

MINUTES

SOUTH CAROLINA WILDLIFE & MARINE RESOURCES COMMISSION MEETING

Dutch Plaza, Columbia, South Carolina
February 16, 1979

The regular monthly meeting of the South Carolina Wildlife and Marine Resources Commission was held in the Conference Room of the Dutch Plaza Office Complex, Columbia, South Carolina at 10:00 a.m., February 16, 1979, with Chairman Trask presiding. Notice of the date, time and place for the meeting was mailed to the state's newspapers, radio and television stations through a News Release dated February 12, 1979. Commissioners at the meeting included Chairman Trask, Boykin, Edens, Dawson, Stubbs, Shuler, and Buchanan. Directors and Staff members present included Dr. Timmerman, Larry Cartee, Dan Dobbins, Benny Reeves, Pat Ryan, Fred Zeigler, Jeff Fuller, Brock Conrad, Ned Pendarvis, Bob Campbell, Vic Burrell, T. C. Welch, Bill Chastain, and Paul Sandifer. Guests at the meeting included Pat Robertson of "The Columbia Record," Mike Copeland of the Senate Fish, Game and Forestry Committee, Dr. Jackie Jacobs of the South Carolina Wildlife Federation, and Mike Rowe of the Governor's Office of Natural Resources and Economic Development.

CALL TO ORDER

Chairman Trask 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 and approve them as submitted. Commissioner Shuler seconded the motion and it was approved by the Commission.

ITEM II. COMMENTS

Dr. Timmerman noted that we have submitted our FY 1979-80 budget request, and additional funds for fringe benefits were approved by the Budget and Control Board. An appearance recently before the House Ways and Means Committee to discuss budget needs was received very well. A list of the Department's Additional Needs was distributed to the Commission (copy attached to original minutes) with one new area that did not appear in our original budget request. It is anticipated that federal funds for this program will expire in October, 1979, thus an additional \$80,000 to continue this program on an adequate level will be needed. The Boating Safety Program is very important to the users in the State to aid in reducing boating fatalities. Dr. Timmerman stated that if all of our additional needs are funded, our FY 79-80 Budget will still be less than the current fiscal year, excluding merit increases built into the system. Commissioner Edens asked about the status of the proposal to discuss the use of tires on artificial reefs before the Budget and Control Board. Dr. Joseph reported that we are proceeding to develop a statewide engineering feasibility study this year to come back to the legislature next year with a report. Next week, a meeting is planned for Department and DHEC staff to meet with Senator Dennis and House members to discuss this matter.



Dr. Timmerman discussed the circulation of law enforcement case sheets with the Commission to get a feel on such from the Commission. This was recommended by the law enforcement staff and there is no evidence that such action resulted in more cases being made or that there was competition among law enforcement officers. It has been recommended that this be continued. Recently, at a meeting with the South Carolina Shrimper's Association there were some complaints on not seeing any law enforcement officers. Dr. Timmerman noted that he asked to see the coastal fisheries cases made over the last six months and was somewhat surprised at the large number of cases being made. Dr. Timmerman recommended that the Commission allow the staff to continue circulating these case sheets to personnel and use such if it will benefit the Department. Commissioner Buchanan asked if this would be used in the evaluation of a Conservation Officer. Dr. Timmerman stated that it is used internally but Conservation Officers are not graded on the number of cases made. Commissioner Shuler noted that the circulation of case sheets should not be used as a tool to see how many cases can be made. Dr. Timmerman stated that this will be closely monitored. Commissioner Shuler moved for the Commission to approve Dr. Timmerman's suggestion to continue circulating case sheets and use as information to benefit the Department. Commissioner Dawson seconded the motion and it was approved by the Commission.

Dr. Timmerman informed the Commission that Ken Stansell is leaving the Department February 23, 1979 to become Regional Director of the Non-Game and Endangered Species Program of the U. S. Fish and Wildlife Service. Due to the creation of the S. C. Coastal Council, the Heritage Trust Program has been attached to the Executive Office. Since the Heritage Trust Program and the Non-Game and Endangered Species Program mesh together very well, these will be combined with someone in charge under the Division of Wildlife and Freshwater Fisheries unless there are any objections from the Commission. Commissioner Edens noted that the Non-Game and Endangered Species Program has been one of the better and more deserving programs of the Department, and this is one facet of our operation that should be given good attention and good personnel. As such, this change should not downgrade the program in any way. Dr. Timmerman noted that there are a lot of non-consumptive users in the State and these programs have done a lot to support such users.

Dr. Timmerman noted that March 8, 1979 has been set aside to present service pins to various employees. In order to provide refreshments for this, the Commission as trustees are requested to approve an amount up to \$50.00 from the Canteen Fund for this meeting. Commissioner Edens moved that this recommendation be approved. Commissioner Boykin seconded the motion and such was approved by the Commission.

