

MINUTES

SOUTH CAROLINA WILDLIFE AND MARINE RESOURCES COMMISSION MEETING

Room 335, Rembert C. Dennis Building
Columbia, S.C.
November 20, 1987
10:00 a.m.

The regular monthly meeting of the South Carolina Wildlife and Marine Resources Commission was held at 10:00 a.m., November 20, 1987, in Room 335 of the Rembert C. Dennis Building, Columbia, S.C., with Chairman Webster presiding. Notice of the date, time and place of the meeting was mailed to the state's media. Commissioners present included Chairman Webster, Compton, Owen, Quackenbush, Stokes, Harreslon, Thomason.

Directors and staff present included: Dr. Timmerman, Benny Reeves, Bill Chastain, Brock Conrad, Dr. Paul Sandifer, Sonny Baines, Dan Dobbins, Buford Mabry, Lt. Chip Sharpe, John Frampton, Tom Kohlsat, Jay Wilkinson, Michael Foster, Beth Jennings, Donna Swygert, Edith Jernigan, Pete Swiderek, David Bruner, Dudley Overton, Steve Walters, Sumter Moore, Linda Renshaw, Walter Jenkins, Joe Logan, Dan Crochet, and Ted Smith.

ITEM I - CALL TO ORDER

Chairman Webster called the meeting to order at 10:00 a.m. and welcomed all guests to the meeting. Stating that, before the meeting began, the Commission had a special presentation to make, Chairman Webster introduced Senator James M. Waddell, Chairman of the Senate Fish, Game and Forestry Committee and Ms. Gail McTeer, Committee Research Director. He then called Senator Waddell forward and presented him with a plaque of appreciation from the Commission and the Department for his long years of service as Chairman of the Senate Fish, Game and Forestry Committee. Senator Waddell expressed

his appreciation to the Commission. Vice-Chairman Compton then came forward to present Senator Waddell with a print as an expression of appreciation from the Harry Hampton Fund for his service as Chairman of the Senate Fish, Game and Forestry Committee.

ITEM II - PRESENTATION OF CERTIFICATES OF EXCELLENCE

Dr. Timmerman stated that each Division annually is given an opportunity to present outstanding employees within these Divisions with a Certificate of Excellence in recognition of their outstanding performance during the year to their divisions and to the Department and awards were then presented for each Division.

ITEM III - PRESENTATION BY MIDLANDS CHAPTER - QUAIL UNLIMITED

Chairman Webster then introduced John Jernigan, representing the Midlands Chapter of Quail Unlimited, who presented a check to the Wildlife and Marine Resources Department for \$3,000 for the promotion and protection of quail habitat and for research on the bobwhite quail. He then presented a second check from the Midlands Chapter of Quail Unlimited in the amount of \$500 for the Operation Game Thief Program administered by Lt. Chip Sharpe.

ITEM IV - READING OF THE MINUTES

On a motion by Commissioner Thomason, second by Commissioner Compton, the minutes of the October Commission Meeting were approved as submitted.

ITEM V - COMMENTS

Chairman Webster then called on Dr. Timmerman for Executive Director's comments.

Dr. Timmerman stated that the Department, working with Commissioner Larry Owen, was investigating a parcel owned by the Westinghouse Corporation in Anderson County for possible acquisition. The

property consists of one thousand acres, and assuming the appraisal would allow the Company to realize the necessary tax benefits, they would sell the one thousand acres to the Department for \$250,000. Dr. Timmerman reported that he had gone before the Budget and Control Board and the Joint Bond Review Committee, both of which have given unanimous approval to proceed with the acquisition. The Budget and Control Board would provide the initial money to purchase the property.

Dr. Timmerman also reported that the Department's Capital Improvement Bond presentation would be made before the Budget and Control on December 9 at 2:00 to 2:15 p.m., at the Letterman's Lounge at Williams Brice Stadium.

Dr. Timmerman then distributed a publication from the Wildlife Conservation Fund of American detailing funding sources for various state wildlife agencies across the nation.

Dr. Timmerman reported that the Commission and staff had made a strong budget presentation to the Budget and Control Board, noting that for the first time the Governor has submitted his own budget to the Budget and Control Board for consideration. He indicated that the staff would continue to work with the House Ways and Means and Senate Finance Committees to pursue these and other priorities funding objectives.

Dr. Timmerman stated that he was sorry to report that Larry Cartee has been injured in a tree stand accident yesterday, and sustained internal injuries as well as an injured to his back. The Commission asked Dr. Timmerman to send flowers to Mr. Cartee during his convalescence.

