

Minutes
Board of the South Carolina Department of Natural Resources
1000 Assembly Street, Room 335
Columbia, SC 29201
In-Person and Videoconference Meeting
November 19, 2020 10:00 AM

The regular meeting of the Board of the South Carolina Department of Natural Resources was held in-person and by videoconference at 10:00 a.m., November 19, 2020. 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, Jake Rasor, Jr. and Duane Swygert. Director Boyles and staff members of the Department of Natural Resources were present at the meeting.

I. Call to Order

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

II. Invocation

Chaplain Dave Tafaoa, SC Law Enforcement Assistance Program (SC LEAP), offered the invocation.

III. Pledge of Allegiance

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

IV. Chairman's Comments

Chairman Pulliam welcomed and thanked Board members for being present or calling in for this meeting. Chairman Pulliam expressed his appreciation to staff for keeping business going during this difficult time.

V. Introduction of Guests

Phil Maier, Deputy Director for Marine Resources, introduced Austin Smallwood, SC Realtors Association; and Rev. Eric Skidmore, SC LEAP.

VI. Constituent Comments

Mr. Maier informed the Board that Rev. Skidmore has requested to comment to the Board. Rev. Skidmore announced that Kevin Thompson has joined the staff of the SC LEAP.

VII. Approval of Minutes

Chairman Pulliam asked if there were any additions, deletions or corrections to the September 24, 2020 meeting minutes or the October 22, 2020 workshop minutes. *Mr. Hutchins made a motion that the Board approve the minutes of the September 24, 2020 meeting and the October 22, 2020 workshop as presented. Mr. Swygert seconded the motion and the motion carried unanimously.*

VIII. Presentations/Commendations

Presentations

Director Boyles presented and congratulated, virtually, Wildlife and Freshwater Fisheries Coastal Bird Conservation Project Supervisor Felicia Sanders on being named the 2020

Southeastern Association of Fish and Wildlife Agencies (SEAFWA) Wildlife Biologist of the Year.

Director Boyles congratulated Wildlife and Freshwater Fisheries Certified Wildlife Biologist Jay Butfiloski who was honored by the South Carolina Chapter of The Wildlife Society and received their Professional Wildlife Management Award.

Commendations

- A. Director Boyles commended Dorchester County PFC Tanner Riley on his selection as the 2020 Law Enforcement State Officer of the Year. PFC Riley was recognized at the Law Enforcement Officer of the Year Awards Ceremony which was held virtually this year because of COVID-19 concerns. Also recognized were the following Regional Officers of the Year including the regional and section Boating Officers of the Year and Statewide Boating Officer of the Year Horry County LCPL Thomas Buckhannon was recognized by the National Association of State Boating Law Administrators (NASBLA).

SCDNR Regional Officers of the year for 2020:

Region 1: PFC George Caddell

Region 2: PFC Michael Kimbrell

Region 3: C/O Ethan Adair

Region 4: PFC Tanner Riley (Statewide winner)

Education: SSGT Charlotte McKee

Boating Officers of the Year:

Region 1: LCPL Shawn Hanna

Region 2: PFC Michael Kimbrell

Region 3: LCPL Stephen Bryant

Region 4: LCPL Thomas Buckhannon (NASBLA State Boating Officer of the Year)

Investigations: INV Damian Yongue

- B. Director Boyles commended the 10 new DNR Officers and CO Jeremiah H. Grooms who received the J.P. Strom Award, CO Cameron A. Baker who received the Clifford A. Moyer Marksmanship Award, and CO Samantha Lee Thornton who was recognized as Assistant Class Leader.
- C. Director Boyles commended Deputy Director Emily Cope, Chief of Fisheries Ross Self, Assistant Chief of Fisheries Lynn Quattro and fisheries staff for their hard work and efforts toward having four South Carolina lakes named by Bassmaster as some of the nation's Best Bass Lakes of the Decade based on tournament catch records and information on how agencies manage major reservoirs in their states for both bass and other popular species.
- D. Director Boyles commended Marine Resources Division Media and Communications Coordinator Erin Weeks and Outreach Biologist Kaitlyn Hackathorn for being named Communicators of the Month by the NOAA Office for Coastal Management for communicating with elected officials and being recognized in their Coastal Communicators newsletter in October 2020.

