

SOUTH CAROLINA WILDLIFE AND MARINE RESOURCES
COMMISSION MEETING

Hickory Knob State Park
McCormick, S. C.
April 22, 1980

The regular monthly meeting of the South Carolina Wildlife and Marine Resources Commission was held at Hickory Knob State Park, McCormick, S. C., at 10:00 a. m., April 22, 1980 with Chairman Edens presiding. Notice of the date, time and place of the meeting was mailed to the state's media. Commissioners present at the meeting included Commissioners Edens, Boykin, Stubbs, Dawson, Pendarvis, Bennett, and Harrelson. Directors and staff members present included Dr. Timmerman, Larry Cartee, Tommy Edwards, Tom Kohlsaas, John Cely, Jeff Fuller, Sumter Moore, Gene Smoak, Benny Reeves, David Cupka, Terry Hughey, Phil Furtick, A. S. Lachicott, Dan Dobbins, John Davis, Sonny Baines, John Evans, Mike Creel, Pat Ryan, and Joe Logan. Guests at the meeting included Ben Gregg of the Governor's office, Betty Spence of the S. C. Wildlife Federation, and Heyward and Teddy Clamp of Salley, S. C.

CALL TO ORDER

Chairman Edens called the meeting to order at 10:00 a. m.

ITEM I. READING OF THE MINUTES

Commissioner Stubbs moved to dispense with the reading of the Minutes of the March 21, 1980 meeting and approve them as submitted. Commissioner Dawson seconded the motion and it was adopted by the Commission.

ITEM II. COMMENTS

Dr. Timmerman brought the Commission up-to-date on several items from the last Commission meeting. The Blue Ribbon Study Committee on Funding and the Marine Resources Study Committee are being formulated and this is nearing completion. Chairman Edens reported that we hope to have the rosters completed by this weekend and get out notices for meetings starting in May. Chairman Edens noted that we have received a good response and everyone that has been asked has agreed to serve. Dr. Snyder of Charleston has agreed to serve as a representative of marine interests. Chairman Edens noted that Governor Riley applauded the Commission for its efforts and he has indicated that he will serve on the committee when his schedule permits. In regard to the Marine Study Committee, Dr. Timmerman noted that Bob Hutton of the National Marine

Fisheries Services will serve as Chairman and a preliminary meeting with him will be held on May 12th. Dr. Timmerman reported that he plans to spend a lot of time at the Marine Center this summer and work very closely with this group. Dr. Timmerman noted that the Mountain Bridge Project has been discussed by the Commission and is on the agenda today for further discussion. Dr. Timmerman stated that Commissioner Shuler had asked about the proposed commercial fishing bill at the last meeting and Fred Zeigler will complete this draft by the end of April. Jeff Fuller and staff will be putting this package together for consideration by the Commission at the May meeting. Dr. Timmerman informed the Commission that the bill on the non-resident big game permit has passed the House and is in the Senate Fish, Game and Forestry Committee. Shooting preserves have been exempted in the bill. It is estimated that if this passes, it will raise about \$100,000 in revenue the first year. Dr. Timmerman noted that he recently had an in-depth discussion of our budget status with the staff at a recent meeting. The Commission's request for the 24-hour manning of radio stations in the state will go into effect about the first of May. At the last meeting, the Commission gave the Division of Marine Resources the authority to close down the sturgeon fishery when mortality rates became high. The porpoise and turtle mortality rates became high and this fishery was shut down last week. Also at the last meeting, the Marine Advisory Board was asked to conduct a shellfish study. Since that time, a resolution has been proposed in the General Assembly to appoint three Senators and three House members to conduct a shellfish study. Rather than have two study committees, this resolution will probably be amended to include three members from the Marine Advisory Board so as to have one study. Chairman Edens stated that he had talked with Senator Wise and he saw no problem about amending the resolution to this effect. Chairman Edens asked Dan Dobbins to check with Mike Copeland concerning this amendment.

