

MINUTES

SOUTH CAROLINA WILDLIFE AND MARINE RESOURCES

COMMISSION MEETING

Room 335, Dennis Building
Columbia, S. C.
March 18, 1983
10:00 A.M.

The regular monthly meeting of the South Carolina Wildlife and Marine Resources Commission was held in Room 335 of the Dennis Building, Columbia, S. C., at 10:00 a.m., on March 18, 1983, with Chairman Webster 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 Webster, Compton, Harrelson, Owen, Quackenbush, Dawson and Stubbs. Directors and staff members present included Dr. Timmerman, Dan Dobbins, Larry Cartee, Ed Joseph, Sonny Baines, Jeff Fuller, Benny Reeves, and various other staff. Guests at the meeting included Joe Layton and Leonard Meyer of the S. C. Bowhunters Association, Pat Robertson of the "Columbia Record", Trish Jerman of the Governor's Office, and Gail McTeer of the Senate Fish, Game and Forestry Committee.

CALL TO ORDER

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

ITEM I. READING OF THE MINUTES

The Commission approved a motion to dispense with the reading of the Minutes of the February 18, 1983 Commission meeting and approve them as submitted.

ITEM II. COMMENTS

Dr. Timmerman distributed a copy of the Minutes of the recent Directors' Staff meeting to the Commission for their information. He noted in our FY 83-84 budget, the Budget and Control Board had included \$375,000 for equipment in law enforcement and \$70,000 for marine resources. The Ways and Means Committee has excluded these funds from the budget and we need to work hard to get these funds restored. A list of the members of this committee was passed out to the Commission for their assistance with contacting members to seek the restoration of these funds.

Dr. Timmerman noted the federal budget has been reduced by the Administration for the Departments of Interior and Commerce. These cutbacks could result in a loss of about \$750,000 at the Marine Center resulting in the loss of 22 full-time positions and various temporary positions.

The Cheraw and Walhalla Hatcheries are slated for closing and no funding is recommended for the anadromous fish and endangered species programs. Dr. Timmerman noted a detailed letter on these reductions and their impacts has been sent to the Congressional Delegation and this was discussed with staff and others when he was in Washington recently. Dr. Timmerman stated that while in Washington, he testified on a bill (H.R. 5) which would provide funding for living marine resources which we would like to have for use on marine programs. Dr. Timmerman advised the Commission that he feels the Walhalla Hatchery will be funded, but no funding for the Cheraw Hatchery will be forthcoming. Dr. Timmerman noted that unless there were objections from the Commission, we will work on a budget proviso to establish a user fee for continued operation of the Cheraw Hatchery.

Dr. Timmerman advised the Commission that he received a letter from Dr. Jackie Jacobs expressing thanks to the Commission for the Certificate of Meritorious Service.

Dr. Timmerman noted he has received a number of letters from hunters concerning the lack of ducks this season in the Pee Dee, Black River, and Samworth Game Management Area. Dr. Timmerman suggested that, through the Wildlife and Freshwater Fisheries Advisory Board, a workshop should be set up this summer to review hunting pressure, management practices and the like. Chairman Webster stated that we should proceed to put this plan in operation.

Dr. Timmerman noted that Brock Conrad will discuss the proposed sale of national forest lands later in the meeting.

Dr. Timmerman stated the Commission had reviewed enforcement in the three-mile limit last year and recommended this be looked at closely for this year. This item will be on the agenda for discussion at the April Commission meeting.

Dr. Timmerman noted we are receiving various permit requests for marinas in the coastal area and there are conflicts with the harvest of shellfish. Ed Duncan noted that the staff is developing guidelines by which to evaluate marina permits and a detailed report, with recommendations, will be presented to the Commission at a later time for consideration. Dr. Timmerman stated this will be explored with the Commission for its guidance.

Dr. Timmerman noted the City of Bennettsville has requested an easement at Lake Wallace to secure water above the lake for a city water supply. There are no problems with this water withdrawal from a fishery aspect, but the potential water level fluctuation could affect

waterfowl and waterfowl habitat in the area. Jeff Fuller noted this area has been one of the most successful wood duck harvest areas in the state. Dr. Timmerman noted we would pursue getting a commitment from the city in writing, that water levels will be maintained at a level which will not affect wood duck populations.

Dr. Timmerman noted that we had the groundbreaking ceremony of the Waddell Mariculture Center and the dedication of two boat ramps in the area on March 7th. These events went very well and he extended appreciation to the Commissioners which were in attendance at these ceremonies.