ITEM VI - LEGISLATIVE REPORT

Chairman Webster called on Dan Dobbins for the legislative report. Mr. Dobbins stated that the Commission had already approved the legislative proposal for next year and that this would be forwarded to the respective committees.

ITEM VII - OLD BUSINESS

A. Hutchinson Island Associates License

Chairman Webster called on Buford Mabry to discuss the proposed license for the Hutchinson Island Associates. Mr. Mabry reviewed the license proposal, stating that the Department of Interior had certain restrictions that they would require be placed on such a license since the property was bought with federal funds. He stated that the Wildlife and Freshwater Fisheries Division staff had investigated the situation and had recommended that the license not be granted. There then ensued a discussion of the license itself. Dr. Timmerman stated that he was instructing Buford Mabry to work with Division Directors to develop with a set of guidelines that can be considered for such situations and guidelines would be submitted to the Commission once they are developed. Mr. Mabry stated that since the Department of Interior had certain guidelines that had to be conformed with, the Commission may wish to forward these guidelines to Mr. Dewey Wise, attorney for Hutchinson Island Associates, so that they may study them in detail before any license agreement is completed.

Chairman Webster stated that, staff recommendations notwithstanding, at the last Commission meeting, the Commission took action to grant such an easement or license if possible and suggested that the Interior guidelines be submitted to the parties in order to determine if some feasible solution to the matter could be worked out.

Mr. Mabry then suggested that the Hutchinson Island Associates be asked to relinquish any perceived legal right-of-way in exchange for a license. He stated that there was also concern as to any future use or development of Hutchinson Island, and suggested a license only be granted if the property remain in hunting, fishing and outdoor recreation.

B. Santee Coastal Reserve Boat Ramp -

Mr. Mabry reported that the Moreland Hunt Club had again requested the use of the Santee Coastal Reserve Boat Ramp in order to access their property. He indicated that Craig Wall, Jr., representing of the Collins Creek Gun Club, had written Dr. Timmerman indicating that the Gun Club would acquiesce to the same terms and conditions under which this permission had been granted by the Commission previously. Mr. Mabry again advised the Commission that it would not be in the Department's best interest to allow this continued use. Commissioner Quackenbush also reiterated his objection to the granting of this permission, as he has done for the last several years. Commissioner Compton asked about the negotiations last year concerning this issue. Mr. Mabry responded that the Department, the Collins Creek Gun Club, and the Nature Conservancy had worked diligently in trying to renegotiate the terms and conditions that govern the operation of our property, but that the Collins Creek Gun Club was not amenable to amending the documents. The Moreland Hunt Club had then asked Mr. Wall if he would acquiesce to the same type of limited permission that had been granted previously, and Mr. Wall had indicated that he would. Commissioner Quackenbush then asked if the Moreland Hunt Club had complied with the terms and conditions that the Commission had set forth in its letter of permission of last year. After a brief discussion, Mr. Mabry recommended that, were the Commission to grant

permission again, an additional provision be added that the people who have this permission would be required to obey all state and federal fish and game laws, and that such a provision be a standard part of any permission to use Department property in the future. Commissioner Compton made the motion that the Commission follow the same procedure that it has followed for the last five years, with the stipulation suggested by Mr. Mabry. Commissioner Harrelson second the motion. There being no further discussion the vote was taken and motion passed by a vote of 4 to 3.

C. Striped Bass/Hybrid Auqaculture

Chairman Owen stated that he had chaired a subcommittee of the Commission to investigate this situation based on legislation introduced during the first half of this General Assembly which would allow the sale of striped bass and hybrids reared under aquaculture conditions. He stated that the staff had undergone an exhaustive study of this issue, bringing in scientists and law enforcement staff from all of the southeastern states and many other states in the nation that have had experience with such matters. He stated that as a result of the deliberations, staff had developed an extensive list of guidelines and criteria which, if put into place, staff feels would provide them with the ability to adequately control and manage such a situation. He stated, however, that there remained biological concerns on the part of members of the subcommittee which prevented them from reaching a unanimous decision as far as recommendations to the Commission. He did state that the subcommittee felt that if the General Assembly were to pass legislation allowing aquaculture of striped bass hybrids, the Commission should take the position that the Department should be in charge of the administration and management of such a program. He then reviewed briefly the list of guidelines. He then called on Commisisoner Harrelson to further discuss this issue. Commissioner Harrelson stated that all the subcommittee and staff had not been

able to reach unanimity on the overall issue, they had been able to reach unanimity on the guidelines that had been developed.

