

MINUTES

SOUTH CAROLINA WILDLIFE AND MARINE RESOURCES COMMISSION MEETING

Dennis Building
Columbia, S. C.
February 19, 1982

The regular monthly meeting of the South Carolina Wildlife and Marine Resources Commission was held at the Dennis Building, Columbia, S. C., at 10:00 a.m., on February 19, 1982, 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, Altman, Dawson, Shuler, Compton, Owen, Harrelson and Dennis. Directors and staff members present included Dr. Timmerman, Larry Cartee, Dan Dobbins, Ed Duncan, Benny Reeves, Jeff Fuller, Sonny Baines, Pat Ryan and other staff. There were numerous guests at the meeting (a record of such is available in the Executive Office of the South Carolina Wildlife and Marine Resources Department.

CALL TO ORDER

Chairman Edens called the meeting to order at 10:00 a.m. and welcomed all guests to the meeting.

ITEM I READING OF THE MINUTES

Commissioner Compton moved to dispense with the reading of the Minutes of the January 22, 1982 Commission meeting and adopt them as submitted. Commissioner Owen seconded the motion and it was adopted by the Commission.

ITEM II COMMENTS (For Information)

Dr. Timmerman noted that the Commission had discussed the three-mile limit at previous meetings and we have asked the Attorney General's Office to review the NOAA maps to see if the boundaries are appropriate. Dr. Timmerman distributed a letter from the Attorney General's Office which basically states that the line on the NOAA maps represent the three-mile limits. Chairman Edens noted that this matter will be discussed at the Marine Resources Advisory Board meeting on March 12th at the Marine Center. This will be discussed with shrimpers and others which are interested.

Dr. Timmerman noted that we will discuss later whether the Commission meeting should be held in March or April in Charleston.

Dr. Timmerman noted that he had received an acknowledgement from Mr. Samworth's daughter thanking us for our participation at her father's funeral.

Dr. Timmerman passed out a copy of items discussed at the last staff meeting to the Commissioners for their information.



ITEM III PUBLIC COMMENTS - UNION CAMP PERMIT APPLICATION

Chairman Edens noted that, in the process of coming to a conclusion on this permit application, it has been discussed by the Commission at numerous meetings. During this process, the Commission has not refused to hear anyone that wanted to be heard on this permit application. The purpose today is to receive the staff recommendations on the permit application and for the Commission to enter into discussions to come to a conclusion on this matter. Chairman Edens noted that the Commission would be glad to hear from anyone at this time that would like to speak on the Union Camp permit application. Mr. Tom Hughes, a member of the Citizens Committee to Preserve Santee Cooper, noted that he was here to speak and represent this Committee. Mr. Hughes stated that the Citizens Committee has seen fit to attempt to reiterate several of the points laid out in a letter dated January 15, 1982 from Mr. James Bulak to Mr. Jefferson C. Fuller. Mr. Hughes noted that he has reviewed the letter and some of the things in the letter have confirmed the group's original fears of the Union Camp plant as legitimate concerns without an environmental impact study. Mr. Hughes read several points from this January 15, 1982 letter and stressed the concerns of the Citizen's Group over the various points made in this letter.

Mr. David Tedder spoke before the Commission on the Union Camp permit application. Mr. Tedder stated that he represented the Dowling law firm which was hired by the Citizens to Preserve the Santee Cooper. Mr. Tedder noted that the Citizens Group is not confident at this point with the data that has been supplied by Union Camp and its consulting firms. This point has been made at the public hearing in the fall and it is being made again. The evidence that they have brought forward since that date is still not satisfactory to the group or their experts which have examined the data. Mr. Tedder noted they do not feel confident that a decision can be made with the information available today. A plant similar to the Union Camp plant has gone into operation at Oglethorpe, Georgia. Mr. Tedder noted that ERT which did the assessment for the Union Camp project also did the assessment for the Oglethorpe plant. Mr. Tedder stated that ERT made errors in that assessment. Their data and conclusions on the Georgia plant were faulty. Mr. Tedder noted that problems have existed in the year that the plant has been in operation. The Georgia Environmental Protection Division is now looking at the problems associated with this plant. Mr. Tedder urged the Commission, or Union Camp, to hire an independent firm to look at the Georgia results. Mr. Tedder also urged the Commission to review the Georgia EPD studies and the results that will be developed. He also suggested that the spring season be used as a time to test striped bass eggs and larvae with paper mill effluent. Mr. Tedder showed the Commission some pictures of the effluent in the water and fish from downstream at the Oglethorpe plant. Mr. Tedder noted that problems have also existed in the Chowan River in North Carolina below Union Camp's Franklin, Virginia plant. Mr. Tedder advised the Commission that North Carolina is conducting studies and such studies should be conducted in South Carolina before any recommendations are made on any permits. Mr. Tedder stated that his group has



asked for an environmental impact statement in order to avoid the band-aid type approach that has been applied to ERT's assessment of the Union Camp facility. Mr. Tedder stated that we should start over with all the available information we now have and to use information in Georgia and North Carolina to see what's going to happen. Mr. Tedder asked the Commission to hold these permits in abeyance and recommend such to the Water Resources Commission until all information has been obtained.