Dr. Timmerman reported that following the last Commission Meeting, he and Dr. Joseph had discussed the naming of the Mariculture Center. Dr. Timmerman noted that he and Dr. Joseph recommended to the Commission that the facility be named in the honor of Senator James M. Waddell, Jr. due to his assistance and contribution to the development of this Center. Dr. Timmerman distributed a proposed resolution to name such in his honor (copy attached to original Commission Minutes). This resolution was read to the Commission. Commissioner Pendarvis moved that the Commission adopt the resolution as presented and name the Center the James M. Waddell, Jr. Mariculture Center.

Commissioner Boykin seconded the motion and it was unanimously adopted by the Commission.

Dr. Timmerman informed the Commission that the Governor had appointed and the Senate has confirmed the appointment of Mr. Charles L. Compton of Laurens to the Commission representing Congressional District #5. A picture and resume of Mr. Compton was passed around to the Commission for information. Dr. Timmerman noted that Commissioner Boykin has not missed a meeting in his six years on the Commission. Commissioner Harrelson noted that the Commission should adopt an appropriate resolution honoring Commissioner Boykin.

Dr. Timmerman noted that he has been looking into having conference room tables built for use in the Dennis Building. A company has agreed to donate the wood for these tables and will cost about \$700 each to construct the three tables. Dr. Timmerman requested that the Commission approve the use of \$700 from the S. C. Wildlife and Education Training Fund, Inc., for one of these tables. Dr. Timmerman noted that he had talked with Mr. John Cantey and he plans to donate \$700 for one of the tables in honor of his father. In addition, Dr. Timmerman requested approval for \$360 from the Cantey Memorial Fund for use in printing up the Certificates of Meritorious Service. Commissioner Boykin moved for the Commission to approve Dr. Timmerman's requests for use of these funds. Commissioner Dawson seconded the motion and it was adopted by the Commission. Chairman Edens suggested that we try to find funds to pay the remaining \$700 for a table so that such will not have to come out of any state funds.

Dr. Timmerman distributed some information to the Commission regarding the budget (copy attached to original Commission Minutes). Funds are tight this year, but we will finish up the year in the black. Dr. Timmerman went over our Fiscal Year 1980-81 budget requests including additional needs of \$953,000. This includes an additional \$400,000 for gasoline next year to operate at the same level as this year. Dr. Timmerman went over other needs and requested any assistance available from the Commissioners with legislators in their area.

ITEM III. LEGISLATIVE UPDATE

Dan Dobbins distributed a copy of Legislative Report #9 and new bills adopted since the last report. Mr. Dobbins updated the Commission on the status of bills pending before the Senate Fish, Game and Forestry and House Agriculture and Natural Resources Committees.

ITEM IV. OLD BUSINESS

A. Recommendations on Mountain Bridge Property: Dr. Timmerman reported that he and Chairman Edens had met with the Governor and PRT concerning this project. The Governor has requested that the Wildlife and Marine Resources Commission and the PRT Commission endorse and support the concept of the Mountain Bridge Wilderness Area and for us to work in cooperation with the PRT. This support will involve acquisition of additional lands for state ownership and procurement of conservation easements for the protection of other lands within the Mountain Bridge. The Governor requests joint actions by the PRT Commission and the Wildlife and Marine Resources Commission to agree to the following three procedures for implementing the Mountain Bridge land acquisitions and related matters: 1) PRT will handle the purchase of all lands to be acquired for state ownership within the Mountain Bridge, with the exception of the Watson property; 2) The PRT and Wildlife Commissions will enter into an agreement to work together on a plan for the use, management, protection, and master planning of lands within the Mountain Bridge, wherein portions of the state-owned lands will be retained by PRT for state park use and portions will be conveyed to the Wildlife Department for Heritage Trust protection or game and fish management; and 3) A Task Force will be appointed by the PRT and Wildlife Departments to plan and implement the land acquisition procedures. Ben Gregg noted that the idea behind this proposal is for the Commission to endorse the project. About one-third of the property in this project has already been purchased by PRT. There is some question about the use of Land and Water Conservation Funds for this project due to cuts that are anticipated. Mr. Gregg noted that it would be good to go ahead and pursue this anyhow. The idea behind the Task Force would be to coordinate the efforts of PRT and the Department to provide an organized front in approaching the landowners and avoiding confusion on their part. There is a possibility that all of the tracts, except one, can be acquired on a 50/50 gift basis. One tract will require state funds which can hopefully be acquired. Mr. Gregg noted that the purpose of this matter being on the agenda today was to seek the endorsement of the Commission for the concept of this project and the formation of the Task Force to work with the landowners. Dr. Timmerman stated that one of the approaches the Governor has is to put a package together and seek the use of discretionary funds of the Secretary of the Interior. On the Watson tract, this would be paid for either by the discretionary funds, next year's Land and Water Conservation Fund allocation or from funds approved by the legislature. There would be no cost to the Department for this land. As such, the Commission is being asked to endorse the

