

Meeting Minutes

Attendees:

Tom Reeder, Linwood Peele, Jim Mead & Wayne Howard – Division of Water Resources (DWR);
Brian Strong & Emily Hill – Department of Parks and Recreation (DPR);
Keith Nealson – Eno River State Park;
Kevin Lindley, Tom Davis, David Stancil & Steve Yuhasz – Orange County;
Kenny Keel & Julie Lindley – Hillsborough;
Ben Lloyd, Faye Metcalf & Dale Hamby – Orange-Alamance;
Randy Thomas – Piedmont Minerals;
Robin Jacobs & Don Cox – Eno River Association;
John Tolar & Cynthia Shriner – Lake Orange, Inc.;
Lynette Hartsell, Don Hierman, Buzz Koenig & Ken Terlep – Friends of Lake Orange

Historical Operations:

Kevin Lindley provided the history and an overview of the Eno River Voluntary Capacity Use Agreement.

- Discussed how the drought of the 1980's prompted the Orange County capacity use investigation.
- The Environmental Management Commission (EMC) declared if the three major users (Hillsborough, Orange-Alamance, Piedmont Minerals) could voluntarily manage their Eno River withdrawals, capacity use area permitting could be avoided.
- Agreement dictates usage limitations based on the target flow at the Eno River gage.
- When Hillsborough's West Fork Eno Reservoir (WFER) was created, the agreement was updated to reflect the additional releases.

Gages and Weirs:

- Lake Orange Reservoir (LOR) is currently in Stage 1 restrictions.
- Hillsborough is currently releasing 2.4 cfs to meet the minimum release requirement and to help flow in the river and to reduce the rate of decline of LOR.

Water Use & Stream Flow Report:

Wayne Howard provided and discussed several graphs and tables.

- **Graph 1:** Eno River Average Weekly Withdrawals (When Operating Average);
August 2008 – July 2009 with level of restrictions
- **Graph 2:** Eno River Average Weekly Withdrawals (7-day Average);
August 2008 – July 2009 with level of restrictions
- **Graph 3:** Eno River @ Hillsborough Gage #02085000;
Flow vs. Date (flow less than 10 cfs for August 2008 – July 2009)
- **Graph 4:** Eno River @ Hillsborough Gage #02085000;
Flow vs. Date (August 2008 – July 2009)
- **Table 1:** Summary for 2009 Stages of Restriction. (August 2008 – July 2009)
Provided number of weeks at each level of restrictions.
Provided average and total use for the Eno River Users.

Summary for 2009 Annual Meeting
(covering Summer 2008 through Summer 2009)

Month	Restrictions	Dates
August 2008	Stage 1 Stage 2	August 1 – 7 August 8 – 31
September 2008	Stage 2 Stage 1	September 1 – 11 September 26 – 30
October 2008	Stage 1	October 1 – 2 October 13 – 31
November 2008	Stage 1	November 1 – 30
December 2008	Stage 1	December 1 – 6
January 2009	NONE	*
February 2009	NONE	*
March 2009	NONE	*
April 2009	NONE	*
May 2009	NONE	*
June 2009	NONE	*
July 2009	Stage 1	July 1 – 31

August - December 2008

Weeks of Restrictions

STAGE 1: 9 weeks, 6 days**STAGE 2:** 5 weeks, 0 days**January - July 2009**

Weeks of Restrictions

STAGE 1: 4 weeks, 3 days**Hillsborough:**

Total use: 1.176 mgd
Avg. Eno use: 1.176 mgd
(when operating: 1.176 mgd)

Total use: 1.104 mgd
Avg. Eno use: 1.104 mgd
(when operating: 1.104 mgd)

Orange-Alamance:

Total use: 0.632 mgd
Avg. Eno use: 0.147 mgd
(when operating: 0.284 mgd)

Total use: 0.604 mgd
Avg. Eno use: 0.140 mgd
(when operating: 0.273 mgd)

Piedmont Minerals:

Total use: 0.001 mgd
Avg. Eno use: 0.001 mgd
(when operating: 0.003 mgd)

