburgwater.org.</p>
<p>9. No non-conforming structure may be rebuilt without prior written permission from SWS.</p>	<p>N/A-Deletion</p>
<p>10. Contiguous Landowners adjacent to a cove who request a stationary dock permit will be evaluated on a case-by-case basis. No stationary dock may extend beyond one-third the width of a cove and configured so that it is a minimum of 14 ft. from the adjoining parcels’ projected side lot lines.</p>	<p><u>9. No stationary dock may extend beyond one-third the width of a cove and configured so that it is a minimum of 14 ft. from the adjoining parcels’ projected side lot lines.</u></p>

Proposed Amendment: Pages 10-11 – “Tree and Vegetation Management” Section

Existing Language	Proposed Language
<p>2. Contiguous Landowners must first obtain a Vegetation Management permit before removing, pruning, damaging, or otherwise harming any tree on SWS Property including trees in their Buffer Access Area. For these purposes, a tree is defined as any species of perennial plant with a trunk measuring 2 inches or greater at ground level. A tree sapling is defined as any species of perennial plant with a trunk measuring less than 2 inches at ground level.</p>	<p>2. Contiguous Landowners must first obtain a <u>Tree and</u> Vegetation <u>Permit</u> before removing, pruning, or otherwise <u>altering</u> any tree on SWS Property including trees in their Buffer Access Area. For these purposes, a tree is defined as any species of <u>single-trunk woody</u> perennial plant with a trunk <u>diameter</u> measuring 2 inches or greater at ground level. A tree sapling is defined as any species of <u>woody</u> perennial plant with a trunk <u>diameter</u> measuring less than 2 inches at ground level.</p>

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Existing Language	Proposed Language
<p>6. Contiguous Landowners must first obtain a Vegetation Management permit before removing or thinning of shrub/understory vegetation. For these purposes, shrub/understory is defined as woody plant species which are less than 3 inches in diameter at ground level. Typical examples of shrub/understory varieties include viburnum, mountain laurel, muscadine, catbrier, and other species.</p>	<p>6. Contiguous Landowners must first obtain a Tree and Vegetation Permit before removing or thinning of shrub/understory vegetation. For these purposes, shrub/understory is defined as natural grasses or woody plant species that are less than 3 inches in diameter at ground level and have several main stems arising from the base. Typical examples of shrub/understory varieties include viburnum, mountain laurel, muscadine, catbrier, and other species.</p>
<p>7. Please note that clearing/thinning cannot result in the total removal of all shrub/understory vegetation such that an obvious maintained appearance develops. Undergrowth is critical to proper management of the Buffer area and water quality in the Reservoir. Accordingly, shrub/understory must remain at least 12 inches in height. Tree saplings measuring less than 2 inches at ground level may be cut to ground level. All permitted Vegetation Management will be conducted at the Contiguous Landowner’s expense and in strict compliance with the requirements of the permit. If the Contiguous Landowner fails to comply with the requirements of any Vegetation Management permit, the Contiguous Landowner will be responsible for the cost of restoring the damaged areas to the satisfaction of SWS.</p>	<p>7. Please note that clearing/thinning cannot result in the total removal of all shrub/understory vegetation such that an obvious maintained appearance develops. Undergrowth is critical to proper management of the Buffer area and water quality in the Reservoir. Accordingly, shrub/understory must remain at least 12 inches in height. Tree saplings measuring less than 2 inches at ground level may be cut to ground level. All permitted Vegetation Management will be conducted at the Contiguous Landowner’s expense and in strict compliance with the requirements of the permit. If the Contiguous Landowner fails to comply with the requirements of any Vegetation Management permit, the Contiguous Landowner will be responsible for the cost of restoring the damaged areas to the satisfaction of SWS. <u>The collective length of the linear frontage to be maintained may be up to 2/3 the length of the SWS-owned buffer and shoreline, not to exceed a total of 200 feet.</u></p>

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Existing Language	Proposed Language
N/A – Addition	<u>8. Tree and Vegetation permits will only be applicable to those buffer areas with less than 8% slope. Areas with steeper slopes are more susceptible to erosion when vegetation is removed. Selective limbing of trees may be allowed at the discretion of SWS in these areas provided the Contiguous Landowner applies for and obtains the appropriate permit(s).</u>
N/A - Addition	<u>9. Once issued, Tree and Vegetation Permits will be valid as long as the Contiguous Property owner owns the adjacent lot. Contiguous Property owners are responsible for submitting Maintenance Forms prior to initiating any Tree and Vegetation work once the initial permit work period has expired.</u>
8. No new turf grass lawns may be established within SWS Property. However, existing turf grass lawns in the Buffer Area prior to November, 2018 may be maintained in their current condition and size so long as such lawn does not negatively impact the Reservoir or the Buffer Area. Contiguous Landowners that maintain any such existing lawn may mow such lawn, but a permit is required for activities such as re-seeding or sodding.	<u>10. No new turf grass lawns may be established within SWS Property. However, existing turf grass lawns in the Buffer Area prior to November, 2018 may be maintained in their current condition and size so long as such lawn does not negatively impact the Reservoir or the Buffer Area. Contiguous Landowners that maintain any such existing lawn may mow such lawn, but a permit is required for activities such as re-seeding or sodding. The selective trimming of native grasses along the shoreline may be permitted by SWS. When permitted, specified native grasses may be trimmed to the height specified within the SWS issued-permit.</u>

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Proposed Amendment: Page 12 – “Hunting and Fishing” Section

Existing Language	Proposed Language
<p>1. It is SWS’s general policy to allow Contiguous Landowners access to responsibly fish in the Reservoir from the Buffer Area, provided these regulations are followed.</p>	<p>1. It is SWS’s general policy to allow Contiguous Landowners access to responsibly fish in the Reservoir from the Buffer Area, provided these regulations are followed. <u>However, there is no public access for fishing anywhere on Municipal Reservoir #1.</u></p>