requests submitted by the Governor on this project. Chairman Edens noted that the purpose of the Task Force is to get one purchaser for discussions with the landowners. Chairman Edens stated that The Nature Conservancy has an option to purchase the Watson tract which must be exercised by the first of July. They are asking for a letter of intent from the state to acquire this property if they exercise their option to purchase the Watson tract. Dr. Timmerman stated that we would purchase the property if federal funds are available. They could sell the property if we cannot get funds to acquire the tract. Commissioner Stubbs noted that some of the local people do not want the purchase to take away local hunting rights. Chairman Edens stated that the Commission will approve the management plan after the property is acquired which can address the best use of each tract of land. Following other discussion, Commissioner Stubbs moved that the Commission approve the concept of this project and the formation of the Task Force to negotiate with the landowners, with the one exception that The Nature Conservancy will try to acquire the Watson tract and we will give them a letter of intent to acquire it if and when funds are made available to the Department for such. Commissioner Dawson seconded the motion and it was adopted by the Commission.

ITEM V. NEW BUSINESS

A. Proposal on Licensing Hunting and Fishing Guides: Dr. Timmerman noted that Fred Brinkman, Executive Director of PRT, had written a letter endorsing this concept. Commissioner Pendarvis distributed a package of material on this matter noting that it contained more information than the packet distributed at the last meeting (copy attached to original Commission Minutes). Commissioner Pendarvis noted that PRT has agreed to include information on guides in three of their brochures that are distributed to tourists. Sumter Moore noted that the proposal does not include hunting guides. For fishing guides, a \$35 annual license fee is proposed and a minimum \$200 fine for violation. The first violation would call for a one-year suspension of the license, the second violation would have a two-year suspension and the third violation would include a three-year suspension of the license. The proposed monthly reports from the guides has been done away with unless law enforcement has some need for this information. Anyone operating a vessel for hire on any waters must have a U. S. Coast Guard operators license and boats must be inspected for safe equipment under S. C. state law. Commissioner Pendarvis noted that the fishing guides themselves want this type of legislation and we are developing some guidelines to submit for legislative approval. In addition,

PRT supports this proposal and will co-sponsor it as a legislative proposal. Chairman Edens asked if any hearings have been held on this proposal. Commissioner Pendarvis stated that they have not, but that they have talked with several guides at various times. Dr. Timmerman noted that it would be good to have hearings with the guides and get them to co-sponsor this proposal. Commissioner Pendarvis suggested that a proposed bill be drafted and it be discussed at public hearings since it would be next year before this could be presented to the legislature. Chairman Edens asked that the proposal be drafted into the form of legislation and mailed out to the Commission. Commissioner Pendarvis noted that this could be drafted and Santee Cooper Country can set up some hearings for this. Chairman Edens suggested that the Law Enforcement and Boating Advisory Board publicize these hearings and meet with the guides. Commissioner Bennett noted that there is no way to stop someone from hiring a person to take you fishing. Commissioner Pendarvis noted that the \$35 fee will give the guides a lot of free advertising. Dr. Timmerman noted that, rather than having the strict fines, it may be a semi-voluntary type of thing with people getting on the list for advertising purposes for out-of-state tourists to use. Commissioner Harrelson noted that some people that are hired to paddle a boat on a river for someone to fish is not going to buy a \$35 license so we must be careful not to hurt a lot of innocent people. Dr. Timmerman noted that we could have a list of guidelines for guides and if they qualify, they would pay the fee and be included in the brochures to be published. This would enable the guides to get publicity in the PRT brochures. Chairman Edens noted that we could set up a list of requirements and if the fee is paid, then they would be included in the publications. The fine could be dropped and those that do not want to be listed would not be required to do so. Chairman Edens noted we could recommend a bill to establish an official guide publication based on certain requirements and the \$35 fee with the fine being dropped. Commissioner Pendarvis noted that such a proposal will be drafted, discussed at a public hearing and brought back to the Commission.