Mr. Tom Owen, of Union Camp, noted that a number of issues have been identified in the permit process and Union Camp believes it has responded properly to each of these matters and they are in accord with the limitations imposed in the permits which will become conditions in the permits. Mr. Owen noted the proposed mill will be a complex and expensive undertaking, but at the same time, it would be environmentally sound and one that would be a credit to the community and to the State. Once built, the mill would be operated in compliance with the conditions stipulated in the respective permits. Mr. Owen thanked Dr. Timmerman and the staff for their diligence and assistance in addressing matters of mutual concern.

ITEM IV OLD BUSINESS

A. Union Camp Permit Application: Dr. Timmerman noted that the Department expressed its concerns several months ago on this permit application. Our comments were sent to the Water Resources Commission, Department of Health and Environmental Control and the U. S. Army Corps of Engineers. Dr. Timmerman noted that we are not a regulatory agency, but only comment on permit applications. Our comments were presented to the Water Resources Commission on December 17, 1981 at which time they voted to consider our comments as an objection and asked the Department to work with Union Camp to resolve the issues which exist. The staff did meet with Union Camp and numerous man-hours have gone into this thought process. The result of the staff's analysis is to be presented to the Commission at this time, to be handled by Ed Duncan. Mr. Duncan noted that a report dated February 16, 1982 has been prepared and sent to the Commission (copy attached to original Commission Minutes). Mr. Duncan presented an in-depth discussion on the February 16, 1982 report sent to the Commission. Mr. Duncan went over the Department's primary concerns on the permit application which were presented several months ago and discussed the items agreed upon and those modifications which have been incorporated into the discharge and other permits. The Commissioners discussed the report presented by Mr. Duncan and asked several questions on the proposed project. Following this discussion, Commissioner Dennis noted that, from the Department's studies made, we find no reason why the permit should not be granted and according to the report presented by staff and approved by the Commission, he moved for the Commission to notify the Water Resources Commission and other agencies that our concerns, or objections, have been met or incorporated in the permit, and we have no further objections as long as these referenced items



remain in the permits. Commissioner Harrelson seconded the motion and it was adopted by the Commission. Chairman Edens noted that Commissioner Stubbs could not attend the meeting and he sent a letter voting in favor of the permit (copy attached to original Commission Minutes). Chairman Edens noted that this has to be one of the most thoroughly researched permits done by the Department and he hoped this permit would be a model for others to come in the future. Chairman Edens commended the Department's staff for the way this permit was handled.

B. Employee of the Year Award: Commissioner Owen noted the Wildlife and Freshwater Fisheries Advisory Board reviewed this again as requested by the Commission and the Board asked to stick with the plan they had approved and ended the meeting without reaching any concrete conclusions. Following discussion by the Commission, Commissioner Compton moved for the Commission to amend the Guidelines for the Certificate of Meritorious Service to allow that such can be given to Department employees under the criteria for employees receiving the award as sent to the Commission last month. Conservation Officers would be eligible, but they would maintain their own awards program. Commissioner Shuler seconded the motion and it was adopted by the Commission.

ITEM V NEW BUSINESS

A. Proposal for Game Management Area Payments to Landowners: Dr. Timmerman noted that a memo had been sent to the Commission regarding the allocation of sportsman's license funds which recommended that \$8.50 of each sportsman license be allocated to the GMA permit funds (copy attached to original Commission Minutes). In addition, Dr. Timmerman recommended the Commission allocating the GMA permit funds as follows: 20% to the Department, 15% for the U. S. Forest Service and the other 65% being prorated to landowners participating in the GMA Program. Commissioner Harrelson moved for the Commission to adopt these recommendations as presented. Commissioner Owen seconded the motion and it was adopted by the Commission. Commissioner Harrelson noted a bill has been filed in which property owners would lose their agricultural tax exemption if lands are leased for hunting purposes. He noted that some discussion was held at one time to provide a tax break to landowners that place lands in the GMA Program. Some concern was expressed about losing GMA lands to out-of-state hunt clubs and is a problem which needs to be addressed. Following other discussion, Commissioner Harrelson moved for the Commission to take a position to favor tax breaks or tax advantages to landowners that lease land for public hunting. Commissioner Dennis noted the legislature could enact a law to keep the Tax Commission from doing away with the tax break given on leases to the state for game management purposes. Commissioner Shuler seconded the motion and it was adopted by the Commission.