Proposed Amendment: Pages 12-13 – “Grading and Erosion Control” Section

Existing Language	Proposed Language
<p>2. Contiguous Landowners will conduct all construction activities on adjacent lands taking all necessary steps to prevent silt, runoff, or other construction debris from entering onto SWS Property or the Reservoir.</p>	<p>2. <u>Land disturbing activities, including construction, will incorporate all necessary steps to prevent silt, runoff, or other debris from entering onto SWS Property or the Reservoir.</u></p>
<p>3. ...Shoreline erosion is caused by various factors, including normal wave action and storm water runoff from the Contiguous Landowner’s property. Seawalls will not be permitted. If desired, a Contiguous Landowner may apply for a permit to allow shoreline stabilization in their Buffer Access Area. SWS will consider shoreline stabilization projects allowing the Contiguous Landowner, when appropriate, to introduce stone, vegetation and other natural materials into the Buffer Area for stabilization purposes</p>	<p>4. Shoreline erosion is caused by various factors, including normal wave action and storm water runoff from the Contiguous Landowner’s property. Seawalls will not be permitted. If desired, a Contiguous Landowner may apply for a permit to allow shoreline stabilization in their Buffer Access Area. SWS will consider shoreline stabilization projects allowing the Contiguous Landowner, when appropriate, to introduce stone, vegetation and other natural materials into the Buffer Area for stabilization purposes. <u>Refer to Appendix D for an example of approved shoreline stabilization measures.</u></p>

Proposed Amendment: Pages 13-14– “SWS Reservoir Operations and Management” Section

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Existing Language	Proposed Language
<p>2. Municipal Reservoir #1 is a drinking water supply reservoir that is actively managed as a vital part of the drinking water treatment process. SWS staff, contractors, and Lake Wardens require unfettered access to SWS Property—including all areas of the Reservoir and land surrounding the Reservoir—to safely maintain and operate the public water system. Common operational activities include, but are limited to, taking water quality measurements at various points in the Reservoir, applying treatments for algae and other harmful aquatic organisms, performing maintenance on critical infrastructure such as dams, water intake structures, as well as monitoring and enforcing compliance with regulations.</p>	<p>2. Municipal Reservoir #1 is a drinking water supply reservoir that is actively managed as a vital part of the drinking water treatment process. SWS staff, contractors, and Lake Wardens require unfettered access to SWS Property—including all areas of the Reservoir and land surrounding the Reservoir—to safely maintain and operate the public water system. Common operational activities include, but are limited to, taking water quality measurements at various points in the Reservoir, applying treatments for algae and other harmful aquatic organisms, performing maintenance on critical infrastructure such as dams, water intake structures, as well as monitoring and enforcing compliance with these Rules and Regulations.</p>
<p>4. Mowing, cutting, removing, or otherwise damaging any vegetation in the natural vegetative buffer owned by SWS surrounding the reservoir.</p>	<p>4. Unpermitted mowing, cutting, removing, or otherwise damaging any vegetation in the natural vegetative buffer owned by SWS surrounding the reservoir.</p>

Proposed Amendment: Page 14 – “Requests for Variances” Section

Existing Language	Proposed Language
<p>2c. Documentation demonstrating that the variance will not have a negative impact on water quality, safety, the appearance (one in harmony with the existing natural land) or the overall quality of SWS Property.</p>	<p>2c. Documentation demonstrating that the variance will not have a negative impact on water quality, safety, the appearance or the overall quality of SWS Property.</p>
<p>3. All decisions of SWS related to variance requests are final.</p>	<p>3. All decisions made by the Commission of Public Works of the City of Spartanburg, SC d/b/a SWS related to variance requests are final.</p>

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Proposed Amendment: Page 19– “Glossary of Terms” Section

Existing Language	Proposed Language
N/A – Addition	<u>Shrub—Woody plant species that are less than 3 inches in diameter at ground level and have several main stems arising from the base.</u>
N/A – Addition	<u>Tree—Any species of single-trunk woody perennial plant with a trunk diameter measuring 2 inches or greater at ground level.</u>

Management recommends that the Commission adopt these amendments to the Rules and Regulations for Municipal Reservoir #1.

13. PROFESSIONAL SERVICES – SEDIMENTATION STUDY FOR SPARTANBURG WATER’S WATER SUPPLY RESERVOIRS – TASK ORDER 1

Spartanburg Water owns and operates three water supply reservoirs that provide current and future needs for the community and customers we serve. Sedimentation into these reservoirs has become a concern because of the potential reduction in storage capacity, increased cost for water treatment, and impacts to recreation and aesthetics. Past studies have developed general estimates of sediment loading, identified potential sources of sediment into the reservoirs, recommended best management practices (BMP’s), and proposed (expensive) dredging to address prioritized cove areas most impacted from sedimentation. Past analysis has identified significant amounts of sediment being transported to our water supply reservoirs, which has provided insight into potential long-term changes in reservoir capacity. Other research has identified and prioritized land in the North and South Pacolet watershed for protection, restoration, or BMP implementation using the potential for sediment export as one of several criteria for assigning land protection benefits for individual parcels.

Building on these and other studies with the goal of integrating them into a cohesive strategy, staff has identified the need to further explore sedimentation into Lake Bowen, Lake Blalock, and Municipal Reservoir #1 and develop cost-effective solutions to mitigate the impacts. In order to do this, Spartanburg Water staff has asked CDM Smith to propose professional services under an existing Master Services Agreement

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for a more comprehensive sedimentation study that will meet the following four objectives:

1. Analyze and estimate rates of sedimentation to Spartanburg Water reservoirs and potential loss of water supply storage;
2. Estimate the financial impacts of sediment loading to the reservoirs. This consists of estimating the cost to address reservoir sedimentation and the economic impacts of not addressing sedimentation;
3. Develop and implement an outreach and education plan intended to raise awareness of sources of sediment and the community-wide impact of sediment entering the reservoirs from erosion and transport in the watershed;
4. Conduct a risk analysis to determine how best to spend and prioritize limited funds to reduce sediment loading to the reservoirs and mitigate the impacts.

Starting with the first two objectives, staff has requested a scope of services from CDM Smith that will analyze rates of sedimentation and estimate financial impacts of sediment loading. Specifically, the scope of services will focus on the following:

- Bathymetric Data Collection and Review for Lake Bowen, Municipal Reservoir #1, and Lake Blalock
- Analysis of Bathymetric Surveys
- Project Management, related meetings and Technical Memorandum summary of Bathymetric Surveys
- Water quality and water plant operating cost data collection and review
- Financial impacts of sediment loading into the three reservoirs including
 - The cost to remove the sediment already deposited in the reservoirs
 - The cost to remove the sediment deposited in the future
 - The economic impacts of not addressing sediment loading.
- Technical Memorandum with the results of the financial impacts evaluation.

