

MINUTES

SOUTH CAROLINA WILDLIFE AND MARINE RESOURCES
COMMISSION MEETING

Marine Resources Center
Charleston, S. C.
April 16, 1982
10:00 a.m.

The regular monthly meeting of the South Carolina Wildlife and Marine Resources Commission was held at the Marine Resources Center, Charleston, S. C., at 10:00 a.m., on April 16, 1982, with Chairman Edens 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 Edens, Owen, Harrelson, Altman, Dawson, Stubbs, Shuler and Compton. Directors and staff members present included Dr. Timmerman, Larry Cartee, Dan Dobbins, Ed Duncan, Benny Reeves, Jeff Fuller, Sonny Baines, Pat Ryan, Bill Chastain, Ed Joseph, and various other staff. There were numerous guests at the meeting of which a listing is on file in the Executive Office of the Department.

CALL TO ORDER

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

ITEM I. READING OF THE MINUTES

Commissioner Stubbs moved to dispense with the reading of the Minutes of the March 19, 1982 meeting and adopt them as submitted. Commissioner Compton seconded the motion and it was adopted by the Commission.

ITEM II. COMMENTS (For Information)

Dr. Timmerman advised the Commission that Mr. Joe LaCour, a member of the Yawkey Trustees, passed away this week.

Dr. Timmerman informed the Commission that an Open House will be held at the Dennis Center this Saturday, April 17th, and he invited the Commissioners to attend.

Dr. Timmerman stated that he planned to bring several administrative matters on housing, vehicle assignments and policies to the Commission for their discussion at the May meeting.

Dr. Timmerman asked Dan Dobbins to discuss a recent proposal for a land swap relative to property at the Styx Hatchery. Mr. Dobbins noted that a Mr. Hofer in Columbia, had proposed a three-way land swap involving property he owns, property at Styx Hatchery and the Department of Parks, Recreation and Tourism. The fisheries staff identified potential problems with the land swap as the proposed land tract has a stream that provides water for the hatchery ponds and the site is used as a clay supply for dam repair. In addition, adjacent lands provided for a school and playground have caused some problems in the past. Due to these factors, the staff recommends that the proposal not be accepted and that the property at Styx not be exchanged.

Following discussion by the Commission, Commissioner Shuler moved for the Commission to adopt the staff recommendation. Commissioner Owen seconded the motion and it was adopted by the Commission.

ITEM III. LEGISLATIVE UPDATE

Dan Dobbins distributed a copy of the most recent Legislative Report and went over the status of various bills recommended by the Commission. Chairman Edens asked about the status of the report from the Shellfish Study Committee. Commissioner Altman noted there will probably not be any movement on this report this year, but a bill will be prefiled prior to the session next year as soon as firm recommendations are received from the Division of Marine Resources.

ITEM IV. NEW BUSINESS

A. Discussion of 1982 Shrimp Season: Chairman Edens noted that he wanted to thank the industry for their cooperative spirit in regard to various matters pertaining to the shrimping industry. Chairman Edens noted that part of the agreement with the Shrimpers' Association two years ago included a mail ballot survey of all licensed shrimpers regarding setting the season. Chairman Edens stated he has a letter (copy attached to original Commission Minutes) from the Shrimpers' Association waiving this requirement as the Commission is meeting here today to discuss setting the shrimp season with the industry. Dr. Joseph advised the Commission that they have been sampling and have found small scatterings of shrimp in various areas along the coast. If the season is opened too soon, there is a risk of cutting into the parent fall crop. On this basis, Dr. Joseph stated the staff recommends the Commission approve opening of the shrimp season this year on May 17th. Chairman Edens stated he had received a letter (copy attached to original Commission Minutes) from the Shrimpers' Association with the results of voting they have done for various opening dates and he went over the vote tally for the season opening. Following comments from people at the meeting and discussion by the Commission, Commissioner Harrelson moved for the Commission to approve the May 17th shrimp season opening date due to the potential problems with the fall crop as described by Dr. Joseph. Commissioner Compton seconded the motion and it was adopted by the Commission. Commissioner Harrelson noted that we need to continue our communications between the industry and the Department.

B. Hearing - Oyster Lease #18 (S. V. Toomer, Jr.): Charlie Bearden noted that Mr. S. V. Toomer leases about 459 acres of oyster grounds in the Bluffton/Hilton Head area. From 1978 to 1980, only 50% of the required shell quota was planted. Mr. Toomer appeared before the Marine Advisory Board and the Commission last year and was put on notice for 1981. In 1981, only 30% of the required quota was planted. This was discussed by the Marine Advisory Board and brought to the Commission for a decision. Mr. Bearden noted that 9,000 bushels of shell was planted this past year which was an adequate amount, but the problem is that the lease has not been properly harvested. Mr. Bearden noted their recommendation is that a portion of the lease, up to 50%, be cancelled if the Commission decides that part of the lease be cancelled. Mr. Toomer noted that he had an accident and was disabled which affected his inability to work the lease. In addition, Mr. Toomer stated he had an agreement with the Maggioni Company to use the grounds for steam oysters and for them to plant the grounds, but

they have not been abiding by the planting agreement. This matter was further discussed by Mr. Toomer, Ralph Maggioni, Roddy Beasley and the Commissioners. Following this discussion, Commissioner Shuler moved for the Commission to postpone any action on Mr. Toomer's lease until its expiration on December 31, 1983. Commissioner Altman seconded the motion and it was adopted by the Commission.