Commissioner Harrelson then discussed the opinions expressed by the staff of various divisions and stated that if aquaculture of striped bass hybrids becomes a reality, he also felt it would be much better if the Department and Commission took the position that the scientific investigation, management and enforcement of such program be kept under the authority of the Department. After considerable discussion, Commissioner Harrelson made the motion that the Commission approve the concept of the aquaculture of hybrid bass being adopted and allowed by appropriate legislation, but that the guidelines for its regulation and enforcement as developed through the staff investigation be included in such legislation.

Commissioner Quackenbush asked if his motion included the provision that the jurisdiction over the management, research and enforcement of such a aquaculture program be retained within the Department? Commissioner Harrelson stated that his motion did not but he would accept that as an amendment to his motion. Commissioner Compton second the motion along with the amendment to the motion. Chairman Webster called for any discussion. Commissioner Thomason stated that he was opposed to such sale, but that he felt that the majority of the striper and hybrid fishing takes place in the upper part of the state and the sports fishermen in that part of the state were very much opposed to the sale of these fish through aquaculture. He felt that, for these reasons, he would be forced to oppose such commercialization.

Commissioner Quackenbush called for the question, Chairman Webster put the question, and the motion carried.

C. Proposed Policy on Vehicle Use

Dr. Timmerman stated that at the last Commission meeting, there was some discussion about the recently adopted vehicle policy

by the Department of Highways and Public Transportation. The Commission had asked staff to investigate the possibility of extending the Commission policy on aircraft to all vehicles, and Dr. Timmerman stated that was basically what was being presented. Commissioner Bennett asked if there had been any complaints or problems with the existing policy, and Dr. Timmerman stated that as far as he knew there was none. Commissioner Compton moved that the policy be adopted as presented. Commissioner Owen second, and the motion passed.

VIII. NEW BUSINESS

A. Up-date on Blue Ribbon Committee - Saltwater Fishing License

Chairman Webster then called on Dr. Paul Sandifer who introduced Mr. Ben Hardesty and Betty Spence, Co-Chairpersons of the Blue Ribbon Committee on Saltwater Fishing License. Mr. Hardesty then recognized other members of the Committee who were present. Mr. Hardesty then introduced a brief slide presentation that was prepared by the committee. Mr. Hardesty stated that the Blue Ribbon Committee felt that the concept of a saltwater fishing license in South Carolina was a feasible method of determining the extent of sports utilization of saltwater fisheries resources and of funding additional improvements and protection of the saltwater recreational fisheries resource in South Carolina. He stated that they had completed the first part of the Commission's charge to the Committee and asked for Commission guidance as far as how to proceed. After a brief discussion, the motion was made that the Commission endorse the work that had been done by the Blue Ribbon Committee and that they proceed with the mandate to gauge public opinion as to the feasibility of the establishment of such a license in South Carolina and to educate the public on the program. The motion was second, and the motion passed.

B. Proposed Turkey Restoration Project and Turkey Seasons

Chairman Webster called on Brock Conrad, who reported that the Department had cooperated with the state of Texas in providing turkeys for restocking in the past and recommended that this be continued this year, with the turkeys being trapped from private land where no public hunting is presently allowed. This would be done only enough after turkeys are captured to adequately complete the restocking program within South Carolina. He stated that the state of Texas would reimburse the Department \$500 per turkey, with these funds being returned to the State's turkey restoration program. Commissioner Compton moved that the project be approved with the stipulation the funds be spent for turkey restoration in South Carolina. Commissioner Owen second the motion, and the motion carried.

C. Proposed Purchase of the Tillman Property

Chairman Webster stated that the next item was the proposed purchase of the Tillman property and stated that the Governor had sent a letter to the Commission endorsing this acquisition through the Heritage Trust Program. He then introduced Dr. Wade Batson, a member of the Heritage Trust Advisory Board, who discussed the proposed project in detail. Following the presentation, Commissioner Stokes made the motion that the project be approved, Commissioner Thomason second, and the motion carried.

D. Hold-Harmless Clauses - S.C. Electric & Gas Company

Chairman Webster then called Buford Mabry, who stated that he was negotiating with the Company to ask them to remove all of the hold harmless clauses in leases that they had with the Department for various boat ramps and other pieces of recreational property owned by the Company. He stated that other public utilities and

many private companies which have leases in our WMA program have all agreed to remove such clauses from leases and contracts, but SCE&G has not. After a brief discussion, Commissioner Owen made the motion that Mr. Mabry be authorized to proceed as discussed, Commissioner Thomason second, and motion carried.