Management recommends that the Commission authorize the Chief Executive Officer to enter into an Agreement (Task Order 1) with CDM Smith in the amount of \$132,200 to address specific areas of a Sedimentation Study for Spartanburg Water's Water Supply Reservoirs. Funding will be provided through operational funds.

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14. WATER QUALITY REPORT

Management will provide an update to the Commission on water quality.

15. UPDATES TO SPARTANBURG WATER DEMAND MANAGEMENT PLAN FOR DROUGHT CONDITIONS

The *Spartanburg Water System and Spartanburg Water System - Landrum System Water Demand Management Plans for Drought Conditions*, last updated August 25, 2015, have been revised by staff to reflect changes in organizational structure, operational strategies, system specific drought indicators and triggers. The proposed revisions represent a better overall alignment with State of South Carolina Drought Phases. Staff will review the updates with the Commission.

Management recommends that the Commission approve the proposed updates to the *Spartanburg Water System and Spartanburg Water System - Landrum System Water Demand Management Plans for Drought Conditions*.

A RESOLUTION

PROVIDING FOR THE ADOPTION OF A WATER DEMAND MANAGEMENT PLAN FOR DROUGHT CONDITIONS OF THE WATER SYSTEM OF THE CITY OF SPARTANBURG, SOUTH CAROLINA, AND OTHER MATTERS RELATING THERETO.

BE IT RESOLVED BY THE COMMISSIONERS OF PUBLIC WORKS OF THE CITY OF SPARTANBURG, SOUTH CAROLINA, IN MEETING DULY ASSEMBLED:

ARTICLE I

FINDINGS OF FACT

Section 1.01. Findings.

As incident to the adoption of this Resolution, the Commissioners of Public Works of the city of Spartanburg, South Carolina (the "Commission"), the governing body of the Water System of the City of Spartanburg, South Carolina (the "City"), find that the facts set forth in this Article exist and that the following statements are in all respects true and correct:

1. The objective of this Water Demand Management Plan for Drought Conditions Resolution is to establish the authority, policy, and procedure by

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which the Water System of the City (the “Spartanburg Water System”) will take the appropriate measures to manage water demand during a drought-related water shortage. The Resolution satisfies the requirements of the Drought Response Act of 2000 and has the goal of achieving the greatest public benefit from limited supplies of water needed for domestic water use, sanitation, fire protection and of allocating water for other purposes in an equitable manner.

2. This Resolution outlines the actions to be taken for the conservation of water supplied by the Spartanburg Water System. These actions are directed both towards an overall reduction in water usage and the attenuation of supply.

3. To satisfy these goals, the Commission, hereby adopts the following regulations and restrictions on the delivery and consumption of water. This Resolution is hereby declared necessary for the protection of public health, safety, and welfare for the customers of the Spartanburg Water System and shall take effect upon its adoption by the Commission.

[End of Article I]

ARTICLE II

WATER DEMAND MANAGEMENT PLAN FOR DROUGHT CONDITIONS AND PROCLAMATIONS

Section 2.01. Water Demand Management Plan for Drought Conditions.

The form of the drought management plan shall be as set forth in Exhibit 1 attached hereto (the “Water Demand Management Plan for Drought Conditions”) and made a part of this Resolution.

Section 2.02. The Issuance of a Proclamation.

If it becomes necessary to conserve water in the service area due to drought, the Spartanburg Water System is authorized to issue a Proclamation that existing conditions prevent fulfillment of the usual water-use demands. The Proclamation is an attempt to prevent depletion of the water supply to the extent that water use for human consumption, sanitation, fire protection, and other essential needs becomes endangered.

Twenty-four hours after the issuance of such a Proclamation, regulations and restrictions set forth under this Resolution shall become effective and remain

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in effect until the water supply shortage is terminated and the Proclamation is rescinded.

Water uses that are regulated or prohibited under this Resolution are considered to be non-essential, and continuation of such uses during times of water supply shortages is deemed to constitute a waste of water, subjecting the offender(s) to penalties set forth in this Resolution.

[End of Article II]

ARTICLE III

DROUGHT PHASES

Section 3.01. Incipient Drought Phase

Upon notification by the State of South Carolina’s Drought Response Committee that an Incipient Drought Condition is present and is expected to persist, Spartanburg Water System may issue drought awareness level communication to stakeholders and make preparations for subsequent drought phases.

Section 3.02. Moderate Drought Phase.

Upon notification by the State of South Carolina’s Drought Response Committee that a Moderate Drought condition is present and is expected to persist and/or upon determination by the Spartanburg Water System that a moderate water supply shortage exists based on trigger levels, the Spartanburg Water System may seek voluntary water use reductions from its customers. Specifically, the goal during this phase is to achieve a reduction of 15 percent in overall water usage. If restrictions are requested, the Spartanburg Water System will issue a Proclamation, signed by the Commission, to be released to local media, to the customers of the Spartanburg Water System, and to the Department of Natural Resources Drought Information Center that Moderate Drought Phase water conservation conditions exist. The Spartanburg Water System will ask that voluntary conservation measures be followed by the utility’s customers until such time as drought conditions warrant termination of this phase of the Resolution.

Section 3.03. Severe Drought Phase.

Upon notification by the State of South Carolina’s Drought Response Committee that a Severe Drought condition is present and is expected to

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persist and/or upon determination by the Spartanburg Water System that a severe water supply shortage exists based on trigger levels, the Spartanburg Water System may seek voluntary water use reductions and/or mandatory water restriction on non-essential water usage and/or restrictions on times when certain water usage is allowed. Specifically, the goal during this phase is to achieve a reduction of 30 percent in overall water usage. If restrictions are implemented, the Spartanburg Water System will issue a Proclamation, signed by the Commission, to be released to local media, to the customers of the Spartanburg Water System, and to the Department of Natural Resources Drought Information Center that Severe Drought Phase water conservation conditions exist.

