

# SOUTH CAROLINA WILDLIFE AND MARINE RESOURCES

## COMMISSION MEETING

Dutch Plaza, Columbia, S. C.  
February 15, 1980

The regular monthly meeting of the South Carolina Wildlife and Marine Resources Commission was held at Dutch Plaza, Columbia, S. C., at 10:00 a.m., February 15, 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, Stubbs, Dawson, Shuler, Pendarvis, Boykin, and Bennett. Directors and staff members present included Dr. Timmerman, Larry Cartee, Dan Dobbins, John Evans, John Davis, Sonny Baines, Mike Creel, Brock Conrad, Bobby Gifford, Melvin Cumbee, Jim Mills, Vic Burrell, Ed Joseph, Jeff Fuller, Joe Logan, T. C. Welch, Linda Amick, Derrell Shipes, and Bill Chastain. Guests at the meeting included Bob Scott of the South Carolina Forestry Association, Dr. Jackie Jacobs of the South Carolina Wildlife Federation, Oscar Stewart and Donald Eng of the U. S. Forest Service, and Ken Kinard of the House Agriculture and Natural Resources Committee.

### CALL TO ORDER

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

### ITEM I. READING OF THE MINUTES

Commissioner Boykin moved to dispense with the reading of the Minutes of the January 18, 1980 meeting and approve them as submitted. Commissioner Dawson seconded the motion and it was adopted by the Commission.

### ITEM II. COMMENTS

Dr. Timmerman introduced guests at the meeting noting that Mr. Bob Scott and Mr. Donald Eng had requested to make statements concerning a House Bill to extend the deer season in the Piedmont. Dan Dobbins read this Bill, H. 3359, noting changes that would be made in the season if adopted by the General Assembly. Dr. Timmerman introduced Mr. Donald Eng of the U. S. Forest Service. Mr. Eng read a prepared statement (copy attached to original Commission Minutes) which basically requested that consideration be given to not extending the deer season in the Piedmont and Mountain Regions in South Carolina. Mr. Eng noted that he was also concerned about the number of areas



for dogs only in the coastal area and he would like to provide input into such regulations. Dr. Timmerman asked Mr. Eng to contact Brock Conrad on this matter as some recent changes in the regulations are proposed which he can go over with him. Dr. Timmerman introduced Mr. Bob Scott of the S. C. Forestry Association. Mr. Scott stated that he had contacted eight timber companies that have land in the GMA Program. All of these companies stated that they supported the Department's biologists for the management of deer in the state. Five of the eight companies contacted stated that they were opposed to changing the season. Three companies had no position but leaned heavily to the October 1 opening, but they would not oppose a September 1 opening. Mr. Scott noted that whatever is scientifically and biologically sound is basically our position. There is concern about the increased activity of people in forests at that time and the incidence of wild-fires. Most companies that now have land in the GMA Program have geared timbering operations around October, November, and part of December to accommodate the hunter. By moving the season up one month, there will be some disruption of normal timbering operations. There is concern that it would result in the loss of a month of timber operations. Mr. Scott stressed that this is not a position statement of the S. C. Forestry Association, but rather comments received from eight timber companies. Dr. Timmerman noted that there was a legal question through OSHA a couple of years ago regarding whether or not timber could be harvested while hunts are in progress. Mr. Scott noted that this was in Louisiana where a complaint was filed stating that working in the woods during hunting season was unsafe. OSHA upheld this complaint, but a higher court over-ruled this. Mr. Scott noted that they are not making an issue of safety regarding this matter nor have any of the companies contacted. Chairman Edens noted that this proposed Bill is a legislative matter and he asked Mr. Scott if he has contacted any of the sponsors of the Bill. Mr. Scott noted that he has contacted one sponsor and he feels he is under pressure to open the season earlier in the upstate like it is in the low state. Also, the earlier opening would enable a fall turkey season. Chairman Edens asked if the legislators are responsive to the concerns of the S. C. Forestry Association and the U. S. Forest Service. Mr. Scott noted that the response from the legislator he contacted was that the Commission had endorsed the Bill. Chairman Edens noted that in December 1978, the Commission recommended a statewide uniform opening date of September 1. Commissioner Stubbs reported that the Greenville Chapter of the Wildlife Federation has come out against the earlier opening of the season. Dr. Jackie Jacobs noted that the Federation is looking at this issue and will take a position