Chairman Edens noted that a memo was sent to the Commission on the Carolina Refinery Permit and he asked Ed Duncan to comment on the memo. Mr. Duncan went over this memo and discussed it with the Commission. Following this discussion, Commissioner Altman suggested the staff and the applicant present their arguments,



pro or con, at the March Commission meeting. Chairman Edens noted this would be on the agenda for the March meeting and he asked Commissioner Altman to convey to the applicant, the opportunity to speak to the Commission at the March meeting.

B. Eastatoe Creek Management Plan: Tom Kohlsaas noted that the Commission has dedicated the Eastatoe Creek property into the Heritage Trust and the law provides for the Commission to approve a management plan. A copy of this plan was sent out to the Commission (copy attached to original Commission Minutes). Following discussion by the Commission, Commissioner Compton moved for the Commission to adopt this plan as submitted. Commissioner Owen seconded the motion and it was adopted by the Commission.

C. Division Reports:

1. Administrative Services: Benny Reeves advised the Commission that additional funds were sought before the Ways and Means Committee, but our requests were not approved.

2. Wildlife & Freshwater Fisheries: There was nothing further to report. Commissioner Shuler noted that he had received the furbearer's report and he expressed concern that we may not have many raccoons for long with the price of hides, unless some action is taken. Dr. Timmerman noted that the South Carolina Wildlife Federation has a resolution on this which has been endorsed by the staff and some legislation may be developed. Dr. Timmerman noted that a film on trappers and hunters will be shown at a future Commission meeting.

3. Law Enforcement & Boating: There was nothing further to report.

4. Information & Public Affairs: Sonny Baines noted that the Commission has been provided a packet on the proposed Hampton Fund brochure and he asked the Commission to provide any comments they may have between now and the March meeting. Mr. Baines also noted that various billboards have been put up over the state through the assistance of Conservation Officer Chip Sharpe. The only cost for use of these billboards is the cost of the paper.

5. Marine Resources: Dr. Timmerman asked if the Chairman would contact the President of the South Carolina Shrimpers Association to see if he would like to handle the spring meeting like we did last year, or to see if the ballots will be used. If the ballots are not used, the Commission could hold its meeting in Charleston in April.

D. Advisory Board Reports:

1. Wildlife & Freshwater Fisheries: Commissioner Owen went over the meeting of the Advisory Board and recommended several changes in trout fishing laws and regulations for lakes and streams in the upstate. Chairman Edens asked for all the proposed changes to be put in writing and sent to the Commission for their consideration at the March meeting. Commissioner Owen noted that the Board discussed H.3140 and took a position of not liking to see this bill passed as it interferes with the Commission's authority to manage GMA lands. Pat Ryan noted this bill will



create some enforcement problems. During this discussion, Chairman Edens noted that in the future, the Commission should be alerted to any proposed laws which would infringe upon the Commission's authority. Following other discussion, Commissioner Owen moved for the Commission to go on record as opposing this bill (H.3140). Commissioner Dawson seconded the motion and it was adopted by the Commission.

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

3. Marine Resources: Commissioner Compton noted that the Board will meet on March 12th. He advised the Commission that the Impoundment Committee had met and the staff is to report back to the Committee in April.

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

E. Salary Review Committee: Dr. Timmerman noted this report is in order and one individual has been postponed until the next report.

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). Commissioner Harrelson moved for the Commission to approve all appointments and re-appointments as recommended with the addition of counties that properties are in, as determined by staff, for the new DWCO appointment of Judson J. Holliday. Commissioner Compton seconded the motion and it was adopted by the Commission.

G. Other Remarks: Dr. Timmerman noted that the Annual Meeting of the South Carolina Wildlife Federation will meet on February 27th at Myrtle Beach. He noted that Chairman Edens will be honored and he extended an invitation to the Commission to attend.

H. Time and Place of Next Meeting: Chairman Edens stated that the next meeting will be held at 10:00 a.m. on March 19, 1982 in whatever room is needed.

Commissioner Compton moved for an Executive Session to discuss personnel matters. The motion was seconded and adopted by the Commission. Chairman Edens noted that an Executive Session will be held to discuss personnel matters.

ITEM VI ADJOURN

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