Mandatory restrictions for Severe Drought Phase, if imposed, establish an even/odd address outdoor water use plan. These restrictions cover water usage for landscapes (lawns, shrubs, trees, flowers, etc.), gardens, washing vehicles/trailers/boats, swimming pools and all other non-essential outdoor water use. Failure to abide by any or all of the mandatory water restrictions set forth in this phase of water restrictions will result in penalties assessed to the customer in question, which can include monetary penalties and/or termination of water service. Customers should continue to follow water conservation techniques outlined in the Moderate Drought Phase (voluntary) water restrictions in Section 3.02 herein.

Section 3.04. Extreme Drought Phase.

Upon notification by the State of South Carolina's Drought Response Committee that an Extreme drought condition is present and is expected to persist and/or upon determination by the Spartanburg Water System that an extreme water supply shortage exists based on trigger levels, the Spartanburg Water System may seek mandatory water restrictions on water usage and/or restrictions on times when certain water usage is allowed. Specifically, the goal during this phase is to achieve a reduction of 50 percent in overall water usage. If restrictions are implemented, the Spartanburg Water System will issue a Proclamation, signed by the Commission of Public Works of the City of Spartanburg, South Carolina, to be released to local media, to the customers of the Spartanburg Water System, and to the Department of Natural Resources Drought Information Center that Extreme Drought Phase water conservation conditions exist.

Upon the issuance of a Proclamation by the Commission of Public Works of the City of Spartanburg, South Carolina that Extreme Drought Phase water conservation conditions exist, an "Extreme Drought Phase – Excessive Use

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Rate Schedule” will be deployed as a tool to encourage a curtailment of excessive or non-essential water use by customers. This is a four tiered, inclining block rate schedule as follows:

Extreme Drought Phase - Excessive Use Rate Schedule		
Tier I	0 – 5,600 gallons	Regular Rate
Tier II	5,601 – 7,600 gallons	2 Times Regular Rate
Tier III	7,601 – 9,600 gallons	3 Times Regular Rate
Tier IV	9,601 gallons and above	4 Times Regular Rate

Mandatory restrictions for Extreme Drought Phase, restrict non-essential water use. These restrictions cover water usage for landscapes (lawns, shrubs, trees, flowers, etc.), gardens, washing vehicles/trailers/boats, swimming pools, and all other non-essential outdoor water use. Failure to abide by any or all of the water restrictions set forth in this phase of water restrictions will result in penalties assessed to the customer in question, which can include monetary penalties and/or termination of water service. Customers should adhere to mandatory water use restrictions and use water wisely, without wasting.

Section 3.05. Rationing.

In the event that worsening drought conditions threaten the protection of public health and safety, the Spartanburg Water System has the authority to ration water.

[End of Article III]

ARTICLE IV

ENFORCEMENT AND RESTRICTIONS

Section 4.01. Penalties.

The Commission and the Chief Executive Officer (CEO) of the Spartanburg Water System reserve the right to assess penalties towards those customers that do not abide by any or all of the water restrictions set forth in this Resolution. The penalty structure will consist of the following:

First Offense: The Spartanburg Water System shall notify the customer in question by certified mail specifying the day and time of the violation and the type of infraction being cited. Included shall be a copy of the water

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restriction guidelines and an explanation of penalty assessment for additional violations.

Second Offense: The Spartanburg Water System shall impose a penalty of \$50 and/or terminate water service. If water service is terminated, the customer must pay an additional \$50 to have water service reinstated, plus any other costs incurred by the Commission in discontinuing or reinstating the service.

Third Offense: The Spartanburg Water System shall impose a penalty of \$100 and/or terminate water service. If water service is terminated, the customer must pay an additional \$50 to have water service reinstated, plus any other costs incurred by the Commission in discontinuing or reinstating the service.

Fourth Offense: The Spartanburg Water System shall impose a penalty of \$500 and/or terminate water service. If water service is terminated, the customer must pay an additional \$50 to have water service reinstated, plus any other costs incurred by the Commission in discontinuing or reinstating the service.

Those customers cited for failure to abide by water restrictions set forth by this Resolution more than four times shall have penalties imposed of \$500 and/or termination of water service for each and every additional violation.

Section 4.02. Variances.

Non-residential water users may apply for a variance to any or all of the Mandatory Phases of water restrictions if the customer proves a significant economic impact due to the required restrictions. Non-residential users that applied and received a variance from any or all water use restrictions must submit a new "Petition for Variance" request for each upgrade in drought restrictions. Non-residential water users may obtain a Petition for Variance form from the Spartanburg Water System, Customer Experience Department, 200 Commerce Street, Spartanburg, South Carolina 29306.

The Spartanburg Water System's Drought Response Committee will review the completed and signed Petition for Variance and will make recommendations to the CEO of the Spartanburg Water System for approval or rejection of any or all of the petition requests. Any and all decisions made by the CEO are final and binding to all parties as pertained to this phase of water restrictions only.

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Section 4.03. Termination of Drought Response Conditions.

Termination of any or all phases of this Resolution shall be determined and authorized by the CEO of the Spartanburg Water System. In the event of any reduction of water restrictions or the elimination of a declared water shortage, notice shall be given to the general public via public press announcement and will become effective 24 hours following the press announcement. The Spartanburg Water System shall also notify the Department of Natural Resources Drought Information Center of the termination of drought conditions and restrictions.

Upon termination of any or all stages of the declared emergency water conservation and restriction plan, all penalties or fees incurred by any person or customer shall remain in effect until paid.

[End of Article IV]

ARTICLE V

STATUS OF THE RESOLUTION

Section 5.01. Severability.

If any portion of this Resolution is held to be unconstitutional for any reason, the remaining portions of the Drought Response Resolution shall not be affected. The provisions of this Resolution shall prevail and control in the event of any inconsistency between this Resolution and other rules and regulations of the Spartanburg Water System.

Section 5.02. Bond Rate Covenants.

Nothing in this Resolution shall be deemed to invalidate or be interpreted in a manner inconsistent with any covenants in effect as of the date hereof and given as security to holders of bonds secured by revenues of the Spartanburg Water System.

