

MINUTES

SOUTH CAROLINA WILDLIFE & MARINE RESOURCES COMMISSION MEETING

Room 335, Rembert C. Dennis Building
Columbia, S. C.
November 16, 1990
10:00 A.M.

The regular monthly meeting of the South Carolina Wildlife and Marine Resources Commission was held at 10:00 a.m., Friday, November 16, 1990, in Room 335 of the Rembert C. Dennis Building, Columbia, S. C., with Chairman Burnside presiding. Notice of the date, time and place of the meeting was mailed to the state's media. Commissioners present included: Commissioners Burnside, Compton, Pendarvis, Owen, Miller, Poston, Graham, and Snow. Staff members present included: Dr. Timmerman, Larry Cartee, Paul Sandifer, Benny Reeves, Brock Conrad, Bill Chastain and various other staff members and guests.

CALL TO ORDER

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

ITEM I - READING OF THE MINUTES

The Commission adopted a motion to dispense with the reading of the Minutes of the October 19, 1990 Commission Meeting and approve them as submitted.

ITEM II - COMMENTS

Dr. Timmerman informed the Commission that we are working on the Department's budget and are playing a conservative role as it relates to this year's budget. Dr. Timmerman noted that a shortfall in the state budget of \$80,000,000 is projected and we do not anticipate this affecting the Department at this time.

Dr. Timmerman went over the Hunters' Organization Meeting held in Columbia and noted that it was a tremendous success. Dr. Timmerman asked Sonny Baines to send a tape of this meeting to all the Commissioners for their use as deemed appropriate.

ITEM III - 1989/90 DIVISION EMPLOYEE AWARD PRESENTATIONS

Dr. Timmerman made presentations to the recipients of the 1989/90 Division Employee Awards.

ITEM IV - PRESENTATION - Lake Wylie Marine Commission

Mr. Hubert Graham, Mr. Howard Faile and Mr. Mike McLaurin appeared before the Commission on behalf of the Lake Wylie Marine Commission. Mr. Graham went over the history of the Lake Wylie Marine Commission and gave the Commission an update on various projects that have been undertaken. The Lake Wylie Marine Commission is requesting that the Commission consider the endorsement of a reciprocal license at Lake Wylie. Mr. Graham noted that the North Carolina Wildlife Resources Commission has endorsed this proposal and he asked the Commission to also endorse this proposal. Various questions were asked of Mr. Graham as it relates to this proposal and the Commission noted that there was a concern on the loss of revenue that this action could take. Following discussion, the Commission adopted a motion to review this proposal as it relates to the impact to York County, to review the technical details of the proposal, and to take the matter under advisement. Commissioner Pendarvis asked for a report from the Division of Law Enforcement and Boating on the problems that this proposal would create as it relates to the enforcement of laws. (Petition as presented by the Lake Wylie Marine Commission attached to original Commission Minutes.)

ITEM V - OLD BUSINESS

A. Proposed Permit Procedure for Exotic Shrimp:

Commissioner Pendarvis noted that this matter was discussed at the last Commission Meeting and that a revised draft had been prepared and sent to the Commission (copy attached to original Commission Minutes). Commissioner Pendarvis went over this revised draft and noted that the only change that is recommended is on Page 5, Item C (1) whereby in the second line, the word "required" would be deleted and in its place would be added "natural resources related". David Tompkins of the S. C. Department of Agriculture commented on the Revised Draft and noted that he was very pleased with the new draft as it related to addressing the various concerns which he had expressed previously. Ms. Libby Ambrose commented on the document noting that it does not address diseases and presented other comments and areas of concerns which she had concerning this proposal (copy attached to original Commission Minutes). Mr. David Cannon of Edisto Shrimp Farm went over various concerns that he had concerning the proposal and raised some questions regarding the content of the proposal. Following discussion, the Commission adopted a motion to approve the revised draft as presented with the amended change on Page 5 as noted by Commissioner Pendarvis.

ITEM VI - NEW BUSINESS

A. 1991 Legislative Proposals: Dan Dobbins noted that the Department's 1991 Legislative Proposals have been sent to the Commission (copy attached to original Commission Minutes). Mr. Dobbins discussed these proposals with the Commission and some typographical changes in the Proposals were identified by the Commissioners. Following discussion, the Commission adopted a motion to approve the 1991 Legislative Proposals as presented.

B. Proposed Expansion of Spring Turkey Hunting Area: Brock Conrad noted that the Commissioners had been sent recommendation to expand the spring turkey season to open all of Calhoun and Clarendon Counties and a portion of Horry County for the 1990/91 spring season (copy attached to original Commission Minutes). The Commissioners discussed this proposal and following discussion, adopted a motion to approve the proposal as submitted.

C. Registration Agreement, Access Easement Trade and Green's Shell Ring Purchase: Tom Kohlsaas noted that these items had been sent to the Commission in their packet (copy attached to original Commission Minutes). Ron Dingell discussed the proposed Registration Agreement of 179 acres of land in Oconee County with Georgia Power Company and went over this matter with the Commission. Following discussion, the Commission approved the Registration Agreement as presented. Tom Kohlsaas noted that the remaining two items would be held for discussion with the Commission in Executive Session.

D. Nongame Migratory Bird Management: John Cely presented an in-depth discussion over various projects underway as it relates to nongame migratory bird management. Mr. Cely gave a slide presentation dealing with various species and discussed with the Commission, the actions being taken with various nongame species.