on this at their meeting on February 22. Dr. Jacobs asked for the option to submit their position after this meeting. Dr. Timmerman suggested that a copy of the Federation's position be sent to the Department and Commissioner Bennett. Commissioner Bennett noted that this Bill is in subcommittee and there is a strong push to get it out. Ken Kinard suggested that Mr. Scott speak to the full committee so as to express the concerns of the forestry industry. Dr. Timmerman noted that the Department will speak on this Bill, pointing out the Commission's action and some of the professional concerns and problems. Commissioner Pendarvis noted that it has been stated that the Commission endorsed this Bill, but the Commission had supported a statewide September 1 opening and the Commission has not endorsed this Bill. Chairman Edens stated that the Commission has not endorsed this Bill, but had endorsed an earlier season which was permissive and allowed the Commission to open the season earlier. Following other discussion, Chairman Edens informed Mr. Scott and Mr. Eng that they should present their interests and there would not be any objections from us. Chairman Edens noted that the Department's biologists will be at the hearing and are free to express their biological opinions.

Chairman Edens informed the Commission that he had received a recommendation from the Clarendon County Legislative Delegation recommending that the Borrow Pit boat landing be named in honor of Senator John C. Land. Commissioner Shuler moved for the Commission to adopt this recommendation. Commissioner Boykin seconded the motion and it was adopted by the Commission. Chairman Edens noted that we will send a letter to the Delegation on this action and we will cooperate with them on a ceremony or whatever they would like regarding this matter.

Dr. Timmerman invited the Commission to attend the 45th North American Wildlife Conference on March 22 - 26 in Miami Beach.

Dr. Timmerman distributed a list of activities and accomplishments in the Department during 1979. Chairman Edens noted that this would be received as information and if there are any questions, contact Dr. Timmerman. Dr. Timmerman also distributed a list noting areas of focus and concentration during 1980. Chairman Edens asked the Commission to review this closely for input and such will be on the agenda for the March meeting.



Dr. Timmerman informed the Commission that he had received a letter from the S. C. Wildlife Federation concerning the Department co-sponsoring a National Hunting and Fishing Day program with them. Dr. Jackie Jacobs noted that they are tentatively planning this in September at Myrtle Beach as a seminar program. National speakers will be brought in to address hunter ethics and measures to combat the anti-hunting program. Chairman Edens suggested that consideration be given to maybe having this in Columbia to improve attendance and where less travel would be involved. Dr. Jacobs stated that this would be considered as the program is developed. Chairman Edens noted that without objection from the Commission, we would co-sponsor this event.

Dr. Timmerman informed the Commission that a subcommittee in the Senate will review new positions in our budget. We have six new positions for the mariculture center and these will be reviewed by the subcommittee.

Dr. Timmerman noted that he has a draft list of ideas for establishing a blue ribbon study committee to review sources of funds for the Department. Dr. Timmerman passed this information on to Chairman Edens for his information. Chairman Edens stated that he and Dr. Timmerman would go over this matter and present a concrete recommendation at the March meeting. In other items from the last meeting, Dr. Timmerman stated that the proposed deer management program at the Savannah River Plant is being reviewed by the Department of Energy and we are awaiting their response; information for Commissioners' participation on the Speakers Bureau will be sent to the Commissioners; a contract with the architects for the mariculture center is being developed in order to attain Budget and Control Board approval; Commissioner Boykin will discuss the proposed use of stamps for GMA permits; the Hunter Safety Program will be discussed by Jim Mills; use of the orange vest and small game Sunday hunting will be discussed in the division reports; and a proposed certificate of meritorious service was presented by Sonny Baines for the Commission's consideration. Dr. Timmerman informed the Commission that the S. C. Wildlife Federation has filed a suit on the Russell Dam and a hearing is scheduled February 27 - 29 in Greenville. They have requested representation from the Department and we will have someone there. Chairman Edens noted that we have gone on record with our concerns on this project and it would be in order to discuss anything on file and in the record regarding this project.