Dr. Timmerman informed the Commission that Bob Drake has been named as the liaison of the Governor's Office with our Department. Dr. Timmerman also went over a list of groups and organizations he has been meeting with throughout the State.

Dr. Timmerman stated that the Governor wants to follow the President's wage guidelines and the Budget and Control Board has recommended to the Legislature a cost of living increase of 3.62% plus \$450 for State employees. This, however, must be approved by the General Assembly. As a matter of information, Dr. Timmerman distributed some data on salary increases and inflation rates for State employees and the Agency Director. Dr. Timmerman noted that the national inflation rate is estimated to be



8.5%, however, the inflation rate for the Atlanta Region is estimated to be 10.3%. Dr. Timmerman informed the Commission that the data shows that the Agency Director's salary has lost about 9% in purchasing power since 1974. Commissioner Buchanan asked how the Agency Director's salary is set in the budget. Benny Reeves noted that such is handled separately by the Budget and Control Board in their recommendations to the Legislature.

Dr. Timmerman informed the Commission that we are working with the Division of General Services on office space allocation for the Dennis Building. We will occupy the first three floors and maybe part of the fourth floor. There will be an increase in our rent and additional funds will be needed for this. Commissioner Boykin asked about parking at the new facility. Dr. Timmerman noted that employees will have to pay \$90 per year and we are working with the Division of General Services to provide space without cost for motor pool vehicles. In addition, we are trying to secure the use of space across the street from the office for field personnel to park vehicles, boats and trailers when they come to the office facility. Commissioner Buchanan asked if we are compelled to move into this facility as the parking situation is very bad and it would probably be good to build our own facility sometime in the future. Dr. Timmerman noted that funds have been approved by the Legislature to renovate the Dennis Building and there is a trend to locate State agencies in State facilities. As such, when the funds were allocated to renovate the facility, it was felt that we should move into the building. Commissioner Edens noted that the existing location is very convenient for employees and the public. It will be difficult to handle public traffic at a downtown location. Dr. Timmerman noted that the Highway Department handled a lot of public traffic when they were at that location.

Dr. Timmerman noted that he was very concerned with activities in Iran and anticipated gas price increases in late spring and early summer. In order to meet our existing and next year's budget, we will have to take every measure possible to conserve gasoline. Dr. Timmerman stated that he has asked Ned Pendarvis, Division Directors and Chiefs to work up plans for the Department to save gasoline consumption by ten percent and twenty percent. This plan will include an evaluation of effectiveness that may be lost in the Department and, if so, how much would be lost. In addition, if gasoline stations are closed on Sundays and patrols are needed, some provisions for small gas tanks for weekend use will be considered. Commissioner Buchanan suggested that a small gas tank be installed at the cabin on Lake Greenwood to serve Greenwood, Laurens and Spartanburg Counties. Pat Ryan noted that this has been considered and he will get with Ned Pendarvis to look into this further.

ITEM III. LEGISLATIVE UPDATE

Dan Dobbins reported that the Department's legislative proposals have been submitted to the House and Senate. The House Agriculture and Natural Resources and the Senate Fish, Game and Forestry Committees are now organized into subcommittees. A list of the functional subcommittees of the Senate Fish, Game and Forestry Committee will be mailed out to each Commissioner. Mr. Dobbins distributed a copy of the latest Legislative Report noting that it only shows changes in Bills since the last report. Mr. Dobbins brought a Bill, H.2253, to the attention of the Commission concerning amendments to the Administrative Procedures Act. An admendment that has passed the House and now in the Senate would enable a committee to which a regulation is



submitted to be amended in the committee without consulting the Agency or Commission that promulgates the regulation. There is some concern that this amendment may not be constitutional. Commissioner Shuler asked about the status of the Commercial Fishing Bill. Dan Dobbins stated that this is a very complex Bill and it is still being drafted at this time. Commissioner Stubbs asked about a Bill introduced to reorganize the Commission. Dan Dobbins noted that this Bill is filed every year by the same legislator and it has never come out of Committee. Commissioner Boykin stated that this Bill has been introduced every year that he has been on the Commission.

Dr. Timmerman informed the Commission that the S. C. Wildlife Federation Annual Awards Banquet would be held at the Holiday Inn on Assembly Street at 8:00 p.m., Saturday, February 17, 1979. Dr. Jackie Jacobs invited the Commission to attend and informed them that Jim Mills will receive the Hunter Safety Award and the SOUTH CAROLINA WILDLIFE magazine will receive the Conservationist of the Year Award.