B. Proposed Regulations on the Sale of Native Reptiles and Amphibians:

Tom Kohlsaas noted that the proposed regulations were mailed out to the Commissioners. This regulation could be promulgated under the authority of the State Nongame and Endangered Species Act. Mr. Kohlsaas read the proposed regulation as follows: "It shall be unlawful for any person to sell, barter or offer for sale within the state, any native reptile or amphibian indigenous to South Carolina and it shall be unlawful to export for sale any reptile or amphibian indigenous to the state. This regulation shall not affect breeding farms

that produce for sale, diamondback terrapins or bullfrogs, nor shall it prohibit the sale of snake venom for medical or scientific research purposes. The export of native reptiles and amphibians shall be allowed only for legitimate scientific or educational reasons, and only if the exporter possesses a valid scientific collecting permit. The exchange and export of reptiles and amphibians by zoos, museums, and universities for scientific and educational purposes shall not be prohibited by this regulation". Mr. Kohlsaas noted that since this regulation has some far-reaching implications, a hearing was held in Columbia and this was discussed with various individuals. The findings will be summarized by John Cely. Mr. Cely noted that this is, basically, a conservation matter. Other states have had problems with the sale of reptiles and amphibians which has led to the endangerment of various species. It is felt that the sale of these species is detrimental to the resource and protection is needed from commercial exploitation. North Carolina and Georgia have made it illegal to pick up or keep a native reptile or amphibian. This proposed regulation would prohibit their sale. Mr. Cely noted that this proposal has the support of zoos and researchers that have been contacted. Mr. Kohlsaas noted that they have tried to consider all sides of this matter and two individuals are here today to make some comments on the proposal. Chairman Edens invited them to speak. Mr. Heyward Clamp, Jr. introduced himself and his brother, Teddy. Mr. Clamp noted that he has been collecting reptiles for 20 years as a hobby and he was concerned that this regulation would affect what they have been doing all their lives. Mr. Clamp stated that the problem comes from people that come in from out-of-state to collect reptiles and destroy habitat. Mr. Clamp noted that there is no way for collectors, like himself, to wipe out a reptile population. Mr. Clamp stated that he was concerned about saving reptiles, but that he and his brother want to enjoy what they are doing through collecting. Mr. Clamp suggested that someone look into this further and gather more facts before someone like himself and his brother are penalized. Chairman Edens asked Mr. Clamp if he had any specific suggestions on what should be done. Mr. Clamp noted that the State of California issues a license to commercial reptile collectors and he recommended that a license be issued to collectors such as himself with higher fees or no licenses issued for out-of-state collectors. Teddy Clamp noted that most of the snakes they collect go for scientific and educational purposes with only a small percentage of what they collect winding up in pet shops. Heyward Clamp noted that the collectors are not endangering the reptile population, but the problem is the destruction of habitat and lack of education of average people. John Cely stated that there are cases in the literature where collectors have wiped out a species. The indigo snake is an example of this. Dr. Timmerman asked about the existing

use of scientific collecting permits for scientific and educational purposes. Tom Kohlsaas noted that such a procedure is now in existence. Heyward Clamp noted that snakes cannot be sold if you have a scientific collecting permit. Tom Kohlsaas noted that there is no control over how snakes are disposed of under the scientific collecting purposes. Following other discussion, Chairman Edens asked Tom Kohlsaas to get together and see if they can come up with something. Mr. Kohlsaas noted that there is an exporting problem with this in certain counties in the state. Commissioner Dawson suggested that efforts be undertaken to stop out-of-staters from taking reptiles in the counties where they are over-harvested. Chairman Edens asked Mr. Kohlsaas to take this information today and come back with a recommendation whenever it is ready.