E. Division Reports:

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

2. Wildlife & Freshwater Fisheries: Brock Conrad noted there was nothing further to report, but that the staff had some information and fish kill reports for the Commission in the Executive Session.

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

4. Conservation Education & Communications: Jim Goller presented the new Department's calendar and poster to the Commission and went over these items with the Commissioners. Commissioner Graham noted that in the recent issue of the magazine, the various awards provided to the CEC Division had been listed.

5. Marine Resources: Paul Sandifer reported that John Miglarese will return to work after November 23, 1990. Ginnie Martin presented an update to the Commissioners on meetings as it relates to the Recreational Saltwater License.

F. Advisory Board Reports:

1. Law Enforcement & Boating: Commissioner Miller noted that the Board met on November 14, 1990 at Ceasar's Head. Commissioner Miller noted that the primary topic of discussion was a package of proposed legislative concepts which were endorsed by the Board. Terry LeCroy went over these proposals (copy attached to original Commission Minutes) and discussed the details of the concepts with the Commissioners. Following discussion, the Commission adopted a motion to approve these concepts as presented with the staff to work out the detailed language. Commissioner Miller noted that George Hines discussed dove baiting with the Board and the Board also discussed the concept of a "No-Wake Zone" at Murrells Inlet, but the staff cannot endorse this proposal due to the hazards to boaters.

2. Marine Resources: Commissioner Pendarvis noted that the Board met on November 9, 1990 in Charleston. He noted the Board went over the channel net issue and did not have any recommended changes in the laws, but asked for more law enforcement support for the sixty (60) day channel net period. Commissioner Pendarvis noted that 9700 shrimp baiting permits have been sold and the current law for shrimp baiting is unenforceable and the Board will be developing recommended law enforcement changes in the shrimp baiting law for next year. Commissioner Pendarvis noted the Board discussed the penalty code for shrimp trawls too close to the beach along the coast where there is current inconsistency. Commissioner Pendarvis noted that the Board recommended an amendment in existing SC law pertaining to the restricted trawling areas off the ocean beaches by repealing Section 50-17-625 and amending Sections 1010, 1020, and 1030 in order to eliminate duplicate or provide constant penalties for the violation. Commissioner Pendarvis moved for the Commission to support this recommended change by the Board and a motion was adopted by the Commission to approve this recommendation.

Commissioner Pendarvis noted that some County Delegations had requested the Board to address the lack of consistency on travel distances for trawling along the coast and this matter will be discussed at the Board meeting on January 11, 1991.

Commissioner Pendarvis noted the Board discussed the law enforcement problems associated with shrimp trawling times along the coast which relate to sunrise and sunset and times being given different by various sources of media along the coast.

Commissioner Pendarvis noted the Board recommended that the times for shrimping be changed to 5:00 a.m. to 9:00 p.m. from opening day until September 15th and 6:00 a.m. to 7:00 p.m. from September 16th until the closing day of the season. Commissioner Pendarvis put this in the form of a motion and the Commission adopted the motion as presented.

3. Heritage Trust: Tom Kohlsaas noted that the Board met, but there was nothing further to report.

G. Other Remarks: There were no further remarks from the Commissioners.

Commissioner Compton moved for the Commission to hold an Executive Session for contractual and legal matters. Commissioner Pendarvis seconded the motion and it was adopted by the Commission. Chairman Burnside announced that at this time, the Commission would hold an Executive Session to discuss contractual and legal matters.

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RETURN TO REGULAR SESSION

Following Executive Session, the regular meeting was resumed and participants were invited into the meeting.

Commissioner Compton moved for the Commission to approve the transfer of a right-of-way at Tilghman's Heritage Preserve with Mr. Huggins. The Commission adopted a motion to approve this recommendation as presented.

Commissioner Compton moved for the Commission to approve the purchase of Green's Shell Ring as presented. The Commission adopted a motion to approve this as presented.

Commissioner Compton moved for the Commission to approve the Lynches River Fish Kill Report as presented. The Commission adopted a motion to approve this report (copy attached to original Commission Minutes).

Commissioner Compton moved for the Commission to grant a license subject to the restrictions as presented by Legal Staff for the construction of a water tank on properties we own in McCormick County. The Commission adopted a motion to approve this motion as presented (copy unavailable for Commission Minutes).

Commissioner Compton moved for the Commission to adopt the following resolution:

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"BE IT RESOLVED that the following areas are closed to all trawling during the remainder of the 1990 shrimping season - all waters in Bulls Bay, Calibogue Sound, St. Helena Sound, and Port Royal Sound as described in subsections 1234 of Section 50-17-615, S. C. Code of Laws as amended."

The Commission adopted a motion to approve this resolution as presented.

Commissioner Compton moved for the Commission to approve the DWCO re-appointments, new appointments, appointments not recommended, change of authority, revocations, promotions, with the addition of Ralph Vereen to expand his commission to add Horry, Union and Barnwell Counties, approve the commission of Mr. Gus Poulous for 4,000 acres he owns in Chester County, and to approve the use of the Department's radio frequency by Boo Lachicotte (copy of list attached to original Commission Minutes). The Commission adopted a motion to approve the recommendations as presented by Commissioner Compton.

H. Appointments (Executive Session): This item was previously acted upon by the Commission.

I. Time and Place of Next Meeting: The Commission agreed to not hold a meeting in December unless it was needed and will hold its next regular meeting on January 18, 1991.

ITEM VII - ADJOURN

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