ITEM IV. OLD BUSINESS

A. Revised 1980-81 GMA Regulations: Dr. Timmerman noted that the Commission has approved the 1979-80 GMA Regulations with changes adopted by the Commission. For the 1980-81 GMA Regulations, the Commission has been considering certain proposals for legislative change. Most of these items have been settled on except seasons and hunting areas for primitive weapon and archery hunting. At the January meeting, Chairman Trask appointed Commissioners Buchanan and Dawson to develop such recommendations for archery and primitive weapons hunters. Commissioner Buchanan stated that he and Commissioner Dawson had met with the staff the day before to discuss this matter. As a result, Commissioner Buchanan stated that it was their recommendation, and he so moved, that if the September 1 opening of deer season is approved by the General Assembly in the Central and Western Piedmont Hunt Units, that the biologists set aside two areas in each Hunt Unit for archery hunting from September 1 through October 16, with buck only hunting during the month of September and either sex hunting from October 1 through October 16. Commissioner Dawson seconded the motion, Dr. Timmerman noted that there were several archery hunters at the meeting the previous day and they stated that they are happy with the existing regulations, but if a September 1 deer season is approved by the General Assembly they would like certain areas set aside in order to have first opportunity to hunt. Commissioner Buchanan noted that they had not developed any specific recommendations for the primitive weapons hunters. Commissioner Edens urged the Commission to go slow in changing these regulations as solving one problem could create others which must be dealt with. The proposed tagging system for doe deer would cause a drop in GMA permit sales. The tagging system would also take away the discretion of the biologist to determine the number of doe to harvest and the collection of biological data will be virtually impossible under the tagging system. Commissioner Edens noted that he was still at a loss to recommend changes that are for the overall improvement of the program. Commissioner Edens stated that 1980 changes have been considered but have not been acted upon by the Commission. The proposed 1980 changes are before the Commission today. Commissioner Shuler stated that the cost of implementing the doe tagging system is a problem which will have to be faced. Commissioner Shuler asked if action needs to be taken today on the 1980-81 proposal. Dr. Timmerman stated that the proposed changes would require legislative change which could be handled legislatively next year. Commissioner Buchanan noted that a five dollar charge for the tags had been



discussed. Commissioner Edens stated that the Commission has stated that the tags would be free. Dr. Timmerman estimated that the cost of a tagging program would probably be \$25-30,000. Commissioner Buchanan noted that we are in serious trouble with the private landowner and the Commission needs to take some action to get control before the landowners take their own action to get some relief. Following other discussion, the Commission voted to approve the motion as presented by Commissioner Buchanan and seconded by Commissioner Dawson. Chairman Trask noted that the motion as approved is now a part of the proposed 1980-81 Regulations which will now be considered as a whole by the Commission. Commissioner Edens noted that the proposed regulations recommends a statewide opening for the deer season to be set at September 1, except for Game Zones 1, 2, and 4 whereby the Department would maintain responsibility for setting the season within the September 1 to January 1 framework. Commissioner Edens noted that this recommendation puts the authority for such with the Department. Commissioner Shuler suggested that the 1979-80 Regulations, with changes by the Commission, be implemented first to see if any further changes are needed in 1980-81. Commissioner Boykin noted that if the 1980-81 proposals are delayed there will not be enough time to get the changes enacted so that the brochure can be put out in time to reflect the 1980-81 changes. Dr. Timmerman recommended that the Department be provided authority to set rules and regulations within a September 1 to January 1 time frame, if such is approved by the Legislature. This will give time to develop the rules and regulations for the 1980-81 season. Following other discussion, Commissioner Edens moved that the Commission approve the following portion of the 1980-81 Regulations as proposed: "When the Commission recommends to the General Assembly that the statewide opening for deer season be set at September 1, it is suggested that the Department maintain season setting responsibility for Game Zones 1, 2, and 4 as in the past within the framework September 1-January 1. Due to the recent deer restocking projects in Game Zone 1 (Mountain Hunt Unit), a shorter season as recently approved by the Commission for 1979-80 should be continued until the deer herd increases to a higher population level," and Commissioner Edens moved that the previously adopted motion concerning the designation of areas for archery hunting be approved by the Commission as part of the 1980-81 Regulations. Commissioner Dawson Seconded the motion and it was approved by the Commission.

ITEM V. NEW BUSINESS

A. Division Reports:

1. Administrative Services: There was nothing to add to the written report.
2. Wildlife and Freshwater Fisheries: There was nothing to add to the written report.
3. Law Enforcement and Boating: Bill Chastain informed the Commission that the two (2) Conservation Officers in each district that will be assigned undercover vehicles will be attending, along with the District Captains, a school at the Criminal Justice Academy on undercover operations. Instructors from SLED, FBI, and several of the Southeastern States will be providing training for the officers. The Commissioners were invited to attend this training.
4. Information and Public Affairs: There was nothing to add to the written report.



