

Minutes
Board of the South Carolina Department of Natural Resources
SC DNR – Marine Resources Division
Eltzroth Building Conference Room – Third Floor
217 Ft. Johnson Road
Charleston, SC
February 16, 2023 12:00 PM

The regular meeting of the Board of the South Carolina Department of Natural Resources was held at 12:00 p.m., February 16, 2023, in Eltzroth Building Conference Room – Third Floor, 217 Ft. Johnson Road, Charleston, SC. Notice of the date, time and place of the meeting was posted and mailed to the news media. Chairman Norman Pulliam presided at the meeting. Board members present included Dr. Mark Hartley, Mike Hutchins, Jerry Lee, Carlisle Oxner and Jake Rasor, Jr. Mr. Swygert's absence was excused. Director Boyles and staff members of the Department of Natural Resources were present at the meeting.

1. **Call to Order**

Chairman Norman Pulliam called the meeting to order and welcomed everyone to the meeting.

2. **Invocation**

Rev. Eric Skidmore, SC LEAP, offered the invocation.

3. **Pledge of Allegiance**

Mr. Hutchins led the group in the Pledge of Allegiance.

4. **Chairman's Comments**

Chairman Pulliam reported to the Board that the legislative reception was well attended. Chairman Pulliam informed the Board that the agency's budget request will go before the Senate Finance Natural Resources Subcommittee on March 15.

5. **Introduction of Guests/Constituent Comments**

Shannon Bobertz, Chief of Staff, introduced Mikell Harper, Gramling Brothers; BeBe Dalton Harrison, SC Wildlife Federation and Hampton Wildlife Fund; Paul McKee, SC Trout Unlimited; and Mike McShane, SC Conservation Bank.

Mrs. Bobertz noted that there were no requests for constituent comment.

6. **Approval of Minutes**

Chairman Pulliam asked if there were any additions, deletions or corrections to the minutes of the January 19, 2023 Board meeting. *Mr. Hutchins made a motion that the Board approve the minutes of the January 19, 2023 Board meeting as presented. Mr. Oxner seconded the motion and the motion carried unanimously.*

7. **Agency Reports/Updates**

DIRECTOR'S BRIEFING

A. Director Boyles reminded Board members that they need to file electronically their Statement of Economic Interests form with the SC Ethics Commission by March 30, 2023.

B. Director Boyles reminded Board members that they are invited to a retirement celebration for Angie Cassella on Tuesday, April 4th from 2:30 to 4:00 p.m. in the Board Room.

COMMENDATIONS:

- A. Director Boyles commended Law Enforcement Hunter Education staff who assisted with the Deputy Directors-Senior Staff Meeting and Activity on January 30 at the Wateree Shooting Range.
- B. Director Boyles commended Executive Office staff Kevin Ryan, Sandy Rucker, and Valerie Shannon, Media and Outreach Director Amanda Stroud and Law Enforcement CPT Ben Thomas and staff across the agency for their hard work on the 2023 Natural Resources Legislative Reception on the evening of February 1, 2023.
- C. Director Boyles commended Law Enforcement Officer Bradley Thompkins, FSGT. Kevin Pardue and PFC Tommy Buckhannon who were recognized and commended by COL Joseph R. Hill, Chief of Police of Horry County, for their response and assistance with a recent incident in Horry County. Chief Hill said, “what an amazing partnership we have with our LE community here in SC...I’ve never witnessed such collaboration and support from fellow LE agencies in my long career.”
- D. Director Boyles commended Assistant General Counsel and Chief Information Security Officer Tony D’Elia on his selection to attend the SC Bar Leadership Academy. The Leadership Academy is a selective program designed to train the next generation of Bar members and community leaders.
- E. Director Boyles commended Wildlife and Freshwater Fisheries staff Will Dillman, Amy Tegeler, and Matt Lerow for working with the Department of Administration (DOA) to allow Governor McMaster to view the owl nesting on the Statehouse grounds. These staff not only monitored the nest to identify the appropriate timing but also modified existing equipment to allow the Governor to safely view the owl on a computer screen from the ground.
- F. Director Boyles commended Frank Strait, Climatologist with Land, Water and Conservation who was recognized by a constituent for his Severe Weather Alerts and said, “Frank does a great job communicating a difficult subject in a way that everyone will enjoy reading.”

Director Boyles called on Lorianne Riggin, Director, Office of Environmental Programs, to give the Board a brief update on several projects. Mrs. Riggin updated the Board on the Savannah Harbor Expansion Project settlement and the Santee Cooper FERC Hydroelectric Project.