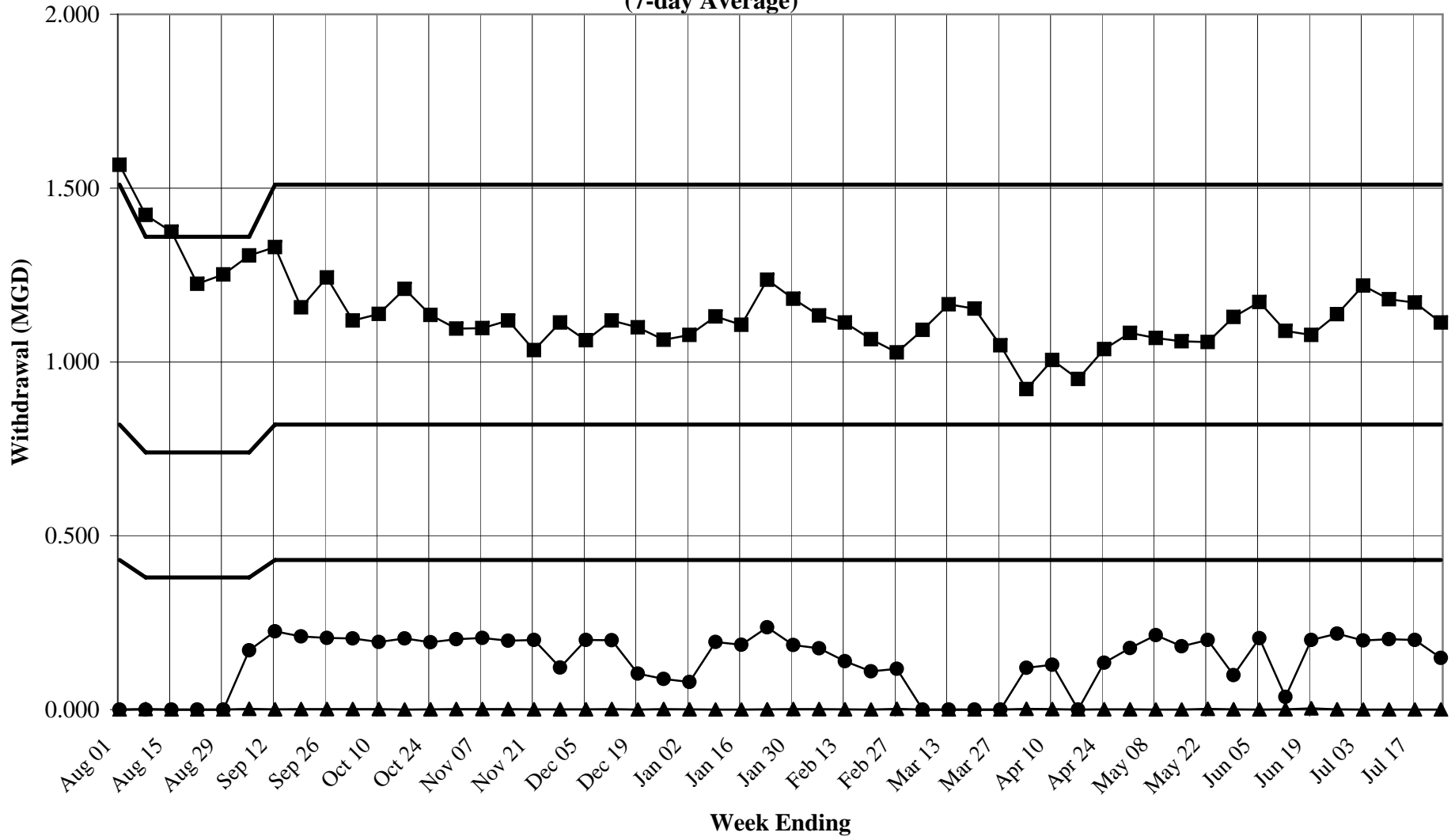
Total use: 0.001 mgd
Avg. Eno use: 0.001 mgd
(when operating: 0.004 mgd)

* Note: Streamflows exceeded 10 cfs for this period.

