

MINUTES
BOARD OF THE DEPARTMENT OF NATURAL
RESOURCES

Room 335, Rembert C. Dennis Building
Columbia, South Carolina
Friday, January 19, 1996
10:00 A.M.

The regular meeting of the Board of the South Carolina Department of Natural Resources was held at 10:00 a.m., Friday, January 19, 1996, in Room 335 of the Rembert C. Dennis Building, Columbia, South Carolina. Notice of the date, time and place of the meeting was mailed to the state's media. Chairman George Graham presided at the meeting and other Board members present included: Tommy Miller, Joe Edens, Ted Oxner, Mary Pope Waring, Campbell Coxe and Marion Burnside. Dr. James A. Timmerman, Jr., and staff members of the Department of Natural Resources were present at the meeting as well as various guests.

I. Call to Order

Chairman George Graham called the Board meeting to order at 10:00 a.m., and welcomed everyone to the meeting.

II. Meditation

The Board held a moment of silent meditation and an opening prayer by Captain Van McCarty prior to the beginning of the meeting.

III. Approval of Minutes from Last Meeting

The Board adopted a motion to approve the minutes of the December 1, 1995, Board meeting as submitted.

IV. Presentations/Commendations

Chairman Graham introduced Mr. Ted Oxner, the new Board Member from Florence, SC, representing the Sixth Congressional District. Mr. Oxner stated he was proud to be serving on the Board and was looking forward to working with the Board and the staff.

Dr. Timmerman introduced Col. Mark Huguley, Director of the Natural Resources Enforcement Division to the Board and to guests.

V. Constituent Comments

Chairman Graham then recognized Mr. Bob Bailey of the SC Sportsmen's Coalition and asked him to introduce those who were making presentations along with the Coalition. Mr. Bailey then introduced Dr. Webb Smathers, Professor at Clemson University, representing

the SC Wildlife Federation's Fish and Wildlife Committee. Dr. Smathers expressed his appreciation for the opportunity to be before the Board representing the Federation. He stated that he would like to bring several points before the Board, the first being the need to rewrite Title 50 so that it is understandable and easily complied with by the sportsmen of the State. He also expressed concern about people being charged with baiting, even if they were innocent of baiting. He pointed out the possibility of someone hunting on property adjacent to that being baited and still being liable under the federal and state regulations. He asked the Department to address this through the U.S. Fish and Wildlife Service's legal system and to find a way to alleviate this problem. He also expressed concern over chronic and commercial violators and felt that existing deterrents were insufficient. He called for a reassessment of the point system and fines so that they could be increased to the extent that they would be deterrents. He also expressed belief that expanded use of "loss of privileges" would be beneficial, particularly when coupled with some public service of an educational nature before licenses could be reinstated. Finally, he expressed concern that officers in the field be given adequate discretion not to make a case if there were extenuating circumstances and suggested more judicious use of warning tickets. He expressed concern over the types of violations that could result in hunting accidents, and asked that particular attention be given in these areas.

Mr. Bailey then introduced Mr. Chick Salak, representative of the Quality Deer Management Association. Mr. Salak stated that he supported all the points made in Mr. Smathers' report. He also asked for more stringent trespassing laws and enforcement of trespassing, and for more stringent fines and penalties across the board. He also expressed the desire to see a greater effort to deter hunting accidents and the illegal activity which contribute to hunting accidents.

Mr. Bailey then introduced Mr. Alan Wilson, President of the S.C. Bowhunters Association. Mr. Wilson pointed out that the hunting constituency has changed over the years, and that they are now more highly educated, earn higher income, are more sophisticated, and tend to be community leaders. He stated that those hunters and sportsmen that try to abide by the law are becoming more and more frustrated with those who habitually and repeatedly violate the law in conjunction with hunting and fishing. He called for stiffer fines and penalties to punish these kinds of activities.

In summary, Mr. Bailey stated that they felt to be effective, justice needs to be both swift and certain. He stated that the system often fails after apprehension and this is an area that needs to be dealt with. He stated that there were "bad apples" in the sporting community that needed to be weeded out, and expressed a support for a "three strikes and you're out" system. Mr. Bailey thanked the Board and stated that they would continue to work with the Department and staff to develop a program to address some of these inequities.

Dr. Timmerman stated that he plans to meet soon with Bob Streeter, head of the US Fish and Wildlife Service Enforcement Branch, and other law enforcement representatives from across the country to deal with some of the issues that were raised today.

Chairman Graham thanked Mr. Bailey and the others for taking time to appear before the Board and stated that the Board all shared their concerns and believed in the ethical principles they had espoused there today. He pledged that the Department would continue to work with them on these issues.

VI. Director's Briefing

A. Executive Office

1. Director - Dr. Timmerman informed the Board that Larry Cartee was not at the meeting as he was at the Third Annual Myrtle Beach Wildlife Exposition in Myrtle Beach. He pointed out that there was a brochure at each place setting and urged the Board, staff and guests to attend the function if at all possible.