5. Marine Resources: Dr. Joseph informed the Commission that Gene Smoak has suffered a coronary attack and spent 10-12 days in the hospital but is now recovering at home. Dr. Timmerman noted that the Marine Resources staff will meet with some of the Commissioners after lunch to discuss the Mariculture Program and develop guidelines on the program for information at the March meeting.

B. Advisory Board Reports:

1. Wildlife and Freshwater Fisheries: Commissioner Edens noted that the Board had met on February 8 and copies of the minutes have been distributed. Commissioner Edens called attention to the presentation of Sally Hopkins at the meeting concerning the loggerhead turtle. Since raccoon depredation is a problem with loggerhead turtle eggs, it was requested that we seek permission from the Yawkey Trustees to trap or relocate raccoons at South Island to protect the turtles. Dr. Timmerman noted that the request will be made to the Trustees. Commissioner Edens noted that the rest of the Board minutes are self-explanatory.

2. Law Enforcement and Boating: Commissioner Shuler reported that the Board has not met this month.

3. Marine Resources: Commissioner Dawson reported that with the help of Senator Doar the conflict between the harbor pilots and channel netters has been resolved.

4. Heritage Trust: Dr. Timmerman stated there was nothing to report.

C. Salary Review Committee: Dr. Timmerman reported that this report is in order and will be properly filed.

D. Appointments: Dr. Timmerman distributed the recommendations for appointments and reappointments of Deputy Wildlife Conservation Officer and Conservation Officer Commissions (copy attached to the original Commission minutes). The Commission approved all appointments and reappointments as recommended. Upon a motion by Commissioner Shuler and a second by Commissioner Dawson, the Commission agreed to cancel the DWCO Commission of Howard E. Belles of Allendale.

In addition, Dr. Timmerman noted that Mr. James Stanley of Beaufort County had applied for a DWCO Commission but was not recommended as the Commission policy prohibits the issuance of DWCO Commissions to individuals with a game or fish violation within the last three (3) years. Mr. Stanley was convicted of a game violation and sentenced by Judge Eltzroth to work one day or night a week for a year with a Conservation Officer. The District #9 Supervisor recommended that a DWCO Commission be issued since Mr. Stanley has been instrumental in making cases and has worked more hours than he was sentenced. Chairman Trask stated that Mr. Stanley has helped make a lot of cases and suggested that the Commission make an exception in its policy for this individual and issue him a DWCO Commission. Commissioner Boykin moved that the Commission make an exception to its policy in this case and issue Mr. Stanley a DWCO Commission with the precaution that the Commission is not letting down on its guidelines. Commissioner Edens seconded the motion and it was approved by the Commission.



Commissioner Shuler stated that he knew of a man in his area that has a badge but no DWCO Commission. Dr. Timmerman asked that he inform the Law Enforcement staff of the individual so they could pick it up from the individual.

E. Other Remarks: Commissioner Dawson reported that the bow hunters and archers are requesting a special license or stamp for them in order to determine the number of archery hunters throughout the State. Commissioner Edens noted that this has been considered by the Wildlife and Freshwater Fisheries Advisory Board but rejected as the Department would be handling funds for a special group and earmarking funds to use for exclusive areas for archery hunters. Dr. Timmerman noted that the group is now suggesting that the funds go into the general funds of the Department for the GMA Program. Chairman Trask asked Commissioner Dawson to get with Commissioner Edens to consider this request by the Wildlife and Freshwater Fisheries Advisory Board. Commissioner Edens asked Commissioner Dawson to meet with the Board and to bring a representative group to present this proposal.

Commissioner Edens asked about studying the issuance of licenses on a staggered basis. Dr. Timmerman noted that we are set up on a fiscal year and there could be various problems in going to such a system. Benny Reeves noted that it would be an administrative problem and he would report back to the Commission at the next meeting. Commissioner Stubbs noted that a Bill has been introduced to require the Department to issue a brochure when a license is sold. Dr. Timmerman noted that this cannot be done as the Legislature does not adjourn in time to make changes in the brochure, bid it for 30 days and to have it printed. Benny Reeves noted that if licenses are issued on a calendar year basis, this could be handled on time.

F. Time and Place of Next Meeting: Dr. Timmerman noted that Commissioner Dennis will invite Governor Riley to the Commission Meeting in March and suggested that the next meeting be held in Columbia. Chairman Trask announced that the next meeting will be held in Columbia on Friday, March 16, 1979.

G. Call for Executive Session: Commissioner Boykin moved that an Executive Session be held to discuss personnel matters. Commissioner Shuler seconded the motion and it was approved by the Commission.

ITEM VI. ADJOURN

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