ITEM III. LEGISLATIVE UPDATE

Dan Dobbins noted that a memo has been placed on the table for each Commissioner concerning the status of the Department's legislative proposals. All the law enforcement and wildlife and freshwater fisheries have been acted upon in some fashion except a proposal on selling striped bass and hybrid juveniles and larvae. There has been some concern expressed over this proposal and Mr. Dobbins recommended that the Commission hold this proposal in abeyance until the problems are worked out. Without any objections from the Commission, Chairman Edens noted that this was acceptable. Mr. Dobbins noted that he will be sending out new bills to the Commissioners on a regular basis. In regard to H. 3328 on gill netting, Mr. Dobbins noted that hearings have been held on this bill. Commissioner Dawson noted that the Commission should look at this bill closely and give it all the support we can. Commissioner Pendarvis asked if we do support this bill. Dr. Joseph noted that he attended a hearing in Charleston and Columbia on this bill. He noted that the bill, as it now stands, has a couple of problems and is a highly controversial bill. Chairman Edens noted that it is a controversial bill and at a hearing in Myrtle Beach, it was stated that he was in opposition to the bill. Chairman Edens stated that this is not true. Ken Kinard noted that information is being collected from other states and it is unlikely that this bill will come out of the subcommittee in its present form. Chairman Edens stated that we will provide input on this bill when asked for and the Commission will follow the development of this proposal.

ITEM IV. OLD BUSINESS

A. Proposed Use of Stamps for GMA Permit: Commissioner Boykin reported that numerous responses have been received from other states regarding the use of stamps and only two have had any success. To convert to the use of stamps would be expensive and time consuming. As such, Commissioner Boykin stated that he did not feel it would pay us to go into this idea at this time as we would not make our money back. Chairman Edens noted that Commissioner Boykin's suggestion was accepted.

B. Lake Oak Grove: Commission Stubbs described the lake and how it is used in the area noting that in talking with people in the area, they want to keep the lake. Commissioner Stubbs stated that a meeting is scheduled on February 27th in Columbia to discuss the problem with the dam with the Greenville County Legislative Delegation. Commissioner Stubbs stated that he may not be at the meeting, but he felt we should keep the lake. Dr. Timmerman noted that the Land Resources Commission has responsibility for dams in the state and some of the state requirements are stricter than



the federal requirements. Dr. Timmerman stated that the Director of the Land Resources Commission is receptive to seeking funds for a study to be conducted on the dam which will cost \$25-30,000. Dr. Timmerman noted they will meet jointly with the Senate Finance Committee to ask for these funds. Dr. Timmerman recommended that a letter be sent to the Director of the Land Resources Commission with a copy to the Chairman of the Senate Finance Committee on this matter. Chairman Edens stated that this is a good suggestion and we should communicate with the Delegation to inform them of what is being done and have a joint request for funds to conduct the study on the dam. Dr. Timmerman noted we would also seek the Delegation's support for the funds to conduct this study. Chairman Edens noted that following this meeting with the Delegation, we will determine where to go on this matter.

C. Proposed Certificate of Meritorious Service: This was presented by Sonny Baines earlier in the meeting. Dr. Timmerman suggested that some guidelines be developed for this award to be presented at the next meeting. Chairman Edens noted that we should think about the wording on this certificate and have the guidelines on the agenda for consideration at the March meeting.

D. Status Report on Radio System: Commissioner Pendarvis reported that Senator Waddell has written Bill Putnam asking for information about all state communications. According to Gaines Boone, they are moving toward a state-wide radio system within the next 2-4 years. There is concern that we are not manning our stations 24-hours a day and Commissioner Pendarvis noted it was suggested that we get people at police or fire stations to man our radios at night, but this is not feasible according to the Law Enforcement staff. Commissioner Pendarvis suggested that we should consider manning the stations from in-house with anyone having a radio would take one shift on a rotating basis for an area during the night. Commissioner Pendarvis recommended that Mr. Ryan and Mr. Fuller work this out where we would have statewide coverage and discuss at the next meeting. Commissioner Bennett asked if a repeater system could be used. Mr. Ryan stated that we are not able to use this on our system. Mr. Ryan noted that Commissioner Pendarvis' suggestion has merit, but needs further study. Chairman Edens asked for a report on this matter at the next meeting. Jeff Fuller asked if this only applied to his and the law enforcement divisions or all the divisions that use radios. Chairman Edens noted this is a department-wide matter and should go as far in scope as we need to go. Dr. Timmerman asked about the radio system study with Buford Goff regarding whether or not this can go beyond



June 30, 1980 for payment. Benny Reeves noted that this needs to be paid by June 30 as it is not budgeted for next year. This matter will have to be discussed with Buford Goff to see what can be worked out.