- E. Director Boyles commended Marine Division Director of Fisheries Management Mel Bell on his selection to serve as Chair of the South Atlantic Fishery Management Council (SAFMC).
- F. Director Boyles commended Division of Administration's Bonnie Greenwood and General Counsel Shannon Bobertz for their efforts in the Fines and Fees Project. Bonnie Greenwood has been instrumental in working with court administration staff to collect overdue remittances from the counties for fines and fees for tickets issued and not reimbursed – \$20,000 has been collected so far through their hard work.
- G. Director Boyles commended the SCDNR-LWC Archaeology Team on their award of three emergency supplemental grants totaling \$657,978 from the Hurricanes Harvey, Irma, and Maria Emergency Supplemental Historic Preservation Fund by the SC Department of Archives and History for the US Department of the Interior-National Park Service. The three projects include the Pockoy Island Shell Ring Complex Archaeological Project on Botany Bay, the Gullah Geechee Fishing Village Project on the Yawkey Center and the Shoreline Survey Project on the Yawkey Center.
- H. Director Boyles commended General Counsel Shannon Bobertz upon her graduation as a Fellow from The Riley Institute at the Furman University Diversity Leadership Institute.
- I. Director Boyles commended Legal Office's Chief Information Security Officer Mary E. A. Lucas and FOIA/Privacy Officer Caroline Pinckney on completing and passing the Certified Information Privacy Managers (CIPM) training. This training focuses on data privacy, including laws in Europe and the US. Mary and Caroline both have the CIPP-US (Certified Information Privacy Professional-US) certifications.
- J. Director Boyles commended Law Enforcement Take One Make One program (TOMO) staff, including CPT Steve Simpson, LT Dennetta Dawson, FSGT Ken Cope, SGT Robby Barnes, LCPL Mark Ferrell and Mary Anna Mayson, for recognizing a need to expand outreach beyond just youth, and in effort to add outreach efforts for women deciding to host an all-day Women's Deer Clinic for our female DNR employees who were interested in learning all the basics of white-tail deer hunting. The National Wild Turkey Federation agreed to let DNR utilize their facility in Edgefield and allow TOMO full use of the facility and deer stands. The NWTF is allowing TOMO to hold two SCDNR ladies' clinics along with four more deer hunts for our TOMO kids program. Because of travel constraints from the coast, Wise Batten in Estill agreed to host a clinic and hunt at his club. Because of the interest within DNR and the success of the first clinic on October 16 at NWTF in Edgefield, TOMO is hosting a total of three clinics and hunts this year for DNR ladies. The second clinic is Friday, November 6 in Estill, and the final clinic will be at NWTF on Wednesday, December. 16.
- K. Director Boyles commended FSGT Greg Garner of the Law Enforcement Division, on completing the Department of Administration's Certified Public Manager (CPM) program.

- L. Director Boyles commended Law Enforcement Region 4 FSGT Andrew Godowns who was selected as a finalist for the Greg Alia Award sponsored by the Serve and Connect organization. The Greg Alia Award recognizes officers for excellence in community policing as well as the inaugural Change Maker Award intended for an outstanding grassroots leader.

IX. Advisory Committee Reports

A. Marine

Mr. Swygert reported that the Marine Advisory Committee met at the Waddell Mariculture Center and virtually on September 25. The Advisory Committee received presentations on the Boating Infrastructure and Clean Vessels Grant program and the renovations at the Waddell Mariculture Center Hatchery. Mr. Brian Rose was elected as the Vice Chairman.

B. Law Enforcement

Chairman Pulliam reported that the Law Enforcement Advisory Committee met at Styx with about 90% attendance. Mr. Pulliam asked COL Frampton to cover the meeting in his Deputy Director report.

C. Wildlife and Freshwater Fisheries

Mr. Hutchins reported that the Wildlife and Freshwater Fisheries Advisory Committee met on Tuesday, October 27 in Columbia. The Advisory Committee received a report on Public Dove Fields Opening Day Results.

The Advisory Committee held a discussion on the possibility of opening WMA's on Sundays. Mr. Hutchins polled the Advisory Committee, and it was unanimous that WMA's should remain closed on Sundays.

The Advisory Committee received updates on waterfowl area enhancements and restoration activities and fish stocking. The Advisory Committee received an overview of Tegus in South Carolina.

Mrs. Cope presented topics for the 2021 2-year legislative session starting in January. One of interest will be proposed changes/additions to regulations on deer hunting with dogs. Mr. Hutchins polled the Advisory Committee on changing/adding regulations on deer hunting with dogs and the result was 8 yea's and 2 nays.

D. Land, Water and Conservation

Ken Rentiers, Deputy Director for Land, Water and Conservation, reported that the Land, Water and Conservation Advisory Committee met virtually on November 17. The Advisory Committee received an update on division activities and approved the roster of Conservation District Commissioner appointments and reappointments. These will be brought before the Board, for their consideration, at the next meeting.