ENO RIVER AVERAGE WEEKLY WITHDRAWALS

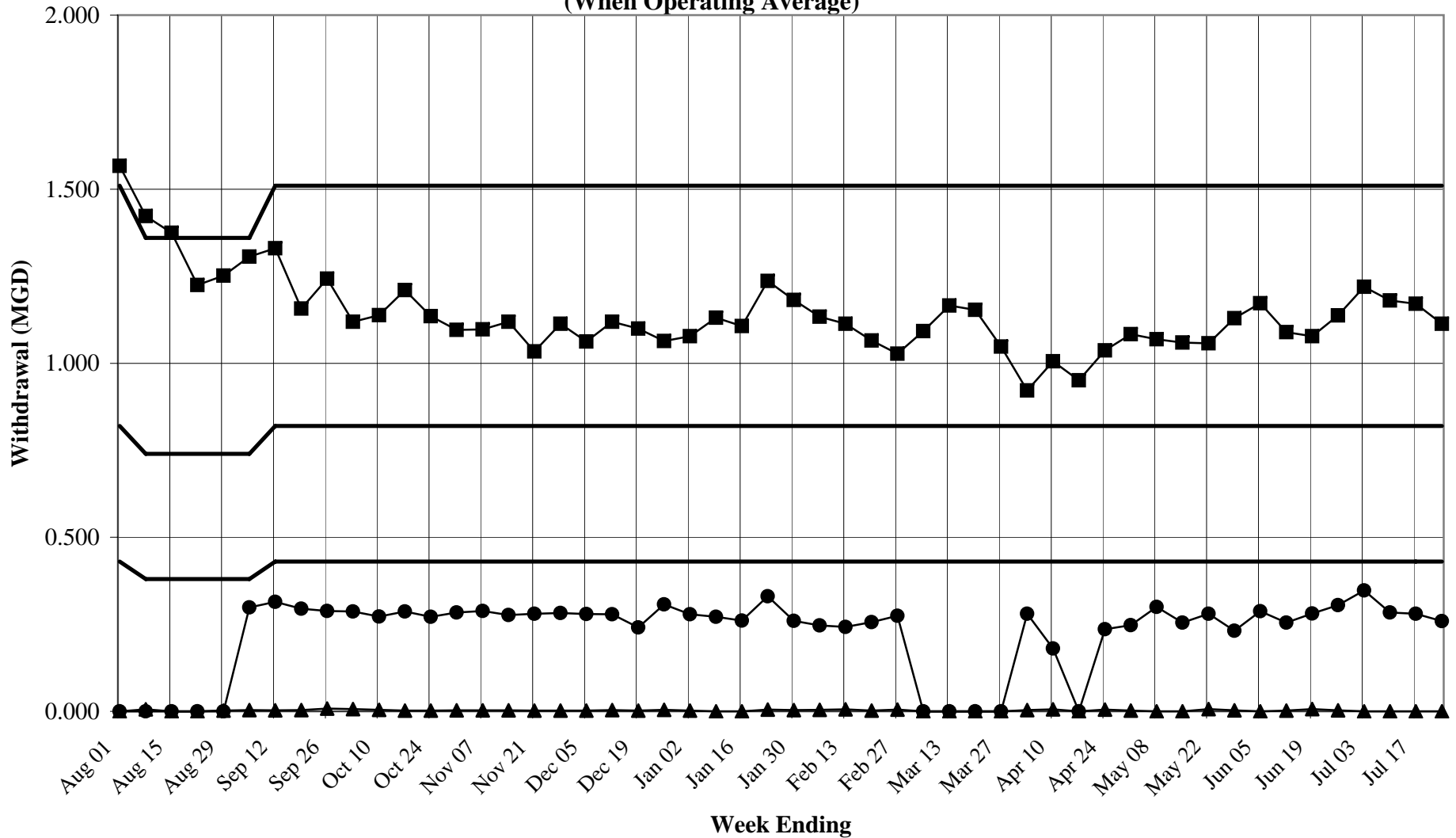
August 2008 - July 2009

(7-day Average)



ENO RIVER AVERAGE WEEKLY WITHDRAWALS

August 2008 - July 2009
(When Operating Average)