ITEM V. NEW BUSINESS

A. Hunter Safety Program: Jim Mills presented an in-depth discussion of the hunter education program. Mr. Mills noted that the program has three primary responsibilities: development of firing ranges, investigation of hunting-related and firearm accidents, and the education and training program. Three officers cover various regions in the state through the public and private school system and through the use of volunteer instructors. Mr. Mills noted that they are operating in seventy-seven schools now and there are numerous requests which cannot currently be met. About 400 volunteer instructors are in the program and their time can be used to match federal funds for the program. Mr. Mills stated that by the end of the fiscal year, about 25,000 people will be certified since the program began. Mr. Mills noted that the biggest bottleneck now in the program is the range training portion of the program. It has been discovered that volunteer instructors can be put under the tort liability coverage of state employees. Mr. Mills noted that we will seek assistance from other Department personnel to meet the requests and needs for training throughout the state. Commissioner Dawson asked about how soon we would be getting to the schools that have requested the program. Dr. Timmerman noted that the volunteers and use of other Department employees could assist in relieving the number of requests. Mr. Mills stated that it would help in some areas and we need to look at this approach before we consider any additional personnel. Chairman Edens asked about how the availability of this program is advertised for the public. Jim Mills noted that TV, news releases, and the "Carolina Magazine" program on WIS-TV are used to advertise the program. Dr. Timmerman asked that a notice of this program be sent out so the Commissioners would know when it will be aired. Commissioner Dawson noted that he is concerned that with 700 volunteers, we are going backwards with some schools waiting over a year for the program. Mr. Mills stated that we do not have 700 active volunteers and if we have a 25% return over a period of three years, we are in pretty good shape with those people. Chairman Edens recommended that we seek to publicize the program more for the general public and we need to give the program all the support we can give it. Chairman Edens noted that the Conservation Officers have peak times, but the program is so valuable that we need to seek ways to beef up our program. Dr. Timmerman stated that if the Commission wants to make this a high priority item, we will see



what we can do with existing staff to increase the coverage and if we cannot, then maybe we could consider asking for more positions. Chairman Edens noted that without objection from the Commission, the program should be given special emphasis this year, review what we are doing and see how we can beef up the operations by whatever means are available. Dr. Jackie Jacobs asked if the volunteers are paid and if this could be considered in expanding the program. Dr. Timmerman stated that maybe we could have a joint effort on this program with the S. C. Wildlife Federation. Jim Mills noted that the Conway Chapter of the S. C. Wildlife Federation has been helpful in the program. Mr. Mills noted that the federal guidelines allow the instructor to charge a fee for the course, but he has reservations on this as other states have had problems in doing this and it would be best to handle it in other ways if possible. Chairman Edens noted that we should not get involved with a charge unless we cannot work out something else. Commissioner Bennett noted that if we get a license fee increase next year, a good selling point for the fee increase could be allocating a portion of the fee increase to the hunter safety program. Chairman Edens stated that this is an excellent suggestion and this will be passed on to the blue ribbon study committee.

Commissioner Stubbs noted that the Commission may want to go on record concerning the earlier deer season which was discussed at the beginning of the meeting. Commissioner Bennett stated that since Commissioner Dennis had brought this up and made the motion at a previous meeting, he would like to discuss it with him before any action is taken.