[End of Article V]

A RESOLUTION

PROVIDING FOR THE ADOPTION OF A WATER DEMAND MANAGEMENT PLAN FOR DROUGHT CONDITIONS OF THE WATER SYSTEM OF THE CITY OF SPARTANBURG, SOUTH CAROLINA (LANDRUM SYSTEM), AND OTHER MATTERS RELATING THERETO.

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BE IT RESOLVED BY THE COMMISSIONERS OF PUBLIC WORKS OF THE CITY OF SPARTANBURG, SOUTH CAROLINA, IN MEETING DULY ASSEMBLED:

ARTICLE I

FINDINGS OF FACT

Section 1.01. Findings.

As incident to the adoption of this Resolution, the Commissioners of Public Works of the city of Spartanburg, South Carolina (the "Commission"), the governing body of the Water System of the City of Landrum, South Carolina (the "City"), find that the facts set forth in this Article exist and that the following statements are in all respects true and correct:

1. The objective of this Water Demand Management Plan for Drought Conditions Resolution is to establish the authority, policy, and procedure by which the Water System of the City (the "Spartanburg Water System") will take the appropriate measures to manage water demand during a drought-related water shortage. The Resolution satisfies the requirements of the Drought Response Act of 2000 and has the goal of achieving the greatest public benefit from limited supplies of water needed for domestic water use, sanitation, fire protection and of allocating water for other purposes in an equitable manner.

2. This Resolution outlines the actions to be taken for the conservation of water supplied by the Spartanburg Water System. These actions are directed both towards an overall reduction in water usage and the attenuation of supply.

3. To satisfy these goals, the Commission, hereby adopts the following regulations and restrictions on the delivery and consumption of water. This Resolution is hereby declared necessary for the protection of public health, safety, and welfare for the customers of the Spartanburg Water System and shall take effect upon its adoption by the Commission.

[End of Article I]

ARTICLE II

**WATER DEMAND MANAGEMENT PLAN FOR
DROUGHT CONDITIONS AND PROCLAMATIONS**

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Section 2.01. Water Demand Management Plan for Drought Conditions.

The form of the drought management plan shall be as set forth in Exhibit 1 attached hereto (the “Water Demand Management Plan for Drought Conditions”) and made a part of this Resolution.

Section 2.02. The Issuance of a Proclamation.

If it becomes necessary to conserve water in the service area due to drought, the Spartanburg Water System is authorized to issue a Proclamation that existing conditions prevent fulfillment of the usual water-use demands. The Proclamation is an attempt to prevent depletion of the water supply to the extent that water use for human consumption, sanitation, fire protection, and other essential needs becomes endangered.

Twenty-four hours after the issuance of such a Proclamation, regulations and restrictions set forth in under this Resolution shall become effective and remain in effect until the water supply shortage is terminated and the Proclamation is rescinded.

Water uses that are regulated or prohibited under this Resolution are considered to be non-essential, and continuation of such uses during times of water supply shortages is deemed to constitute a waste of water, subjecting the offender(s) to penalties set forth in this Resolution.

[End of Article II]

ARTICLE III

DROUGHT PHASES

Section 3.01. Incipient Drought Phase

Upon notification by the State of South Carolina’s Drought Response Committee that an Incipient Drought Condition is present and is expected to persist, Spartanburg Water System may issue drought awareness level communication to stakeholders and make preparations for subsequent drought phases.

Section 3.02. Moderate Drought Phase.

Upon notification by the State of South Carolina’s Drought Response Committee that a Moderate Drought condition is present and is expected to

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persist and/or upon determination by the Spartanburg Water System that a moderate water supply shortage exists based on trigger levels, the Spartanburg Water System may seek voluntary water use reductions from its customers. Specifically, the goal during this phase is to achieve a reduction of 15 percent in overall water usage. If restrictions are requested, the Spartanburg Water System will issue a Proclamation, signed by the Commission, to be released to local media, to the customers of the Spartanburg Water System (Landrum System), and to the Department of Natural Resources Drought Information Center that Moderate Drought Phase water conservation conditions exist. The Spartanburg Water System will ask that voluntary conservation measures be followed by the utility's customers until such time as drought conditions warrant termination of this phase of the Resolution.

Section 3.03. Severe Drought Phase.

Upon notification by the State of South Carolina's Drought Response Committee that a Severe Drought condition is present and is expected to persist and/or upon determination by the Spartanburg Water System that a severe water supply shortage exists based on trigger levels, the Spartanburg Water System may seek voluntary water use reductions and mandatory water restriction on non-essential water usage and restrictions on times when certain water usage is allowed. Specifically, the goal during this phase is to achieve a reduction of 30 percent in overall water usage. If restrictions are implemented, the Spartanburg Water System will issue a Proclamation, signed by the Commission, to be released to local media, to the customers of the Spartanburg Water System (Landrum System), and to the Department of Natural Resources Drought Information Center that Severe Drought Phase water conservation conditions exist.

Mandatory restrictions establish an even/odd address outdoor water use plan. These restrictions cover water usage for landscapes (lawns, shrubs, trees, flowers, etc.), gardens, washing vehicles/trailers/boats, swimming pools and all other non-essential outdoor water use. Failure to abide by any or all of the water restrictions set forth in this phase of water restrictions will result in penalties assessed to the customer in question, which can include monetary penalties and/or termination of water service. Customers should continue to follow water conservation techniques outlined in the Moderate Drought Phase (voluntary) water restrictions in Section 3.02 herein.

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Section 3.04. Extreme Drought Phase.

Upon notification by the State of South Carolina’s Drought Response Committee that an Extreme drought condition is present and is expected to persist and/or upon determination by the Spartanburg Water System that an extreme water supply shortage exists based on trigger levels, the Spartanburg Water System may seek mandatory water restriction on water usage and/or restrictions on times when certain water usage is allowed. Specifically, the goal during this phase is to achieve a reduction of 50 percent in overall water usage. If restrictions are implemented, the Spartanburg Water System will issue a Proclamation, signed by the Commission of Public Works of the City of Spartanburg, South Carolina, to be released to local media, to the customers of the Spartanburg Water System (Landrum System), and to the Department of Natural Resources Drought Information Center that Extreme Drought Phase water conservation conditions exist.