C. Division Reports:

1. Administrative Services: Benny Reeves stated that he did not have anything to add to the written report.

2. Wildlife & Freshwater Fisheries: Jeff Fuller noted that on the phragmites project, the Corps of Engineers will go along with us, but an environmental impact statement will have to be prepared which will take about six (6) months. If this goes through, the money they will have available on a 70/30 basis will start on October 1, 1981. A total of \$2.1 million will be set up in the Corps project, part of which will probably be designated for phragmites. Mr. Fuller noted that if the state gets into this, some agency in the state will have to be given responsibility for accepting the money and running the project. Dr. Timmerman noted that the Commission has gone on record for the Department to take a lead role in aquatic weed control. Chairman Edens stated that we should transmit to the Governor, the Commission's recommendation that we be designated to assume a lead role in aquatic weed control for the state. Dr. Timmerman suggested that Chairman Edens talk with the Governor and see if he may want to issue an Executive Order designating the Department for such a role. Chairman Edens noted that without objection, this will be done. Mr. Fuller noted that on the 70/30 match, we may need some funds for the match which may need to be included in the 81-82 budget request. Chairman Edens stated that we can get our request in to the Governor so it will be on the record.

3. Law Enforcement & Boating: Pat Ryan noted that he did not have anything additional to report. Dr. Timmerman noted that an individual had been cited for not having a turkey tag and that the Department may be at fault

for not putting out enough PR on turkey tags. No action is needed, but this particular situation has created some ill-will.

4. Information & Public Affairs: Dr. Timmerman reported that we need to take a financial look at IPA. The magazine will go into the red this year. Before John Culler left, the number of subscribers was not a true figure, but this has been corrected and we have about 66,000 paid subscribers. The staff is working with the garden clubs and the number of subscribers is building back up. Printing and color separation costs have become unreal. Dr. Timmerman noted that he has asked Sonny Baines to get with his staff to get the magazine budgeted for amounts we can spend on various items. Before John Culler left, he went to perfect binding on the magazine which costs about \$52,000 more per year as opposed to the saddle binding. Dr. Timmerman suggested that it may be good to further discuss the IPA budget as an agenda item at the June meeting. Sonny Baines noted that after the July/August issue, we could go back to the saddle bind and save the \$52,000 per year that was referred to. Dr. Timmerman requested that the Commission endorse this change. Commissioner Pendarvis moved that the Commission endorse this change. Commissioner Stubbs seconded the motion and it was approved by the Commission. In regard to budgeting, Dr. Timmerman noted each law enforcement district and biologist project leaders will have separate budgets to operate under next year.

5. Marine Resources: Dave Cupka noted that, as mentioned earlier by Dr. Timmerman, the offshore net fishing with a stretch mesh of greater than five inches (5") was closed last Saturday. There was nothing further to report.

D. Advisory Board Reports:

1. Wildlife & Freshwater Fisheries: Commissioner Pendarvis noted that the Board met last week, but a copy of the Minutes are not available as yet. The Board met with Jesse Chappel on raising catfish in pens. Joe Logan and two Advisory Board members are on a committee to work with him and report back to the Board. The Board had no objections to what he wanted to do. He wants to use someone else's lake to do this and it was suggested that he get with the State Development Board and other agencies on this matter. He has offered to give the Department 2-1/2 to 5% of the fish that will be raised. Commissioner Pendarvis noted that the Minutes of the meeting will be mailed out. Chairman Edens expressed appreciation to Commissioner Pendarvis for the arrangements made for this meeting.

2. Law Enforcement & Boating: Chairman Edens noted that Commissioner Shuler was not able to be here due to a peach growers meeting he had to attend. Commissioner Pendarvis noted that the Wildlife and Freshwater Fisheries and the Law Enforcement & Boating Advisory Boards will hold a joint meeting on May 29, 1980 in Columbia.

3. Marine Resources: Commissioner Dawson noted that the Marine Advisory Board met on April 15th and a copy of the Minutes has been distributed. A special meeting has been set up on May 14th with the hydraulic dredge people in order to take a look at this. Chairman Edens noted that they may get involved in a broader study with the legislature pursuant to a resolution which was discussed earlier in the meeting.