C. Proposed Firearms Policy: Pat Ryan distributed a proposed firearms policy for Department personnel which is being developed, but is not recommended for Commission action today (copy attached to original Commission Minutes). Mr. Ryan noted this will be looked into further if this is satisfactory with the Commission. Chairman Edens advised Mr. Ryan to proceed with the development of this policy.

Mr. Al Cannon, President of the South Carolina Wildlife Federation, stated that he was attending the meeting representing the Shooters' Association. They would like to back the Commission and requested they be kept abreast of this policy. Mr. Cannon also asked for a statement of rationale for recent adoption of a regulation to prohibit the use of rifles for turkey hunting. This matter was discussed briefly with Mr. Cannon and Chairman Edens assured him that appropriate staff will go into this further with him at his convenience.

D. Steel Shot Slide Show Presentation and Discussion: The Division of Information and Public Affairs presented a slide show presentation on steel shot which was developed for the Southeastern Association of Fish and Wildlife Agencies. Dr. Timmerman noted a news release on steel shot and lead shot study in Louisiana was mailed out to the Commission (copy attached to original Commission Minutes). Tommy Strange discussed this news release and made several points on other studies pertaining to steel shot. Dr. Timmerman noted that he wanted to bring this matter to the Commission's attention to see if any changes are needed. The Commission discussed action they took on steel shot last year. Chairman Edens asked that the Minutes of the Commission's action on steel shot last year be sent to the Commissioners and this item will be put on the agenda for the May meeting.

E. Discussion on H.2259 (Early Deer Season in Game Zones 1, 2 and 4): Dan Dobbins noted that the Commission held hearings on this bill at the request of the Chairman of the Senate Fish, Game and Forestry Committee and the transcripts of the hearings have been transmitted to the Committee. The Committee's Chairman has asked for the Commission's opinion on this proposed legislation. Commissioner Stubbs noted the results were overwhelmingly against any changes. Commissioner Harrelson moved for the Commission to communicate to the Chairman of the Senate Fish, Game and Forestry Committee that, biologically and management wise, it would be best to have no change in the season and as a result of the public hearings, the overwhelming majority of the public was opposed to changing the season. Commissioner Owen seconded the motion and it was adopted by the Commission.

F. Proposed Victoria Bluff Dedication Agreement: Mrs. Ethel Bunting noted this proposed agreement was sent to the Commission (copy attached to original Commission Minutes) and is recommended for approval by the Heritage Trust Advisory Board. Dr. Timmerman stated the proposed mariculture area is not included in this dedication agreement. Commissioner Compton moved for the Commission to approve this dedication agreement as submitted. Commissioner Owen seconded the motion and it was adopted by the Commission.

G. Division Reports:

1. Administrative Services: Benny Reeves advised the Commission that the 5-year budget plan update is being prepared and will be presented to the Commission Finance Committee and the full Commission for approval. Mr. Reeves also noted that a freeze on purchases has been imposed by the Budget and Control Board.

2. Wildlife & Freshwater Fisheries: Tommy Strange displayed a wood duck box which they have built noting that 2,000 of these boxes have been built and distributed.

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

4. Information & Public Affairs: There was nothing further to report.

5. Marine Resources: There was nothing further to report.

H. Advisory Board Reports:

1. Wildlife & Freshwater Fisheries: Commissioner Owen noted that the Board met at Dennis Center and he went over the Minutes of the Meeting. Commissioner Owen stated that he has petitions with approximately 3,000 signatures in support of the federal government continuing operation of the Walhalla National Fish Hatchery. These petitions were given to Dr. Timmerman to forward to the Secretary of Interior.

2. Law Enforcement & Boating: There was no report from the Board this month.

3. Marine Resources: There was no report from the Board this month.

4. Heritage Trust: There was no report from the Board this month.

I. Salary Review Committee: Dr. Timmerman noted this report is in order and a copy has been forwarded to the Chairman.

J. Appointments: Dr. Timmerman distributed a copy of the recommendations for appointments and re-appointments of Conservation Officers and Deputy Wildlife Conservation Officers (copy attached to original Commission Minutes). Dr. Timmerman noted that Item II (B) on page 2, new appointment of Priscilla M. Knight as a Conservation Officer, is under investigation and this is not recommended for approval at this time. Commissioner Harrelson moved for the Commission to approve all appointments and re-appointments as submitted with the exception of Item II (B) on page 2. Commissioner Stubbs seconded the motion and it was adopted by the Commission. Chairman Edens asked Mr. Ryan to send information on the new hiring of a paid Conservation Officer to all Commissioners.

K. Other Remarks: Dan Dobbins advised the Commission that two regulations they had approved on man-drives are going through the Administrative Procedures Act process. We have consulted our attorney and he has advised that we go ahead and put these regulations in our brochure which will be printed shortly.

Commissioner Stubbs noted the law enforcement staff has studied the possibility of making Greenville County a law enforcement unit. Dr. Timmerman stated that he has some justification for this which he passed out to the commission and he suggested that the law enforcement staff present the Commission a plan at the next meeting.

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Chairman Edens noted that at the request of Commissioner Stubbs, the law enforcement staff will do an evaluation of the alignment of units in District #1 and report any recommendations at the May Commission meeting.

Commissioner Stubbs noted that the Mountain Bridge property needs to be clarified for the new brochure to be printed.

Dr. Joseph noted that the Commission had been polled regarding closing of the sturgeon fishery and he suggested this action be ratified. Commissioner Compton moved for the Commission to ratify their action to close the sturgeon season effective April 15, 1982. Commissioner Dawson seconded the motion and it was adopted by the Commission.

L. Time and Place of Next Meeting: Chairman Edens noted that the next meeting would be held in Columbia on May 21, 1982.

ITEM V. ADJOURN

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