#### B. Division Reports

1. Administrative Services: Benny Reeves noted that the budget is in Senate Finance Committee and we will be presenting our needs, including six new positions, to that committee. Mr. Reeves passed out a copy of the budget status report noting that the staff is reviewing it now and it looks like we may be in a financial crunch. Dr. Timmerman noted that we may have to impose a freeze soon in order to stay within our budget. Mr. Reeves noted that the supplemental appropriation needs have been sent to the Commission and includes a request for about one-million dollars. The supplemental bill has not been written yet. Work will probably begin on this after the Senate Finance Committee acts on the budget bill. Our primary needs in the supplemental bill are funds for equipment. Dr. Timmerman stated that he will send a letter to the Senate Finance Committee on additional operating funds in the appropriations bill and a letter will be drafted for Chairman Edens to send to the Senate Finance Committee on our request for funds in the supplemental bill.



2. Wildlife and Freshwater Fisheries: Jeff Fuller noted that at the December meeting, Charles Lehmann of the Santee Cooper Promotion Commission had made some comments and requests for the Department to consider. The staff has reviewed these comments and they were discussed by the Advisory Board. The Board recommended that these comments be relayed to the Commission and Mr. Lehmann. The comments are as follows: (1) They suggested the Commission oppose an 18-inch size limit on striped bass. At the current time, there is no size limit and we have no plans to request a limit. (2) They had requested that the sanctuary behind the Wilson Dam be opened to public fishing during periods when striped bass are concentrated. About six years ago, a similar recommendation by the Department and the Public Service Authority did not approve this because of littering and safety. With rediversion, our new hatchery will be located on the new canal. It is recommended that opening the sanctuary not be done at this time until the effects of the canal on the hatchery are evaluated. After the hatchery is opened up, we can look at this again. (3) They had opposed a size or creel limit on striped bass unless it is imposed statewide. Currently, we have no size limits and the creel limit of ten per day is on all the reservoirs. (4) They suggested that law enforcement concentrate on the Santee Cooper lakes during peak striper runs. This could be considered by the Law Enforcement and Boating Advisory Board, but it is our understanding that Law Enforcement covers the lakes quite well at this time. (5) They suggested that fines be increased for breaking the creel limit. We have no objections to this. (6) They suggested limiting the sale of shiners during the fall months. The shiners are used for bass and crappie fishing and it would be difficult to implement this. It may also be difficult regarding identification of different species of this bait fish. (7) They suggested that license guides should be limited to their customers' limit only. Mr. Fuller stated that the law states that if you have a fishing license, you are entitled to the limit and this suggestion would be difficult to enforce. Mr. Fuller noted that all of Mr. Lehmann's comments have been addressed and that he would like to receive a reply from the Commission. Following other discussion, Commissioner Pendarvis moved that a response be sent to Mr. Lehmann in accordance with these comments by Mr. Fuller. Commissioner Dawson seconded the motion and it was adopted by the Commission. Dr. Timmerman asked Mr. Fuller to send a copy of this response to the Commissioners.