4. Heritage Trust: Dr. Timmerman reported that the Minutes of the March meeting have been mailed out.

E. Salary Review Committee: Dr. Timmerman reported that the committee has met and everything is in order. Dr. Timmerman noted that there may be some complaints from staff on merit raises next fiscal year. If the budget goes through as anticipated, we will get 3.5% for merit increases. We will probably go to 3% for Satisfactory; 4% for Superior; and 5% for Outstanding. This is being calculated for each division and at least 50% in each division will have to come out as Satisfactory.

F. Appointments: Dr. Timmerman distributed a copy of the recommendations for appointments and re-appointments of Conservation Officers and Deputy Wildlife Conservation Officers (copy attached to original Commission Minutes). All re-appointments of DWCOs were approved by the Commission as recommended. The DWCO re-appointment of Ronald F. Goldman was not recommended. Pat Ryan noted that Mr. Goldman was not recommended as the District Captain felt he had enough officers to protect the land in the area. Commissioner Pendarvis moved that Mr. Goldman not be re-appointed. Commissioner Stubbs seconded the motion and it was approved by the Commission. All new DWCO appointments were approved by the Commission as recommended. The new DWCO appointment of Legare M. Johnson was not recommended. Dr. Timmerman noted that Mr. Johnson was not recommended for statewide authority as District Captain Dennis felt there were enough enforcement people at Bonneau Ferry where Mr. Johnson works without need for another DWCO. Dr. Timmerman noted that this might

be reconsidered for appointment for the Bonneau Ferry area rather than statewide authority. Chairman Edens noted that we have had a close relationship with the people at Westvaco. Dr. Timmerman noted that before it is disapproved, the individual may submit further justification as to the need for the commission. Following other discussion, Commissioner Harrelson recommended that no action be taken until we hear from Captain Dennis. Chairman Edens asked Commissioner Harrelson to consult with Mr. Johnson and Captain Dennis if he wants to pursue getting a DWCO appointment for statewide authority. Dr. Timmerman also reported that Thomas V. Owens of Conway was not recommended for countywide authority as he has no lands to protect and does not meet the guidelines according to the District Captain. The local Conservation Officer, however, recommends that he be appointed as he has provided assistance in the past to law enforcement. Chairman Edens noted that this would be no cost to the Department and he could be of benefit to the Department. Commissioner Dawson moved that Mr. Owens be approved for DWCO appointment. Commissioner Harrelson seconded the motion and it was approved by the Commission. The Commission approved all Conservation Officer re-appointments as recommended. Dr. Timmerman recommended Elbert Howard Sanford and Gregory Lee Smith as new Conservation Officers in Orangeburg County noting that these appointments have been approved by Commissioner Shuler. Commissioner Bennett moved that these recommendations be approved by the Commission. Commissioner Boykin seconded the motion and it was adopted by the Commission. Dr. Timmerman reported that Douglas E. Shumpert has been recommended for appointment as a Conservation Officer in Aiken County. Commissioner Pendarvis noted that since this is a personnel matter, he recommended that an Executive Session be held after the regular meeting to discuss this recommendation. Commissioner Dawson moved that an Executive Session be held to discuss the recommended appointment of Douglas E. Shumpert as a Conservation Officer. Commissioner Boykin seconded the motion and it was unanimously adopted by the Commission. Chairman Edens stated that an Executive Session would be held following the regular meeting to discuss a personnel matter.

G. Other Remarks: There were no additional remarks from the Commissioners.

H. Time and Place of Next Meeting: Chairman Edens noted that the next meeting will be held in Columbia at 10:00 a. m., May 16th, 1980. Dr. Timmerman informed the Commission that he has an obligation on the third Friday in June and asked if some other meeting date could be considered. Upon agreement

of the Commissioners, the meeting will be held on June 13, 1980.

ITEM VI. ADJOURN

There being no further business to come before the regular meeting, a motion was adopted to adjourn the regular meeting and go into Executive Session.

RETURN TO REGULAR SESSION

Following the Executive Session, the Commission returned to regular session and Chairman Edens announced the following action:

The Commission approved the appointment of Douglas E. Shumpert as a Conservation Officer in Aiken County subject to the concurrence of the resident Commissioner and upon notification of the appropriate members of the Legislative Delegation. Upon a motion and a second, the Commission voted favorably to ratify this action adopted in Executive Session.

Following this, the Commission voted to adjourn the April meeting.