Upon the issuance of a Proclamation by the Commission of Public Works of the City of Spartanburg, South Carolina that Extreme Drought Phase water conservation conditions exist, an “Extreme Drought Phase – Excessive Use Rate Schedule” will be deployed as a tool to encourage a curtailment of excessive or non-essential water use by customers. This is a four tiered, inclining block rate schedule as follows:

Extreme Drought Phase - Excessive Use Rate Schedule		
Tier I	0 – 5,600 gallons	Regular Rate
Tier II	5,601 – 7,600 gallons	2 Times Regular Rate
Tier III	7,601 – 9,600 gallons	3 Times Regular Rate
Tier IV	9,601 gallons and above	4 Times Regular Rate

Mandatory restrictions for Extreme Drought Phase, restrict non-essential water use. These restrictions cover water usage for landscapes (lawns, shrubs, trees, flowers, etc.), gardens, washing vehicles/trailers/boats, swimming pools, and all other non-essential outdoor water use. Failure to abide by any or all of the water restrictions set forth in this phase of water restrictions will result in penalties assessed to the customer in question, which can include monetary penalties and/or termination of water service. Customers should adhere to mandatory water use restrictions and use water wisely, without wasting.

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Section 3.05. Rationing.

In the event that worsening drought conditions threaten the protection of public health and safety, the Spartanburg Water System has the authority to ration water.

[End of Article III]

ARTICLE IV

ENFORCEMENT AND RESTRICTIONS

Section 4.01. Penalties.

The Commission and the Chief Executive Officer (CEO) of the Spartanburg Water System reserve the right to assess penalties towards those customers that do not abide by any or all of the water restrictions set forth in this Resolution. The penalty structure will consist of the following:

First Offense: The Spartanburg Water System shall notify the customer in question by certified mail specifying the day and time of the violation and the type of infraction being cited. Included shall be a copy of the water restriction guidelines and an explanation of penalty assessment for additional violations.

Second Offense: The Spartanburg Water System shall impose a penalty of \$50 and/or terminate water service. If water service is terminated, the customer must pay an additional \$50 to have water service reinstated, plus any other costs incurred by the Commission in discontinuing or reinstating the service.

Third Offense: The Spartanburg Water System shall impose a penalty of \$100 and/or terminate water service. If water service is terminated, the customer must pay an additional \$50 to have water service reinstated, plus any other costs incurred by the Commission in discontinuing or reinstating the service.

Fourth Offense: The Spartanburg Water System shall impose a penalty of \$500 and/or terminate water service. If water service is terminated, the customer must pay an additional \$50 to have water service reinstated, plus any other costs incurred by the Commission in discontinuing or reinstating the service.

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Those customers cited for failure to abide by water restrictions set forth by this Resolution more than four times shall have penalties imposed of \$500 and/or termination of water service for each and every additional violation.

Section 4.02. Variances.

Non-residential water users may apply for a variance to any or all of the Mandatory Phases of water restrictions if the customer proves a significant economic impact due to the required restrictions. Non-residential users that applied and received a variance from any or all water use restrictions must submit a new "Petition for Variance" request for each upgrade in drought restrictions. Non-residential water users may obtain a Petition for Variance form from the Spartanburg Water System, Customer Service Department, 200 Commerce Street, Spartanburg, South Carolina 29306.

The Spartanburg Water System's Drought Response Committee will review the completed and signed Petition for Variance and will make recommendations to the CEO of the Spartanburg Water System for approval or rejection of any or all of the petition requests. Any and all decisions made by the CEO are final and binding to all parties as pertained to this phase of water restrictions only.

Section 4.03. Termination of Drought Response Conditions.

Termination of any or all phases of this Resolution shall be determined and authorized by the CEO of the Spartanburg Water System. In the event of any reduction of water restrictions or the elimination of a declared water shortage, notice shall be given to the general public via public press announcement and will become effective 24 hours following the press announcement. The Spartanburg Water System shall also notify the Department of Natural Resources Drought Information Center of the termination of drought conditions and restrictions.

Upon termination of any or all stages of the declared emergency water conservation and restriction plan, all penalties or fees incurred by any person or customer shall remain in effect until paid.

[End of Article IV]

ARTICLE V

STATUS OF THE RESOLUTION

AGENDA – Commissioners of Public Works of the City of Spartanburg, SC, Regular Meeting, held at 200 Commerce Street, November 28, 2023

Section 5.01. Severability.

If any portion of this Resolution is held to be unconstitutional for any reason, the remaining portions of the Drought Response Resolution shall not be affected. The provisions of this Resolution shall prevail and control in the event of any inconsistency between this Resolution and other rules and regulations of the Spartanburg Water System.

Section 5.02. Bond Rate Covenants.

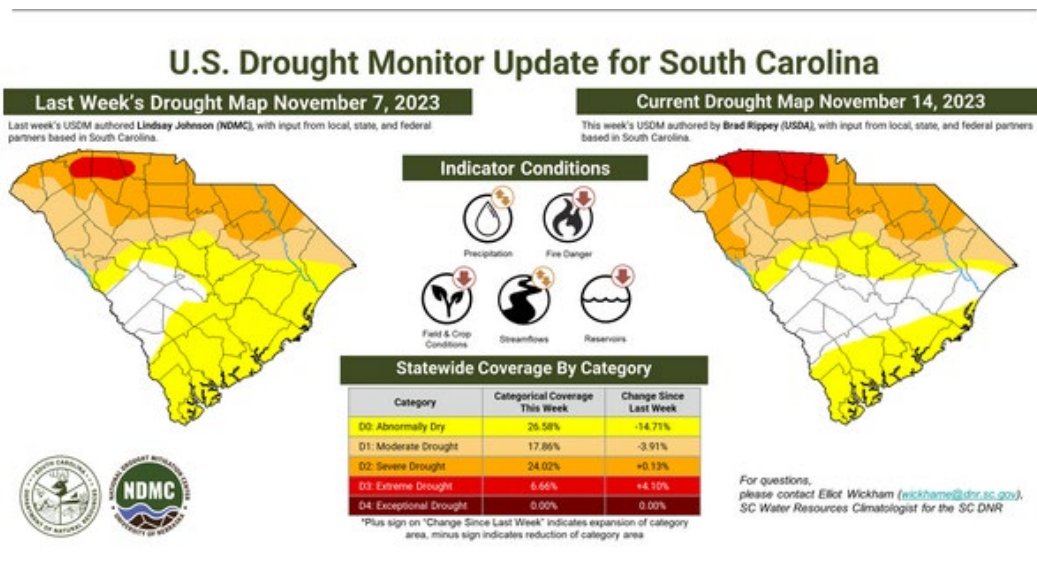
Nothing in this Resolution shall be deemed to invalidate or be interpreted in a manner inconsistent with any covenants in effect as of the date hereof and given as security to holders of bonds secured by revenues of the Spartanburg Water System.