Director Boyles called on Kevin Ryan, Director of Government Affairs, to give the Board a brief legislative update. Mr. Ryan reported on S 33 – Watercraft: Mandatory Insurance Coverage; S 96 – Mandatory Boater Education; S 447 – Blue Catfish; S 484 – Waterways Protection Act; H 3505 – Blue Catfish; and H 3538 – Electronic Harvest Reporting for Deer.

Director Boyles called on Emily Cope, Deputy Director for Wildlife and Freshwater Fisheries, to give the Board an update on the deer removal at Keowee Key. Mrs. Cope

reported that Keowee Key had been issued 80 tags and 80 deer were removed in 3 ½ nights.

Director Boyles called on Blaik Keppler, Deputy Director for Marine Resources to give the Board an update on the Flounder Stock Enhancement Program. Mrs. Keppler reported that the team is 2 years in the project and are ahead of schedule on development. There are over 100 brood stock fish and the flounder have started spawning on their own.

8. Advisory Committee Report

A. Marine

Mrs. Keppler reported that the Marine Advisory Committee met January 20, 2023 in Charleston. The Advisory Committee received presentations on Fisheries Dependent Data Collection and Use and Environmental DNA and Applications to Cobia in South Carolina.

B. Land, Water and Conservation

Ken Rentiers reported that the Land, Water and Conservation Advisory Committee met February 1, 2023 at the National Guard Armory. The Advisory received a division update and approved conservation district commissioner appointments and reappointments that the Board will consider today.

C. Waterfowl

Billy Dukes, Wildlife and Freshwater Fisheries Division, reported that the Waterfowl Advisory Committee met February 7, 2023 at Samworth WMA. The Advisory Committee received an update on Samworth; elected John Hilton as Vice Chairman and discussed the 2023 Aquatic Plant Management Plan.

D. Heritage Trust

Mr. Razor reported that the Heritage Trust Advisory Board met February 9, 2023 in Jasper County. The Advisory Board approved mitigation property concerning Haile Gold Mine and other property acquisitions or potential acquisitions which the Board will consider later today.

E. Governor's Cup Billfishing Series

Mrs. Keppler reported that the Governor's Cup Billfishing Series Advisory Board met February 9, 2023 in Charleston. The Advisory Board considered the nomination for Chairman, that the Board will consider later in the meeting. The Advisory Board discussed the 2023 Series and 30th Anniversary Plans. The Advisory Board received a review of 2022 expenditures; 2023 sponsors/fundraising; and review of the 2022 draft Annual Report.

9. Items for Board Information

A. Climate Update

Frank Strait, Land, Water and Conservation Division, reviewed the winter weather and reported that South Carolina is currently drought free. Mr. Strait provided rainfall totals, precipitation percentiles, streamflow, lake levels, groundwater monitoring wells around the state, precipitation forecast and temperature forecast.

B. Personnel Update

This item will be deferred until executive session.

C. Legal Update

This item will be deferred until executive session.

D. Potential Property Acquisition in Berkley County Update

This item will be deferred until executive session.

F. Riverport Development SAC-2010-00064

Mrs. Riggins gave the Board a brief history of the project, beginning from April 2014 through November 2022. Mrs. Riggins covered the public notices and SCDNR comments.

10. **Item(s) for Board Action**

A. Approval of fish kill reports Middle Tyger River in Spartanburg County, Unnamed Tributary to the Reedy River in Greenville County, Neil Shoals Reservoir in Union County, Unnamed Tributary to Lake Hartwell near Abernathy Park, Pickens County, Stoops Creek in Lexington County and Black Creek in Darlington County

Ross Self, Wildlife and Freshwater Fisheries Division, reviewed each of the fish kill reports, as included in the meeting packet. *Mr. Hutchins made a motion that the SCDNR Board approve the fish kill reports for Middle Tyger River in Spartanburg County; Unnamed Tributary to the Reedy River in Greenville County; Neil Shoals Reservoir in Union County; unnamed Tributary to Lake Hartwell near Abernathy Park, Pickens County; Stoops Creek in Lexington County; and Black Creek in Darlington County, as presented by staff, and direct staff to work with DHEC to ensure additional appropriate actions are taken. Dr. Hartley seconded the motion and the motion carried unanimously.*

B. Potential Property Acquisition in Lancaster County

Mrs. Riggins reviewed the information for Haile Gold Mine Tract 1 property, as included in the meeting packet. *Mr. Oxner made a motion that the SCDNR Board approve the acquisition, by donation from Haile Gold Mine, of the 183.60 acre HGM Mitigation Tract 1 property, in Lancaster County to be dedicated as a Heritage Preserve and placed into the Corpus of the Heritage Trust as part of the Forty Acre Rock Heritage Preserve, as recommended by the Heritage Trust Advisory Board, conditional upon the successful completion of all due diligence, and authorize expenditure of up to \$20,000 in Heritage Trust Funds to conduct due diligence if needed. Dr. Hartley seconded the motion and the motion carried unanimously.*