Dr. Timmerman informed the Commission that Governor Riley has re-appointed Marion Burnside to the Law Enforcement and Boating Advisory Board, Buddy Kronsberg to the Wildlife and Freshwater Fisheries Advisory Board and X. O. Bunch to the Marine Resources Advisory Board.

Chairman Webster noted that we have received a letter from Senator James Waddell stating that proposed regulations on man-drives will be carried over to see if a compromise may be reached. The Senate Fish, Game and Forestry Committee is waiting to hear from the Commission on this matter. Commissioner Owen noted he has discussed this with Staff and he noted in the 83-84 hunting season, there will be two either-sex days during the month of December. As such, Commissioner Owen moved for the Commission to approve amending the proposed regulations to allow man-drives during the two either-sex days in December with the drivers being prohibited from carrying weapons. Commissioner Compton seconded the motion and it was adopted by the Commission. Dan Dobbins noted the committee discussed its support for mandatory hunter accident reporting legislation if some compromise was reached on the man-drive regulations. He suggested this be reported to the Senate Fish, Game and Forestry Committee at the same time the compromise on these regulations is reported.

ITEM III. LEGISLATIVE UPDATE

Dan Dobbins discussed the status of various bills in the legislature with the Commission. Dr. Timmerman noted that Commissioner Altman has done a lot of hard work on bills for the Department and he plans to extend appreciation to him, in writing, for his efforts. Chairman Webster asked Dr. Timmerman to write a letter of appreciation also on behalf of the Commission.

ITEM IV. OLD BUSINESS

A. Request for Easement from Mr. Walter Brashier: Commissioner Stubbs noted Mr. Brashier appeared at the last Commission meeting requesting a 50-ft. easement for access to a condominium development at

Lake Oak Grove. It is projected that about 2,400 vehicles per day may be using this access and the road at Lake Oak Grove is not designed for this much traffic. Following other discussion, Commissioner Compton moved for the Commission to deny this request for an easement at this time. Commissioner Owen seconded the motion and it was adopted by the Commission.

B. Discussion - Proposed FY 82-83 Budget Reduction: Commissioner Stubbs noted the Commission Finance Committee met on March 3rd and considered four proposals for FY 82-83 budget reductions. Benny Reeves distributed a copy of these proposals (copy attached to original Commission Minutes) and noted the Finance Committee had adopted Proposal #4. Mr. Reeves noted a legislative proposal has been developed to cover the state's \$60-million deficit this year and this budget reduction may not be necessary. The Budget and Control Board has, however, ordered a 2.4% budget reduction if the legislative proposals are not adopted. This reduction would be a modification of Proposal #4 if such has to be submitted. Dr. Timmerman informed the Commission that we have, in effect, had a reduction in force with the 76 vacancies we have in the Department and a list of these vacancies was passed out to the Commission for their information. He noted that 31 of these vacancies are in marine resources and law enforcement has 12 or so vacancies. On the promotion of law enforcement officers to Corporal and Conservation Officer I, Dr. Timmerman stated we would go ahead with this at a cost of about \$1,400. Following other discussion, Commissioner Stubbs moved for the Commission to approve reduction proposal #4 with necessary adjustments in law enforcement and marine resources if the 2.4% budget reduction goes into effect. Commissioner Owen seconded the motion and it was adopted by the Commission.

ITEM V. NEW BUSINESS

A. Proposed Craig Pond Registration Agreement: Tom Kohlsaad advised the Commission that the Heritage Trust Advisory Board has approved the Craig Pond Registration agreement and a copy has been sent to the Commission (copy attached to original Commission Minutes). Following discussion, Commissioner Harrelson moved for the Commission to approve the registration agreement as recommended. Commissioner Compton seconded the motion and it was adopted by the Commission.

B. Division Reports:

1. Administrative Services: There was nothing further to report.

2. Wildlife & Freshwater Fisheries: Jeff Fuller noted the Commission had approved the concept of conducting a mottled duck study and he asked for some clarification on personnel for this study. Dr. Timmerman stated this would not include any additional personnel, but

maybe some part-time employees could be hired for the study to be paid out of the duck stamp funds. Commissioner Owen noted it was discussed that possibly Phil Wilkinson or part-time personnel from Clemson or somewhere could be hired for this study.

Brock Conrad informed the Commission that about 23,000 acres of national forest land is proposed for sale in South Carolina. This will require legislative action by Congress. Mr. Conrad noted this sale will hurt the GMA program considerably. The 23,000 acres includes the entire 6,000 acre Crackerneck GMA in Aiken County. Mr. Conrad recommended that the land not be sold. Following other discussion, Commissioner Owen moved for the Commission to unanimously oppose the sale of government land currently in the GMA program and to identify the tracts of land proposed for sale in our news releases so the public will be aware. Commissioner Dawson seconded the motion and it was adopted by the Commission. Dr. Timmerman stated that we would contact the Congressional Delegation to reflect the position they have adopted on this matter.