[End of Article V]

16. PROCLAMATION – LANDRUM DROUGHT CONDITIONS – VOLUNTARY WATER USE RESTRICTIONS

Staff will update the Commission on drought conditions in the Spartanburg Water System Landrum Service Area. Due to existing conditions, management recommends that the Commission adopt a Proclamation to preserve water supply for the City of Landrum.

Most recent available drought map from the State Drought Response Committee dated November 14, 2023, is provided below.



AGENDA – Commissioners of Public Works of the City of Spartanburg, SC, Regular Meeting, held at 200 Commerce Street, November 28, 2023

**Proclamation
Spartanburg Water System
(Landrum System)**

The Commissioners of Public Works of the City of Spartanburg, South Carolina, hereby unanimously issue this Proclamation in view of existing drought conditions, which may prevent fulfillment of the usual water-use demands. This Proclamation is issued to prevent depleting the water supply to the extent that water use for human consumption, sanitation, fire protection, and other essential needs becomes endangered.

Stream flows that supply the Landrum Water Treatment Facility are reduced due to abnormally dry conditions, despite some recent relief from localized precipitation. Currently, streamflow conditions (coupled with system demand) show moderate drought conditions, with other indicators trending towards severe drought conditions.

Water use restrictions and actions during these moderate drought conditions are voluntary. Voluntary water use restrictions and requested actions are as follows:

- Inspect for and repair all leaking toilets, faucets, and pipes.
- Take short (5 minutes or less) showers instead of baths.
- Install water-saving shower heads or flow restriction devices.
- Turn off the water when shaving or brushing teeth.
- Use automatic dishwashers only for full loads.
- Use automatic washing machines only for full loads.
- Eliminate washing down gutters, driveways, carports, sidewalks, parking lots, tennis courts, or any non-essential hard surface areas.
- Eliminate washing down buildings or structures for purposes other than immediate fire protection.
- Reduce washing of automobiles, trucks, boats, etc. When washing vehicle, place it on a porous surface (such as your lawn) so the water does not run off into paved areas. Also use an automatic shut-off hose nozzle.
- Eliminate the use of water to maintain fountains, reflection pools, and decorative water bodies except where necessary to sustain aquatic life.
- Limit watering lawns, plants, trees, gardens, shrubbery, and other flora on private and public property. Watering should be done on certain days (as outlined in the outdoor water use plan

AGENDA – Commissioners of Public Works of the City of Spartanburg, SC, Regular Meeting, held at 200 Commerce Street, November 28, 2023

below) between the hours of 8 p.m. and 6 a.m. to reduce heat-of-the-day evaporation. Monitor watering so as not to over-water.

- Customers that use irrigation systems should irrigate between the hours of 8 p.m. and 6 a.m. in accordance with the outdoor water use plan.
- Voluntary compliance with an odd/even address outdoor water use plan as outlined below:
 - Customers that have street addresses, box numbers, or rural route numbers ending in 0, 2, 4, 6, 8 or the letters A through M and locations without addresses are allowed to use outdoor water only on Thursday and Sunday.
 - Customers that have street addresses, box numbers, or rural route numbers ending in 1, 3, 5, 7, 9 or the letters N through Z are allowed to use outdoor water only on Wednesday and Saturday.
- Make sure that watering is maintained on porous surfaces only (do not allow over-spraying onto paved areas such as driveways, parking lots, sidewalks, roadways, etc.).
- Restaurants should serve water only when requested by customers.
- Reduce irrigation of golf courses and any parts of its grounds.
- Cover swimming pools, when not in use, to reduce evaporation losses.

In an attempt to provide water for essential uses during this moderate drought condition, The Commission will monitor water use. The water use reduction goal for this phase of drought is 15%. Provided drought conditions do not improve, failure to meet this goal within five (5) days may result in further water use restrictions.

Inquiries should be directed to Spartanburg Water System at 864-582-6375.

17. 2023 PARTICIPATION PROJECT BUNDLE #1 – SUMMARY CHANGE ORDER

The 2023 Participation Project Bundle #1 is complete. The project was installed by Lowry Utilities, LLC of Gaffney, SC and included approximately 1,500 linear feet of 8" ductile iron pipe. This participation project extended water service along Hummingbird Lane.

Change order No. 1 - was a decrease to the contract price of \$450.00 for the adjustment of the unit quantities based on actual work done.

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This change order was executed as per current water system policy. The Financial summary of the project construction is as follows:

Original Contract Price	\$133,130.00
Change Order No.1 (Summary) - additions and deductions to unit quantities based on actual construction	<u>\$ (450.00)</u>
Revised Contract Price	\$132,680.00

The above is provided as information to the Commission.

18. PARTICIPATION PROJECT CONSISTENT WITH OUTSIDE CITY WATER MAIN EXTENSION POLICY – 1470 CALDWELL DRIVE

Recently management received a request from a property owner on Caldwell Drive concerning the possibility of obtaining water service. Caldwell Drive is south of Willis Road.

The water main extension consists of approximately 150 linear feet of 4-inch water main and is consistent with the SWS Water Main Extension Policy. It will be billed at the outside city rate plus surcharge until such time as the full local share is recovered.

The water main extension necessary to provide domestic service plus fire protection and also provide for future growth, are the same size and quantity, and therefore, the project estimate is \$8,300. The property owner's participation cost is based on this estimate.

Management recommends Commission approve the above.