Dr. Timmerman then gave a brief recap of the last Director's staff meeting, and distributed minutes. Dr. Timmerman also brought to the Board's attention the Quarterly Accident Report that had been distributed.

Dr. Timmerman reported that the Law Enforcement Division had begun a system of assigning specific officers to be "duty officers" and passed out a roster. He has asked other Division Directors to execute a similar system within their divisions to insure that the office and phones would be covered and there would be someone with responsibility present at all time during working hours.

Dr. Timmerman then distributed the Executive Budget and discussed the Governor's recommendations for the Department of Natural Resources and several pertinent provisos. He indicated he would be meeting this week with the House Ways and Means Sub-committee.

Dr. Timmerman then discussed the Federal Budget situation and the statewide implications of the Washington stalemate and pointed out that this could impact portions of our agency if it were not resolved in a timely manner. Dr. Paul Sandifer gave a briefing on the possible impacts on the Marine Division from the Department of Commerce, and John Frampton discussed the possible impacts on the Wildlife and Freshwater Division from the Department of Interior.

Dr. Timmerman stated that Dr. Bill Clendenin and his staff had been successful in receiving a grant of \$116,000 for the Geological Survey, pointing out that it was the fifth largest such grant awarded in the nation this year.

Dr. Timmerman also pointed out that he feels it is time to consider a policy for statewide mitigation of wetlands and he asked staff to develop recommendations for the Board to consider in March.

2. Legal - Buford Mabry stated that he had one matter of a legal nature that would require attention during Executive Session, and also pointed out that they had been successful in getting the temporary injunction overturned dealing with Sunday hunting.
3. Legislative Affairs - Michael Thompson reported that the Board should be receiving their weekly legislative reports and reported on several successful efforts in the General Assembly, the first being that the DEO legislation has passed the House; Bills dealing with Marine by-catch and with eel harvest have been successfully passed out of sub-committee in the House and will be taken up by the full Committee next week. He then asked Billy McTeer to brief the Board on the Chapter 9 revision. Mr. McTeer reported that it was going well, the Bill had eleven co-sponsors in the House and gave a briefing on the progress thus far.

4. Human Resources - Caroline Agardy distributed a new career brochure that is being used in the continuing effort to attract quality applicants to positions within the Department. She also noted that we now have our vacancy announcements on the Internet and were getting a good response. Ms. Agardy informed the Board that each Division has made their recommendations for outstanding division employee of the year, and there would be an award ceremony next month for the outstanding DNR employee of the year.

Ms. Agardy reported that the Boat Titling and Registration Program has gone through the Total Quality Management process and there were about eighteen recommendations forthcoming, and these results are being evaluated by Mr. Reeves and his staff.

5. Environmental - There was nothing further to report to the Board this month.

B. Deputy Directors

1. Administrative Services - There was nothing further to report to the Board this month.
2. Wildlife & Freshwater Fisheries - Mr. Conrad briefed the Board on a trout stocking video that was made in conjunction with Law Enforcement and previewed the video for the Board.

Mr. Conrad reported that the staff would be meeting next Tuesday with the US Fish and Wildlife Service in regard to the take-over of the Wahalla Fish Hatchery, stating that he thought this could occur as early as March 1, 1996.

Mr. Conrad distributed a report entitled "Economic Benefits of Freshwater Fishing in South Carolina", and briefed the Board on the report.

Mr. Conrad then distributed draft dove hunting guidelines for next year and reported that on February 19 there would be a statewide video conference through the Clemson Extension Office in each county where people could call in and ask questions on dove hunting. He asked Board members to review the draft guidelines and provide comments within the next two weeks. Dr. Graham urged a wide and broad distribution of this document once it was completed.

3. Law Enforcement - Col. Huguley stated that the Division report was included in the Board packet, and at this time he would like to thank the Governor, the Chairman, each member of the Board and Dr. Timmerman for their expressions of support since assuming his new responsibilities. He stated that he was very humbled by these expressions of support and expressed how very seriously he took the responsibility. He then went into several attributes that he thought epitomized a good law enforcement organization and reiterated his commitment and the commitment of his staff to those attributes.
4. Conservation Education & Communication - Mr. Baines then gave the Board a briefing on the "Becoming An Outdoors Woman Program" that had been held in conjunction with the Wildlife and Freshwater Fisheries Division. He then called on Cindy Thompson, the coordinator for that program, who introduced the team (Sharon Wright, Judy Barnes) that developed and executed the project. Ms. Thompson then showed a video that was taken during the program and briefed the Board on the content and results of the program. Dr. Graham commended the program and all those involved. He stated that he felt this would be a very popular program and suggested that a computer drawing may be necessary to select participants. Ms. Thompson pointed out that Board Member Waring was one of the keynote speakers and had added a lot to the program and expressed the team's appreciation to Ms. Waring.
5. Marine Resources - Dr. Paul Sandifer updated the Board on the problem with the barge spill in Charleston Harbor. Dr. Sandifer reported that the National Marine Fisheries Service Lab building has been authorized in federal law and will proceed with available funds; he pointed out that the Department will have lab space and will be emphasizing fisheries science and support of law enforcement activities through biological techniques.
6. Water Resources - Freddy Vang reported that Mr. D. J. Smith, the State Climatologist, has resigned to attend seminary and that the Division is seeking a candidate for this position. Mr. Vang reported that Board Member Edens had been instrumental in getting SCE&G to execute a winter drawdown at Lake Murray in order to increase the effectiveness of the weed control program, and thanked Mr. Edens for his efforts. Mr. Vang reported that the new scenic river signs are being distributed and placed along the scenic rivers by the Department of Transportation. He reported that the Department's Doppler radar down-station was being installed on the roof of the Dennis Building and would be in operation next month. He further stated that the Hurricane prediction numbers for 1997 will be available next month, and gave a brief report on the Advisory Committee meeting.