E. Saltwater Recreational Fisheries

Mr. Maier reported that the Saltwater Recreational Fisheries Advisory Committee met virtually on October 20. The Advisory Committee received updates on Saltwater License Revenue, Crustacean Monitoring to Inform Management and Flounder Management. Chairman Pulliam appointed Mr. Lee to serve as the DNR Board

Representative on the Saltwater Recreational Fisheries Advisory Committee.

X. Items for Board Information

A. Climate Update

Dr. Hope Mizzell, Land, Water and Conservation Division, reported on the 2020 hurricane season. Dr. Mizzell reported on the drought conditions, rainfall totals, precipitation percentiles, streamflow, lake levels, ground-water monitoring wells around the state, precipitation forecast and temperature forecast.

B. Tegus in South Carolina

Will Dillman, Wildlife and Freshwater Fisheries, gave the Board a brief presentation on Tegus (Argentine Black and White Tegu, Gold Tegu and Red Tegu). All three species are outside of their native range and have been documented in Florida. The Argentine Black and White Tegu are in Florida, Georgia, Alabama, South Carolina, North Carolina and Virginia. The first confirmed sighting in South Carolina was August 13. There have been 11 confirmed in South Carolina, seven removed, with additional reported sightings of over 150. Tegus are omnivores and pose a threat to quail and turkey eggs. DNR created a website to report sightings. Several southeastern states are addressing regulations to address the Tegu issue. South Carolina does have ACT 177 – the Reptile and Amphibian Bill which makes the release of non-natives illegal. Staff are currently working on draft regulations for the Board's consideration.

C. Deweese Island

Shannon Bobertz, General Counsel, referred to the letter and straw poll vote by the POA, that have been provided to the Board. The POA is still working through the Monitoring and Enforcement portion of the regulations and hope to have something to present in January or February.

D. Deer Hunting with Dogs

COL Frampton wanted the Board to be aware that interest is sparking in Deer Hunting with Dogs. The Board held a discussion on this topic including the options of registration of clubs, minimum acreage, and public/paved roads. The Board asked that recommendations for a SC DNR Board position statement be brought for consideration.

XI. Advisory Committee Report

Heritage Trust

Mr. Rasor reported that the Heritage Trust Advisory Committee held a virtual meeting on November 12. The Advisory Committee received updates on Shorebird Conservation Achievements on SC DNR Heritage Preserves, the Heritage Trust Cultural Program and the Petroglyph Study at Long Ridge on Pinnacle Mountain. The Board approved a potential property acquisition in Jasper County.

XII. Director's Briefings

Director Boyles presented the budget request in October.

Director Boyles reported that, to date, 40 employees have reported testing positive with Covid-19. Director Boyles informed the Board that 62-70% of employees are reporting to their work site.

Director Boyles reported that he and General Counsel Bobertz met with Mr. Lee to begin his DNR Board member orientation.

Director Boyles announced that SC Sea Grant Consortium Executive Director Rick DeVoe is retiring.

Director Boyles reported on a group being formed called the SC Boating and Fishing Alliance.

Director Boyles participated in the Disaster Relief and Resilience Act bill signing.

XIII. Legislative Report

Kevin Ryan, Director of Government Affairs, reviewed the changes in the General Assembly due to elections. Mr. Ryan reported that Senator Setzler has stepped down as Senate Minority Leader and Brad Hutto has been elected to the position. The General Assembly will start reapportionment/redistricting during the upcoming session. Mr. Ryan noted that legislation of interest for this session is boating safety, cobia and flounder.

XIV. Environmental Report

Lorianne Riggan, Director, Office of Environmental Programs, reviewed the Horry County rezoning request for a parcel adjacent to Lewis Ocean Bay Heritage Preserve.

XV. Deputy Directors' Reports

A. Marine Resources

Mr. Maier informed the Board that CCA SC, in association with Sea Hunt Boat Company, donated 20 acoustic transmitters and four receivers to SC DNR to aid in understanding the movements of cobia. Mr. Maier also shared information highlighting completed and planned flounder outreach.

B. Administration

Nothing further reported.

C. Land, Water and Conservation

Nothing further reported.

D. Wildlife and Freshwater Fisheries

Nothing further reported.

E. Law Enforcement

COL Frampton reported that the Law Enforcement Advisory Committee received a presentation from the K-9 Team. The Advisory Committee also discussed non-Department DLEO's and instructed staff to update the policy.