19. PARTICIPATION PROJECT CONSISTENT WITH OUTSIDE CITY WATER MAIN EXTENSION POLICY – 1500 CALDWELL DRIVE

Recently management received a request from a property owner on Caldwell Drive concerning the possibility of obtaining water service. Caldwell Drive is south of Willis Road.

The water main extension consists of approximately 130 linear feet of 4-inch water main and is consistent with the SWS Water Main Extension Policy. It will be billed at the outside city rate plus surcharge until such time as the full local share is recovered.

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The water main extension necessary to provide domestic service plus fire protection and also provide for future growth, are the same size and quantity, and therefore, the project estimate is \$7,200. The property owner's participation cost is based on this estimate.

Management recommends Commission approve the above.

20. PARTICIPATION PROJECT CONSISTENT WITH OUTSIDE CITY WATER MAIN EXTENSION POLICY- 460 DAVIS ROAD

Recently management received a request from a property owner on Davis Road concerning the possibility of obtaining water service. Davis Road is north of I-85 and west of Fairview Church Road.

The water main extension consists of approximately 580 linear feet of 6-inch water main and is consistent with the SWS Water Main Extension Policy. It will be billed at the outside city rate plus surcharge until such time as the full local share is recovered.

The water main extension necessary to provide domestic service plus fire protection and also provide for future growth, are the same size and quantity, and therefore, the project estimate is \$31,900. The property owner's participation cost is based on this estimate.

Management recommends Commission approve the above.

21. AGREEMENTS EXECUTED BY THE CHIEF EXECUTIVE OFFICER ON BEHALF OF THE COMMISSION

The following agreements have been executed on behalf of the Commission by the Chief Executive Officer in accordance with the resolution adopted by the Commission on January 26, 2023.

A. Outside City Water Main Extension Agreements

(1) Everly Sections 4 and 7

Mark III Properties, LLC is developing Everly Sections 4 and 7 off of Carolina Country Club Road. The development will consist of 117 residential lots, approximately 2,630 linear feet of 8-inch water main; 2,240 linear feet of 6-inch water main; 1,000 linear feet of

AGENDA – Commissioners of Public Works of the City of Spartanburg, SC, Regular Meeting, held at 200 Commerce Street, November 28, 2023

4-inch water main; 610 linear feet of 2-inch water main; and five hydrants. SWS will participate in the off-site water main construction cost in accordance with the Water Main Extension Policy.

(2) New Prospect Haven

ECS Development, LLC is developing New Prospect Haven located off of Highway 9. This development will consist of 45 residential lots, approximately 1,410 linear feet of 6-inch water main; 835 linear feet of 4-inch water main; and two hydrants. The developer will bear all costs.

22. PERMITS ISSUED AT THE RESERVOIR

Applications have been submitted and all fees have been paid on the following Lake Agreements, associated with new construction and replacement.

- (1) Lon Alexander**, desires to construct a boat lift on Lake Bowen.
- (2) Larry L. Baczurik**, desires to construct a boat lift on Lake Bowen.
- (3) Philip W. Hodge and Katherine T. Hodge**, desire to construct a boat lift on Lake Bowen.
- (4) Nathan H. Tapp**, desires to stabilize the shoreline on Lake Bowen.

Applications have been submitted and all fees have been paid on the following Lake Agreements, associated with acknowledgement of ownership.

- (1) Robert Ernst and Laura A. Ernst**, shoreline stabilization on Lake Bowen.
- (2) Craig W. Friedrich and Jacquelyn Friedrich**, hard pathway on Lake Blalock.
- (3) Christopher D. Hyatt**, boat lift, personal watercraft lift, and shoreline stabilization on Lake Bowen.
- (4) David B. Isenberg and Megan Emily Isenberg**, boat lift, boat ramp, hard pathway, and shoreline stabilization on Lake Bowen.

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- (5) **Michelle P. Sullivan**, hard pathway on Lake Bowen.

23. CHIEF EXECUTIVE OFFICER REPORT

AGENDA

SPARTANBURG SANITARY SEWER DISTRICT COMMISSION

RATE AND FEE MEETING

MEETING PLACE:

**The George, Room 232
160 E. St. John Street**

Tuesday, November 14, 2023, 9:30 a.m.

This is a rate and fee meeting of the Spartanburg Sanitary Sewer District Commission. Written notice of the date, time, and place for this meeting, along with the agenda, has been posted in the lobby and on the Spartanburg Water website, and copies have been forwarded to local and nearby news media (including Spartanburg Herald-Journal, The Spartan Weekly, Greenville News, The Greer Citizen, Hometown News, WSPA-TV 7, WYFF-TV 4, WLOS-TV 13, WHNS Fox Carolina, WORD News Radio, WOLT-FM Radio, Tribune Times, and the Times Examiner) at least 24 hours prior to this meeting.

This meeting will be held to discuss and approve rates and fees for Calendar Years 2024, 2025, 2026.

- 1. CALL THE MEETING TO ORDER**
- 2. DISCUSS THE 5 YEAR RATE AND FEE PLAN AND ADOPT RATES AND FEES FOR CALENDAR YEARS 2024, 2025, 2026**

AGENDA

SPARTANBURG SANITARY SEWER DISTRICT COMMISSION

THE COMMISSIONERS OF PUBLIC WORKS OF THE CITY OF SPARTANBURG, S.C.

**MEETING PLACE:
The George, Room 232
160 E. St. John Street**

JOINT RETREAT

Tuesday, November 14, 2023, 10:45 a.m.

This is a joint retreat of the Spartanburg Sanitary Sewer District Commission and The Commissioners of Public Works of the City of Spartanburg, S.C. Written notice of the date, time, and place for this meeting, along with the agenda, has been posted in the lobby and on the Spartanburg Water website, and copies have been forwarded to local and nearby news media (including Spartanburg Herald-Journal, The Spartan Weekly, Greenville News, The Greer Citizen, Hometown News, WSPA-TV 7, WYFF-TV 4, WLOS-TV 13, WHNS Fox Carolina, WORD News Radio, WOLT-FM Radio, Tribune Times, and the Times Examiner) at least 24 hours prior to this meeting.

This joint retreat will be held to discuss organization planning for the Spartanburg Sanitary Sewer District Commission and The Commission of Public Works of the City of Spartanburg, S.C.