E. Division Reports

1. Administratives Services: Mr. Reeves reported that last year, a review had been made of the operation of our Personnel Division and several recommendations for changes and improvements had been made. He submitted a status report on those changes and improvements that have been partically completed. The Division will continue to implement those that are uncompleted at this time.

2. Wildlife and Freshwater Fisheries: Mr. Conrad stated that Mr. Don McLean, an attorney in Jacksonville, Florida, had requested the use of one of the Department's roads on the Webb Wildlife Center to gain access to 21 acres of his land which is adjacent to the Center. He reported that there is a county road on another boundary of the same property, and stated that the request would be denied unless there were any objections There were none.

Concerning the nuisance alligator program, Mr. Conrad stated that his staff now has a detailed plan for the regulation and administration of that program, which he then handed out to the Commission. He stated that this program would go into effect in April, 1988, and that the Department would be selecting trappers to help administer the program in the very near future.

3. Law Enforcement and Boating: No report.

4. Conservation, Education & Communications: No report

5. Marine Resources: Dr. Sandifer reported that the Marine Resources Center had been the site of a county emergency preparedness exercise that was carried out very successfully by the various county agencies involved. He also pointed out that the Waddell Mariculture Center had been the feature article in the 1987 issue of National Seafood Magazine, and he would distribute copies to the Commission as soon as the article was reproduced.

F. Advisory Board Reports

1. Wildlife & Freshwater Fisheries: No Report
2. Law Enforcement and Boating: No Report
3. Marine Resources: No Report
4. Conservation, Education & Communications: Chairman

Thomason stated that the Advisory Board had met, but there was no items for Commission action. He said he wanted to mention two items, and asked the rest of the report be deferred until the January meeting. He stated that the January-February issue of the Wildlife Magazine would be a special issue entitled "Silhouettes of South Carolina", and would feature natural areas of the state. He also stated that "Field & Stream" magazine had picked up the Department's "Hooked on Fishing, Not On Drugs" campaign; he stated that at the next Commission meeting, he would like Don Winslow to give a presentation and up-date on Project Wild; and would like Gail Wright to give a presentation on the Department's news release program.

5. Heritage Trust: Tom Kohlsaas reported that the Board had met yesterday and the Board had discussed in some detail a piece of property called Snee Farms, an extremely important historical site which was in danger of being developed. There is a great deal of interest on the part of several groups in acquiring and protecting this property.

G. Other Remarks

Commissioner Owen stated that, three years ago when development on Horsepasture River was being planned, the Commission passed a policy in opposition to any further development on any other existing trout streams in South Carolina that would degrade the stream in any fashion. He stated that the Oleenoy River in Pickens County has a residential resort development now in existence on the head waters of that stream and the developers of that property have applied to DHEC for a sewage treatment plant to be established which would outfall into that stream. He stated that a public hearing will be held at Table Rock State Park on December 10, and he asked that since the Commission was on record in opposition to such projects, that the Commission write DHEC opposing this project. Dr. Timmerman stated that our environmental staff would write such a letter, and the staff would be present at this hearing to express the Commission's opposition.

Commissioner Thomason stated that he, Mr. Conrad, and his staff attended a meeting last week with the Greenville County legislative delegation concerning the Berry's Mill Fish Hatchery, and had a very good reception from the delegation.

At this time, Commissioner Harrelson made the motion that the Commission go into Executive Session to consider personnel matters. Commissioner Compton second, and the motion carried. Chairman Webster announced that the Commission would now recess the regular meeting to hold an Executive Session to discuss personnel matters.

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RETURN TO REGULAR SESSION

H. Appointments

Following the Executive Session, Commissioner Harrelson moved that the appointment and reappointments as recommended be approved by the Commission. Commissioner Thomason second, and the motion carried.

I. Time and Place of Next Meeting

At this time, Commissioner Harrelson moved that, unless there was some emergency, the Commission dispense with the December meeting, that any appointments or reappointments of Deputy Conservation Officers or Conservation Officers be handled with the Commission by mail, and that the next Commission meeting be the third Friday in January in Columbia. Commissioner Owen second, and the motion carried.

ITEM IX. ADJOURN

There being no further business, Commissioner Compton made the motion that the Commission adjourn, Commissioner Harrelson second, and the motion carried.