3. Law Enforcement & Boating: Bill Chastain informed the Commission that three Deputy Wildlife Conservation Officers have requested radioes. Two of these individuals, Mr. Ethridge at the Yawkey Plantation and Mr. McFadden of Williamsburg County meet the criteria, but Mr. Cox does not meet the criteria. Commissioner Dawson moved for the Commission to approve radioes for Mr. Ethridge and Mr. McFadden as recommended by law enforcement. Commissioner Compton seconded the motion and it was adopted by the Commission. Commissioner Harrelson asked the staff to contact General Services to see if it can be worked out whereby individuals may purchase surplus radioes of the Department. Benny Reeves noted that radioes which go through General Services are obsolete and parts have been taken from them which we are able to use. Anyone can bid on these radioes or parts of radioes as they become available.

Mr. Chastain informed the Commission that the investigation is now complete on the alleged illegal deer kill in the Congaree Swamp and this is being coordinated with the Solicitor's Office. Warrants will probably be sought sometime early next week. Dr. Timmerman commended the law enforcement staff for their hard work and dedication on this investigation.

4. Information and Public Affairs: Jim Goller presented a status report on the sale of knives and noted that a substantial number of buck knives have already been sold. Sonny Baines distributed an agenda of the press outing at Oconee State Park to the Commission for their information.

5. Marine Resources: Dr. Joseph informed the Commission that the Department of Health and Environmental Control has closed all shellfish waters in the state due to the high runoff from the recent rains.

C. Advisory Board Reports:

1. Wildlife & Freshwater Fisheries: Commissioner Owen stated the Board will meet on April 14th at Hickory Knob State Park.

2. Law Enforcement & Boating: Commissioner Quackenbush noted the Board will meet next month.

3. Marine Resources: Commissioner Compton stated the Minutes of the March 11th Board meeting will be mailed out to the Commission. Commissioner Compton noted the main item of discussion at the meeting involved the roadside marketing of seafood along the highways. Representatives from DHEC and the Department of Agriculture were in attendance for this discussion. This mainly involves DHEC policing such roadside sales from the health aspect and the Department's main responsibility is with tagging of fish products. The Board recommended that we continue with tagging and working with DHEC as we have in the past. Commissioner Harrelson noted he was concerned about license sales being fragmented and local governments becoming involved in licensing such businesses.

4. Heritage Trust: Tom Kohlsaas reported the Board met on February 17th and there was discussion on the use of tax check-off funds for operations. It was proposed that such funds should be used for land acquisition. Mr. Kohlsaas noted the staff will develop guidelines on the use of the check-off funds for operations and report back at the next Board meeting.

D. 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). Dr. Timmerman also recommended the DWCO re-appointment and increased authority for countywide authority for Michael D. Cox with Georgetown County authority. The Commission approved all re-appointments, appointments and increased authority for Mr. Cox as recommended.

E. Other Remarks: Commissioner Compton moved for the Commission to hold an Executive Session following the regular meeting for the purpose of receiving legal advice. Commissioner Owen seconded the motion and it was adopted by the Commission. Chairman Webster announced that an Executive Session will be held following the regular meeting for the purpose of receiving legal advice.

F. Time and Place of Next Meeting: Chairman Webster stated the Commission will meet next month on April 15th at the Marine Center in Charleston.

ITEM VI. ADJOURN

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

RETURN TO REGULAR MEETING

Following the Executive Session, the Commission returned to regular session and invited participants into the meeting. Chairman Webster announced that in Executive Session, the Commission adopted motions on the following actions:

1. The Commission adopted guidelines, as attached, regarding use of the State Field Cemetery at the Webb Wildlife Center.
2. The Commission considered the Delk property easement across property belonging to the Department in Greenville County. The Commission recognized the right of access as provided in the deed which would limit access to the unimproved road currently existing depicted as "Access to Delk" on the plat entitled Boundary Survey for South Carolina Wildlife and Marine Resources by W. R. Williams, Jr., dated April through August, 1980. As a result, the Commission specifically recognized this privilege to the extent that the owners of the Delk property may use the current road as depicted to access their property with the restriction that any attempt to improve the road will be vigorously resisted so as to preserve the property in a natural state. The Commission did recognize that minor repair from time to time may be necessary to allow the Delk property owners the privilege of access.

Commissioner Compton moved for the Commission to ratify and approve these actions. Commissioner Owen seconded the motion and it was adopted by the Commission.

There being no further business, the Commission adopted a motion to adjourn.