— Stage Withdrawal Limits ■ Hillsborough ● Orange-Alamance ▲ Piedmont Minerals

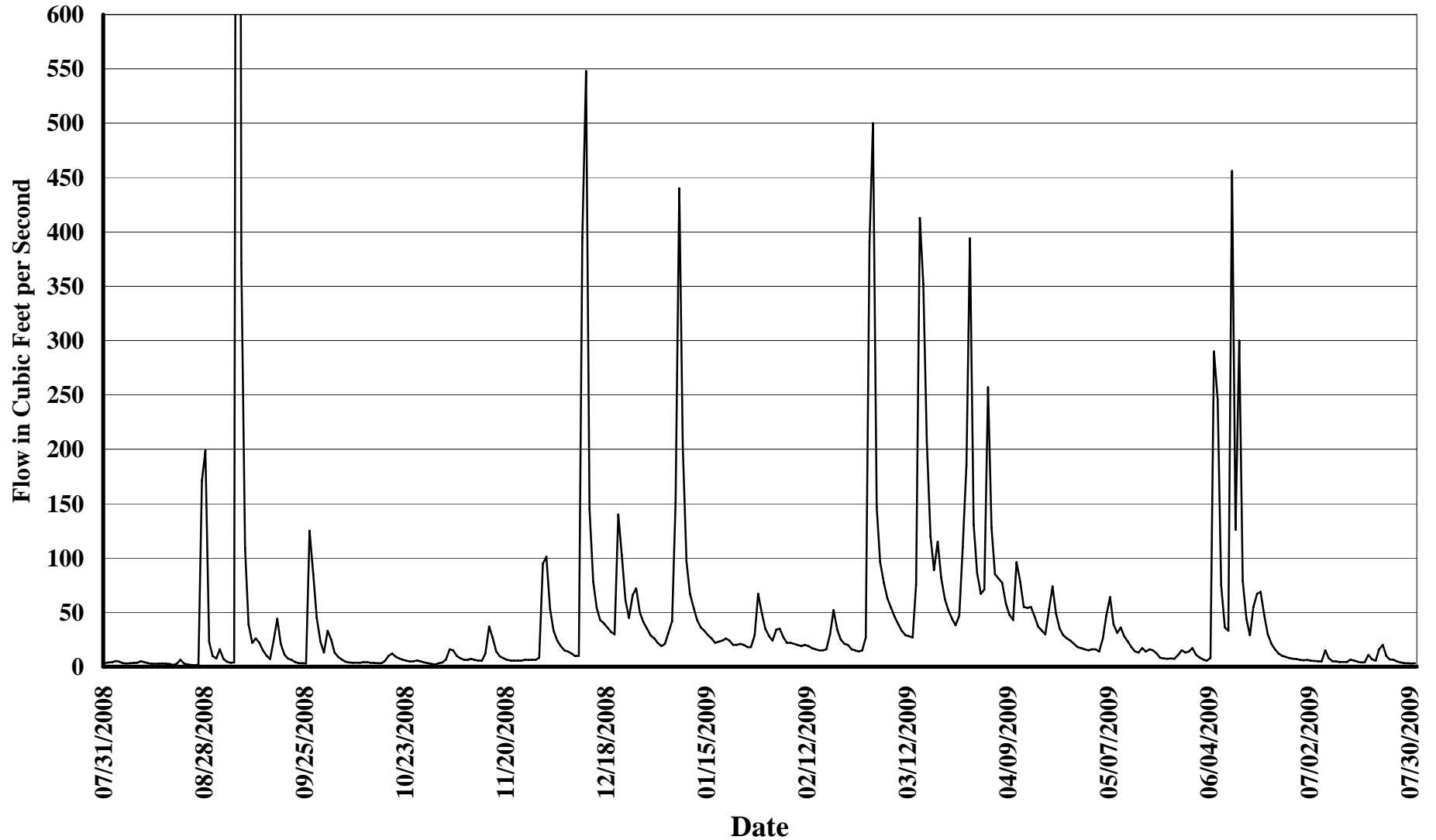
ENO RIVER @ HILLSBOROUGH, #02085000

August 1, 2008 - July 31, 2009

08/01/08-02/11/09: USGS data approved for publication.

02/12/09-07/31/09: USGS provisional data subject to revision.

09/06/08: Flow of 1900 cfs not shown on graph to preserve scale.