C. Potential Property Acquisition in Lancaster County

Mrs. Riggins reviewed the information for Haile Gold Mine Tract 2 property, as included in the meeting packet. *Mr. Razor made a motion that the SCDNR Board approve the acquisition, by donation from Haile Gold Mine, of the 160.07 acre HGM Mitigation Tract 2 property, in Lancaster County to be dedicated as a Wildlife Management Area as part of the Forty Acre Rock Heritage Preserve, conditional upon the successful completion of all due diligence, and authorize expenditure of up to \$20,000 in Timber Funds to conduct due diligence if needed. Mr. Lee seconded the motion and the motion carried unanimously.*

D. Potential Property Acquisition in Lancaster County

Mrs. Riggins reviewed the information for Haile Gold Mine Tract 3 property, as included in the meeting packet. *Mr. Lee made a motion that the SCDNR Board approve the acquisition, by donation from Haile Gold Mine, of the 2,074.45 acre HGM Mitigation Tract 3 property, in Lancaster County to be dedicated as a Heritage Preserve and placed into the Corpus of the Heritage Trust as part of the Forty Acre Rock Heritage Preserve, as recommended by the Heritage Trust Advisory Board, conditional upon the successful completion of all due diligence, and authorize expenditure of up to \$20,000 in Heritage Trust Funds to conduct due diligence if needed. Mr. Rasor seconded the motion and the motion carried unanimously*

E. Potential Property Acquisition in Lancaster County

Mrs. Riggins reviewed the information for Haile Gold Mine Tract 4 property, as included in the meeting packet. *Mr. Hutchins made a motion that the SCDNR Board approve the acquisition, by donation from Haile Gold Mine, of the 379.44 acre HGM Mitigation Tract 4 property, in Lancaster County to be dedicated as a Heritage Preserve and placed into the Corpus of the Heritage Trust as part of the Forty Acre Rock Heritage Preserve, as recommended by the Heritage Trust Advisory Board, conditional upon the successful completion of all due diligence, and authorize expenditure of up to \$20,000 in Heritage Trust Funds to conduct due diligence if needed. Dr. Hartley seconded the motion and the motion carried unanimously.*

11. Executive Session

Mr. Lee made a motion that the SCDNR Board go into executive session pursuant to SC Code Section 30-4-70(A)(1) to discuss personnel issues related to Item(s) for Board Information 9B – Personnel Update and Item(s) for Board Action 10H – Conservation District Commissioner Appointments/Reappointments and SC Code Section 30-4-70(A)(2) to discuss contractual matters and legal advice related to Item(s) for Board Information 9C – Legal Update, 9D – Potential Property Acquisition in Berkeley County Update, Item(s) for Board Action 10F – Property Acquisition in Jasper County and 10G – Potential Property Acquisition in Jasper County. Mr. Rasor seconded the motion and the motion carried unanimously.

12. Open Session

Mr. Hutchins made a motion that the SCDNR Board return to open session, noting that no action was taken during executive session. Mr. Rasor seconded the motion and the motion carried unanimously.

13. Item(s) for Board Action

F. Property Acquisition in Jasper County

Mr. Hutchins made a motion that the SCDNR Board accept the recommendation from the Heritage Trust Advisory Board, subject to standard due diligence, and grant final approval to acquire approximately 3,507 acres in Jasper County that will be dedicated as a Heritage Preserve and placed into the corpus of the SC Heritage Trust, and the expenditure of \$6,073,000 of Heritage Trust funds for the purchase. Dr. Hartley seconded the motion and the motion carried unanimously.

G. Potential Property Acquisition in Jasper County

Dr. Hartley made a motion that the SCDNR Board approve the recommendation by staff and grant preliminary approval to evaluate the potential purchase of approximately 453.69 acres adjoining Palachucola Wildlife Management Area in Jasper County that would be added as a part of Palachucola WMA, and the expenditure of up to \$20,000 in deer funds to conduct due diligence activities. Mr. Oxner seconded the motion and the motion carried unanimously.

H. Conservation District Commissioner Appointments

Mr. Lee made a motion that the SCDNR Board approve the following conservation district commissioner appointments, as recommended by the Land, Water and Conservation Advisory Committee – Justin Woodard, Clarendon, term 2/16/23 – 9/18/24 and Bruce Baker, Marion, term 2/16/23 – 11/26/26. Mr. Rasor seconded the motion and the motion carried unanimously.

14. Time and Location of Next Board Meeting

The Board's next scheduled meeting will be held Friday, March 24, 2023 in Columbia.

15. Adjournment

Mr. Lee made a motion that the meeting be adjourned. Mr. Hutchins seconded the motion and the motion carried unanimously.