

MINUTES OF MEETING OF WILDLIFE RESOURCES COMMISSION AT EUTAW SPRINGS APRIL 18, 1969

Present were Commissioners Eltzroth, Eppes, Rhame, Glenn and Mishoe, Major Cantey, Advisory Committee Member Hugh Fraser, Jim Webb, Pat Ryan, Roger Seamans, Gene Howell, Ed Latimer and Fred Ramage.

Following an executive session a motion was made and adopted that the Commission express its regret at the illness of Dr. Lunz and the Secretary was instructed to draw up the resolution and send it to Dr. Lunz.

The Commission also appointed as temporary acting director of the Division of Commercial Fisheries, with the consent of Director Webb, Supervisor J. O. Sullivan, with the understanding that the appointment be during the time that Dr. Lunz is unable to perform his duties. The Secretary was instructed to advise Supervisor Sullivan and Dr. Lunz of this action. (I called him Friday after the meeting and am also writing).

A number of conservation officer appointments were approved, those where the Commissioner of the District was absent, being approved subject to his final approval.

Mr. Latimer was asked regarding a meeting he had held with the Corps of Engineers and the Coast Guard regarding the problem to boats caused by drift nets in the Pee Dee and Waccamaw Rivers. He said that Coast Guard had suggested that the State adopt a rule and regulation for the Boating Division requiring that nets be pulled out of the channels and the boats be given the right of way. They said that the Coast Guard would prefer for the State to enforce the rule and regulation.

Mr. Webb said that he would like to consider this further and also to have Tommy Welch present when a decision was made and it was decided to defer action.

Attorney William Anderson of Hampton then appeared before the Commission, representing certain landowners around Lake Warren, saying that he had written to Mr. Webb and Mr. Latimer.



He said that the three persons he represented owned most of the southern boundary below the lake and had given title with the understanding that the lake would be built. He also said that their property line extended to six feet above where the water was expected to be, and this was at considerably varying distances from the expected shoreline.

He also said that his clients had expected to create residential areas adjoining the lake, that some lots had already been divided and they were ready to start releasing them but they were being held up because so far the purchasers do not know what their rights would be. He also asked about the possibility of lot owners erecting boat houses or docks.

Mr. Webb stated that the land had been bought so that the Department would own land for access completely around the lake and that the six feet above normal water was to take care of possible flooding, the dam being designed for a five-foot flood stage. He added that the lake was designed as a fishing lake for the public and nothing could be done to interfere with the public's use of it.

Mr. Mishoe explained the Santee-Cooper leasing regulations.

Mr. Cantey explained the federal regulations in effect on Lake Murray.

Mr. Webb said one thing that must be considered is that since federal money was involved in the construction of Lake Warren that federal government approval would be necessary for any action that might be taken.

Mr. Anderson said the major problem was that persons buying lots were not sure of their rights.

Mr. Eltzroth stated that it was Commission policy "to use the lake for public recreation and, except as may be ordered in the future, the public will retain the right to use the land and water, subject to such rules and regulations as may in the future be made." He added that it was difficult if not impossible to say that



in the future landowners around the lake would have certain rights, and he could not say that a fence would never be put up around the lake, as this would tie the hands of the Commission.

Mr. Glenn and Mr. Rhame suggested that the matter be taken under advisement.

Mr. Eltzroth suggested that Mr. Anderson put his ideas on the matter in writing so that Mr. Webb could submit them to Attorney General McLeod and after a ruling was received from him the Commission would be in position to act. Mr. Anderson said that he had already written Mr. Webb and Mr. Latimer.

Mr. Eltzroth said that he had received a letter from Bert Lee of the Corps of Engineers and he had prepared a memorandum of understanding between the Corps and the Commission, which he would like to submit to the two directors and also send to the Water Resources Commission and ask for comment. He said the matter involved was the multiple use of spoil areas, the Engineers retaining certain rights and letting the Department use the remainder for wildlife purposes. This would allow a working agreement between the Engineers and the Department, which he thought was a good idea for the future. He added that nothing would be done until the Director can study the matter and make recommendations.

The Commission then authorized the Chairman to continue his conversations with the Engineers.

Mr. Glenn then asked the status of the Delta Mill matter, and also asked Mr. Webb what could be done to stop pollution.

Mr. Webb said that nothing could be done by the Department to stop pollution and that all the Department can do is to take action after fish have been killed.

Mr. Eltzroth said that the Governor had been notified of the polling of the Commission in regard to damage on the Great Pee Dee River allegedly caused by the Delta Finishing Company on July 3 and the Commissioners so polled had then agreed



to accept in lieu of a sum for damages a gift of \$12,000 from Delta and the parent corporation for the purposes of restocking the Great Pee Dee. He added that the matter would be concluded within the next two weeks.

Mr. Glenn then introduced his new member of the advisory committee, Hugh Fraser.

Eddie Finlay

EF:jc