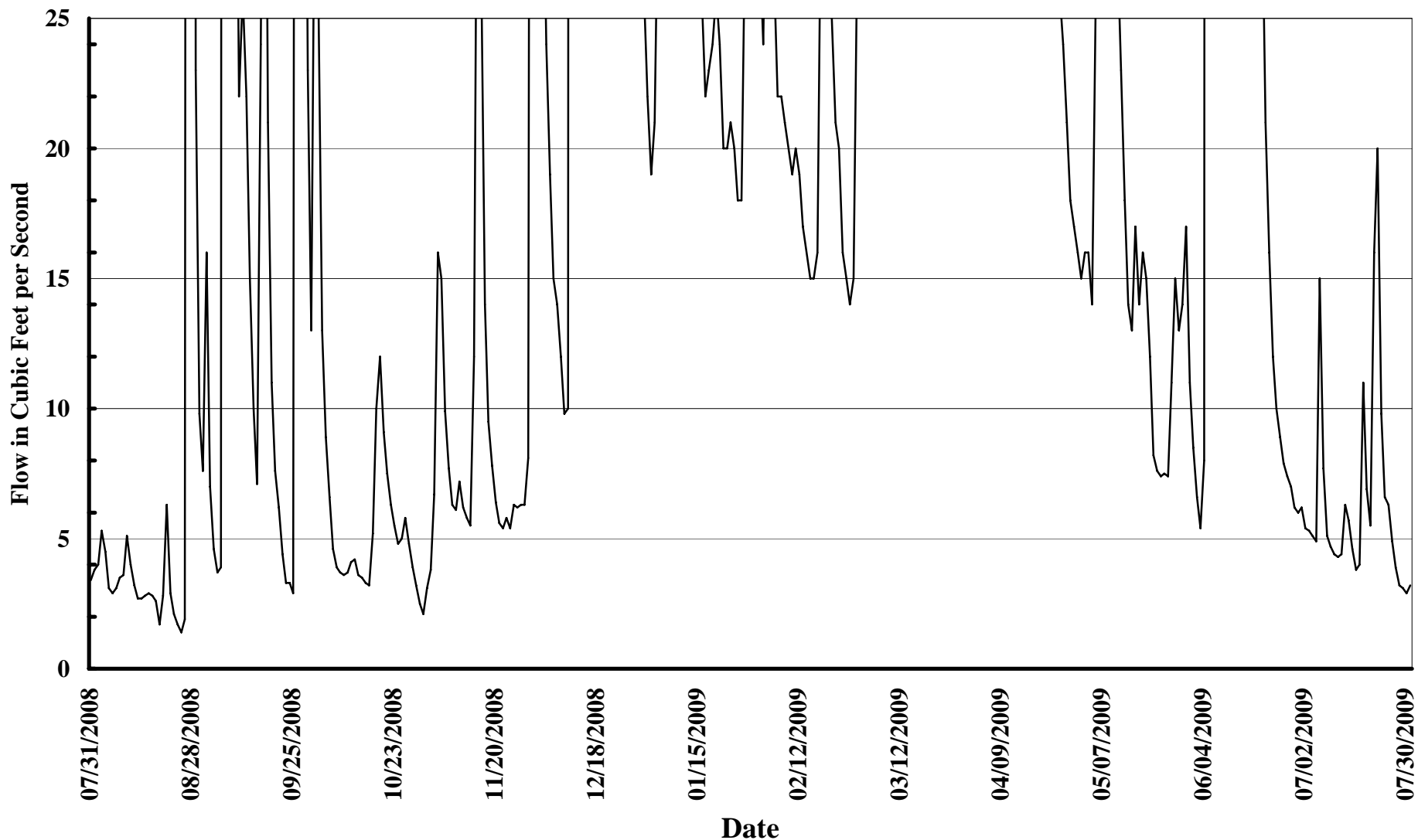


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Status of Water Users:

Hillsborough

- Kenny Keel provided the status of Hillsborough's WFER;
 - Hillsborough's average usage is 1.2 mgd.
 - WFER's current level is 42.5 feet.
 - Releasing approximately 2.4 cfs (1.0 cfs minimum release).
 - Additional releases done to help flow in river and ease demand on LOR.
- At WFER working on improvements;
 - Three valves are used to open/close the releases.
 - Some corrosion.
 - Replaced one valve.
 - The remaining two currently not in operation – to be replaced.
- Kenny distributes a periodic email to notify interested parties about the status of the water conditions at WFER and LOR.
 - If interested in receiving the email, contact Kenny (kenny.keel@hillsboroughnc.org).

Orange-Alamance

- Faye Metcalf gave the status update for Orange-Alamance Water System, Inc.;
 - No significant changes in usage over the past year.
 - Eno River withdrawals are approximately 300,000 gpd.
 - Treatment plant has resumed operating 5 days per week.
 - Purchase water from Haw River,
 - Under contract: minimum 0.300 mgd and maximum 0.800 mgd,
 - Contract term is 20 years.
 - Additional water withdrawn from two wells,
 - Operational 2-3 days per week,
 - Yields: 0.200 mgd and 0.150 mgd.
- If County allows more development, Orange-Alamance anticipates growth in customers.