COL Frampton gave the Board a brief update on Law Enforcement Activities. COL Frampton informed the Board that the vacancy announcement has gone out for the new class of officers.

XVI. Items for Board Action

A. Policies Update

Eva Smith, Director of Human Resources, briefly reviewed the proposed updates for Human Resources Policies 705.04 (Hazard Communication Policy) and 705.05 (Drug and Alcohol Testing Policy and Procedures). *Mr. Oxner made a motion that the Board approve the updates to Policies 705.04 and 705.05 as recommended by staff. Mr. Hutchins seconded the motion and the motion carried unanimously.*

Ms. Smith briefly reviewed the updates for Board Policies 101.01 (Land, Water and Conservation, Law Enforcement, Marine and Wildlife and Freshwater Fisheries Advisory Committees) and 101.03 (Law Enforcement Advisory Committee – new policy).

XVII. Executive Session

Dr. Hartley made a motion that the DNR Board go into executive session pursuant to SC Code Section 30-4-70(A)(1) to discuss appointments to advisory committees related to Items for Board Action A. Mr. Swygert seconded the motion and the motion carried unanimously.

XVIII. Open Session

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

XIX. Items for Board Action

A. Policies Update

Mr. Hutchins made a motion that the DNR approve the update to Policy 101.01, adding the Law Enforcement Advisory Board back in and adding approximately 10 members. All other requested changes stand. Mr. Oxner seconded the motion. Messrs. Hutchins, Oxner and Razor voted in favor of the motion; Messrs. Swygert and Lee and Dr. Hartley voted against the motion. Chairman Pulliam voted in favor of the motion and the motion passed.

B. Approval of Chronic Wasting Disease Surveillance and Response Plan

Charles Ruth, Wildlife and Freshwater Fisheries Division, briefly reviewed the Chronic Wasting Disease Surveillance and Response Plan, as included in the meeting packet. Mr. Ruth noted that the goal is to minimize the impact of Chronic Wasting Disease on white-tailed deer in the state. *Mr. Swygert made a motion that the Board approve the SC DNR Chronic Wasting Disease Surveillance and Response Plan, as recommended by staff. Mr. Lee seconded the motion and the motion carried unanimously.*

XX. Executive Session

Mr. Swygert made a motion that the DNR Board go into executive session pursuant to SC Code Section 30-4-70(A)(1) and (A)(2) to discuss appointments to advisory

committees related to Items Board Action (E) and to discuss contractual matters related to Items for Board Action (C and D). Mr. Oxner seconded the motion and the motion carried unanimously.

XXI. Open Session

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

XXII. Item for Board Action

C. Property Acquisition in Barnwell County

Mr. Oxner made a motion that the DNR Board, subject to standard due diligence, grant final approval to acquire approximately 61 acres adjoining Lake Edgar Brown in Barnwell County. Mr. Hutchins seconded the motion and the motion carried unanimously.

D. Potential Property Acquisition in Jasper County

Mr. Swygert made a motion that the DNR Board accept the recommendation as approved by the Heritage Trust Advisory Board and grant preliminary approval to evaluate a potential property acquisition of approximately 3,527 acres in Jasper County that would be dedicated as a heritage preserve and placed into the corpus of the SC Heritage Trust, and the expenditure of up to \$20,000 in Heritage Trust funds to conduct due diligence activities. Dr. Hartley seconded the motion and the motion carried unanimously.

E. Law Enforcement Advisory Committee Appointment/Reappointments

Mr. Hutchins made a motion that the DNR Board appoint the following members for a third term on the Law Enforcement Advisory Board, as recommended by the Law Enforcement Advisory Committee: Mr. Foster McKissick, Chairman, and Mr. Johnny Williamson (term 7/1/2020-6/30/24); Mr. Paul Napper (term 7/1/2020 – 6/30/2022). Mr. Oxner seconded the motion. Messrs. Hutchins, Oxner and Rasor voted in favor of the motion; Messrs. Swygert and Lee and Dr. Hartley voted against the motion. Chairman Pulliam voted in favor of the motion and the motion passed.

Mr. Hutchins made a motion that following the unanimous recommendation of the members of the Law Enforcement Advisory Board, the DNR Board appoint Mr. Matt Balding to a two-year term on the Law enforcement Advisory Committee (term 11/1/2020 – 10/31/2022). Dr. Hartley seconded the motion and the motion carried unanimously.

XXIII. Time and Location of Next Board Meeting

The next meeting will be held on January 21, 2021.

XXIV. Adjournment

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