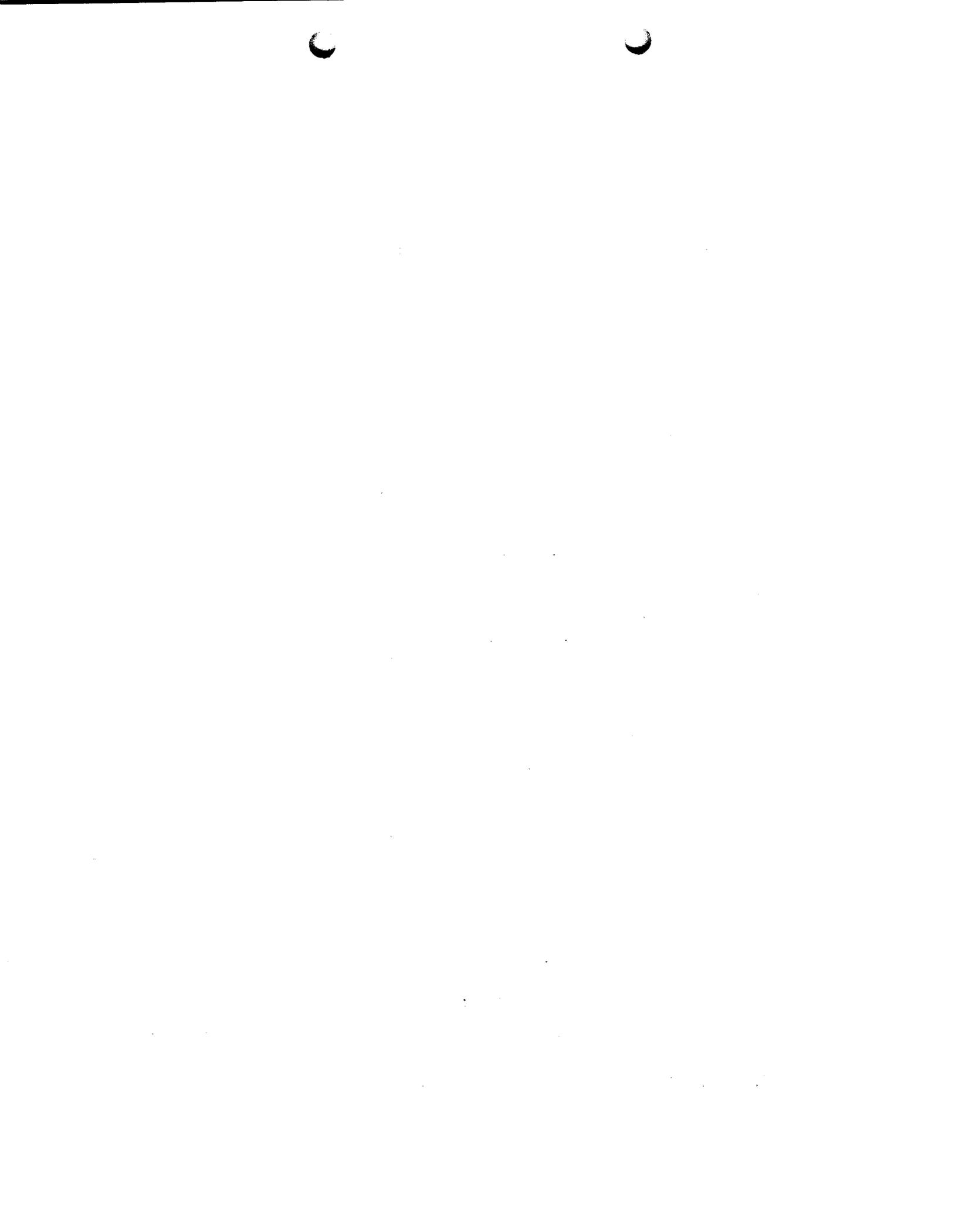
Joe Logan reported that he has been working on the proposed commercial fishing bill which has taken about a year to put in the form of a bill. Mr. Logan noted that he had met with the district law enforcement captains and



several changes have been made on the recommendations approved by the Commission. These changes are as follows: 1) Those using non-game gear, under age 16 or over 65, would not have to purchase a commercial fishing license but would have to buy tags to mark the gear, unless they are actually engaged in commercial fishing by using 50 baskets or 2,000 hooks on a trotline; 2) In Lake Keowee, the use of traps and trotlines will be kept just like it is; 3) Set hooks will be put back in rivers where they are currently being used; 4) Set hooks would not have to be marked in rivers as had been proposed; 5) Hook nets in the Congaree River will be allowed in the fall of the year for six months and closed in the spring; 6) Tires in lakes will be allowed and only a fishing license will be required. Commissioner Bennett asked if we had received any reports on the use of gill nets in the Edisto River for non-game fish. Commissioner Bennett noted that the Department had recommended this legislation, but game fish are being caught. Dan Dobbins stated that this was recommended by law enforcement in Game Zone 6. Dr. Timmerman stated that we will see if this is detrimental to the resource and be back in touch with Commissioner Bennett. Chairman Edens asked Joe Logan to look at this and if we need to take action, we can. In regard to changes in proposed commercial fishing legislation discussed by Mr. Logan, Chairman Edens noted that without any objections, the staff will go ahead with these changes and the proposal.

Brock Conrad discussed various proposed changes and amendments to the Game Management Area Seasons and Regulations (copy attached to original Commission Minutes). There was some discussion regarding the regulation on wearing international orange. Following this discussion, Chairman Edens stated that after Regulation #31, the following will be included in parenthesis: "(dove and duck hunters are excluded on all GMA lands and all small game hunters are excluded on privately-owned land)." Commissioner Dawson moved for the Commission to adopt these changes as recommended and modified on Regulation #31. Commissioner Boykin seconded the motion and it was adopted by the Commission. Dan Dobbins noted that these changes must be approved through the Administrative Procedures Act by the General Assembly and we will need help from the committees to get these approved before time runs out this year.