Piedmont Minerals

- Randy Thomas reported Piedmont Minerals still only uses a portion of the plant's allotment.
 - A significant decrease compared to its historical usage.
- During September through December 2008, Piedmont Minerals were at processing capacity.

Eno River State Park

- Keith Neelson introduced as the new Eno River Park Superintendent.
- Park received over 400,000 visitors last year.
- Water consumption has been reduced by 15% in the park.
- Would love to see as much water flowing in the Eno River as possible.
- Brian Strong added that DPR is anticipating the validated Neuse River Basin Model.
 - Interested in seeing how the model results will tie into the agreement and what potential changes it may have on the agreement.

Follow-up Items:

- Buzz Koenig represented the Friends of Lake Orange;
 - Presented a slideshow prepared by Ken Terlep.
 - Analysis of the Eno River using the preliminary Neuse River Basin Model.
 - Ken Terlep explained the model run used;
 - Worked with the consultants to make revisions.
 - Spoke with Tom Fransen of DWR about model's use as check and balance.
 - Concerned with the frequent drawdown of LOR.
 - Want to keep the pristine nature of LOR.
 - Wants to work with the Eno River users to minimize lake level fluctuations.
 - Pushed for new controls for the LOR release.
 - Stressed there are too many demands on LOR.
 - In times of moderate or greater drought, the agreement should specify a better way to manage LOR to benefit everyone.
 - Currently during drought, majority of flow comes from LOR.
 - Thinks these releases are too much.
- Linwood Peele explained that in the late 90's, changes were made to the agreement due to the construction of the WFER.
 - Explained that both reservoirs are subject to rules concerning water supply reservoirs. The Division of Environmental Health – Public Water Supply Section is the agency that regulates drinking water supplies and establishes rules for public water supplies.
 - Neuse River Basin Model is a planning tool, not a regulatory tool.
 - A planning tool to be used by employees within DWR.
 - The tool will help to show how the WFER and LOR operate.
 - Could be used to recommend changes to the plan.
 - Recommendations for change would ONLY occur if:
 - The users wish to recommend change to the agreement, or
 - DWR observes improper withdrawals by the users.
- Tom Reeder explained the model's primary function is for educational and planning purposes.
 - DWR would not consider it validated for regulation, only recommendations.
 - Model is not used for permitting;
 - Used to gage impacts.
 - No regulatory authority to effect change.
 - The agreement is given authority through the EMC.
 - Users have to make the decision to amend and submit request to the EMC.
 - Since the users are following the agreement, not within DWR's purview to open the agreement.
 - Bill Holman & Richard Whisnant (Water Allocation Study authors) tout the Voluntary Capacity Use Agreement as a success.
- Buzz Koenig and Ken Terlep encouraged the creation of a work group, chartered by the Eno Users group, to work with the model.
 - Robin Jacobs volunteered the Eno River Association as taking the lead in the group in the first of the year, once the model had been validated.
 - Tom Reeder suggested waiting for model validation; concerned parties should meet with the users, and then come to DWR if the decision for change is made.

- Linwood Peele added he could see two teams;
 - For technical issues and other issues.
 - DWR would not have purview over either group.
- Keith Nealon inquired as to how much watershed activity the model would contain.
 - Linwood Peele explained the model contains every surface withdrawal and discharge of 100,000 gallons per day or greater.
- Robin Jacobs mentioned the need to change the agreement.
 - Explained the Eno River Association's formal request was held awaiting the pending model.
 - The request would be a modification accepted by the users.
- Brian Strong explained DPR reluctantly pulled back request to wait for the model.
 - Interested in looking at reallocation.
 - Assume DPR can make formal request to DWR.
 - Tom Reeder explained clarification from the DENR Attorney General would be needed to determine if possible.
- John Tolar appreciates all the hard work and cooperation that has been extended by the County and Hillsborough over the years. Understands trying to get something nice that all parties can work with would be best.
- Ben Lloyd reminded everyone that this Voluntary Capacity Use Agreement has worked well.
 - Group should look long and hard before changing.
 - Orange County and Hillsborough are looking at the future.
 - Have acted very responsibly over the years.
- Kenny Keel reiterated in a severe drought, everyone suffers.
- Julie Lindley recommended the concerns of Friends of Lake Orange be handled at the local level with Orange County, not at the state level.
- Linwood Peele reiterated that until DWR receives a formal request, users will continue to operate under existing management plan.
- Official validated model will be available to all soon (late Fall).

Meeting Adjourn.