7. Land Resources and Conservation Districts - Cary Chamblee reported that they had just completed the Conservation Districts annual meeting in Charleston, and thanked Dr. Sandifer and his staff for the tour of the Marine Center. Mr. Chamblee reported that his Division would be represented at the up-coming Myrtle Beach Wildlife Expo, at the Classic and at the Southeastern Wildlife Expo, and for the first time they would have maps for sale at their booths. Mr. Chamblee gave a briefing on the legislation that would restructure the national Natural Resources Conservation Service in Washington.

VII. Items for Board Action

- A. Authority for Division of Law Enforcement to Grant Up to \$500 From Operation Game Thief Fund - Mark Huguley went over the background, pointing out that before restructuring, the Division had such authority, and this was changed following restructuring. He introduced Lt. Chip Sharpe who administers the program. After a brief discussion, Mr. Miller made a motion that the authority be granted, Mr. Burnside seconded, and the motion was approved.

VIII. Advisory Committee Reports

- A. Wildlife and Freshwater Fisheries - Chairman Graham stated that there was a vacancy in the Chairman position on this Advisory Committee and announced that he had asked Board Member Coxe to assume the Chairmanship of this Committee. He stated that he would examine the issue of the Chairmanship of the Conservation Education and Communication Advisory Committee at a later date. Brock Conrad gave a brief report on the December 7th Advisory Committee meeting, reporting that most of the meeting was taken up with the baiting issue for doves and turkeys. He stated that they were planning a baiting brochure for turkeys. Chairman Graham expressed continued interest in the possibility of a Fall turkey season, if appropriate.
- B. Natural Resources Enforcement - Board Member Miller stated that the meeting had been held on January 10, 1996, at Donnelley WMA and gave a brief report on the meeting. He stated that the Committee had asked the staff to develop a position on personal watercraft so that it can be brought to the Board at a later date. He advised that the Advisory Committee has been meeting in different districts each month and will continue to do this for future meeting. He then distributed copies of the minutes of the meeting.
- C. Conservation Education and Communications - Board Member Coxe stated that the meeting had been canceled because of inclement weather and had been rescheduled for February 23.

- D. Marine Resources - Board Member Waring reported on the January 12 meeting, and stated that the Committee had discussed two issues, one dealing with spotted sea trout, and the other, the blue crab fishery. She stated there was no Board action required at this time.
- E. Land Resources and Conservation Districts - Mr. Chamblee stated that there was no report to be given at this time.
- F. Water Resources - Mr. Vang reported that the Committee had held a day long workshop in Charleston dealing primarily with the State Water Plan, and there was no action required at this time.

IX. Missions, Goals, & Strategic Planning

Dr. Timmerman reported that there would be a report on these matters at the next meeting.

X. Policy Review

Ms. Agardy reported that the policy manual was being sent to all employees.

XI. Comments

Chairman Graham reported that the National Wild Turkey Federation Annual Meeting would be held in Atlanta, and urged attendance.

Chairman Graham then recognized Trish Jerman who commented on the program that will be held this coming weekend at the Wildlife Federation Annual Meeting at Embassy Suites in Columbia.

Board Member Waring requested that a report on user fees and a habitat stamp be presented at the next meeting. She also stated that legal and law enforcement was monitoring the matter of a boat operator license, pointing out that she had talked to a member of the General Assembly who will be willing to introduce such legislation during this session, and asked for an update on this issue at the next meeting. She reported that Senator McGill is investigating the jet ski issue and may introduce legislation this session as well.

XII. Executive Session

Vice-Chairman Miller moved for the Board to hold an executive session to discuss legal, personnel and contractual matters. Mr. Burnside seconded; and the motion was adopted by the Board. Chairman Graham announced that, at this time, the Board would hold an executive session to discuss legal, personnel and contractual matters.

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