3. Law Enforcement and Boating: Bobby Gifford presented an overview of the undercover program which has been in existence for a year. Mr. Gifford noted that they are pleased with the program and a copy of the cases made were passed out to the Commission (copy attached to original Commission Minutes). Mr. Gifford noted that it is felt they are getting to the habitual violators.



4. Information and Public Affairs: There was nothing further to report to the Commission.

5. Marine Resources: Dr. Joseph reported that there is an upcoming clam problem, but he does not have much information. Chairman Edens noted that he received a call about this and a letter will be sent which will be forwarded to Dr. Joseph. Dr. Joseph noted that the group issuing the complaint has retained an attorney and specifics of this issue will probably be known by the next meeting.

C. Advisory Board Reports:

1. Wildlife and Freshwater Fisheries: Commissioner Pendarvis noted that he would report on the Board's meeting next month. The Minutes will be mailed to the Commission.

2. Law Enforcement and Boating: There was no report from the Board this month.

3. Marine Resources: Commissioner Dawson noted that the Board met February 8th and a copy of the Minutes of the meeting were passed out for information.

4. Heritage Trust: There was no report from the Board this month.

D. Salary Review Committee: Dr. Timmerman reported that this committee has met and everything is in order.

E. Appointments: Dr. Timmerman distributed a copy of the recommendations for appointments and re-appointments of Deputy Wildlife Conservation Officers and Conservation Officers (copy attached to original Commission Minutes). All DWCO re-appointments, new appointments, and revocations were approved by the Commission as recommended. In addition, the re-appointments of Conservation Officers and other Department personnel were approved as recommended. Dr. Timmerman had hand-carried the proposed Conservation Officer appointment of Michael A. Beam in Chester County which was not processed in time to be mailed. Commissioner Stubbs moved to approve this new appointment. Commissioner Boykin seconded the motion and it was adopted by the Commission. Dr. Timmerman noted that in Lee County, two applicants were interviewed. One was selected, but his background investigation did not check out. Normally, we go to the next applicant which in this case is James R. Tidwell. Dr. Timmerman noted that Mr. Ryan had been notified that Mr.



Tidwell was sixty percent (60%) disabled from military service and he felt he could not recommend someone to the Commission with a disability on his record. The District Captain has written a letter recommending Mr. Tidwell for the job. Dr. Timmerman noted that this matter was being brought to the Commission for their guidance. Chairman Edens stated that this individual had contacted him about the position and he told him to follow the Selection Procedure. Chairman Edens noted that Mr. Tidwell is a Vietnam veteran with no obvious disability. Chairman Edens suggested that Mr. Tidwell be sent to a doctor to check for disability and if he can approve him, we will take him and if not, then we don't. Commissioner Pendarvis asked if we can get the government records. Pat Ryan noted that we can get the records. Dr. Timmerman suggested we get the records and give them to the doctor conducting the examination. Chairman Edens agreed with this and asked for the will of the Commission. Commissioner Pendarvis moved that the military records be secured and turned over to the doctor to determine if the man is physically able to do the work and report back to the Commission. Commissioner Stubbs seconded the motion and it was approved by the Commission.

F. Other Remarks: Dr. Timmerman noted that property at Thicketty Creek will be placed on the agenda for the March meeting.

G. Time and Place of Next Meeting: Chairman Edens noted that the March meeting will be held in Columbia on March 21, 1980. Commissioner Pendarvis suggested that the April meeting be held at Hickory Knob State Park. Chairman Edens suggested that we go ahead and see if we can set this up for the April meeting.

Johnny Evans distributed some information to the Commissioners concerning the Speakers Bureau for them to fill out and mail back in. Chairman Edens noted that this should be mailed to those Commissioners not present at the meeting.

ITEM VI. ADJOURN

There being no further business to come before the regular meeting, a motion was adopted to adjourn the meeting.

