

MINUTES OF MEETING OF WILDLIFE RESOURCES COMMISSION IN COLUMBIA FEBRUARY 13, 1964

Present were all Commissioners, Bob Lunz, Pat Ryan, Tommy Welch, Jeff Fuller, Frank Nelson and Allison Fickling.

Dr. Lunz brought up the act requiring a \$100 shad license for non-residents on the Savannah river, which he believes is unconstitutional. He said efforts to enforce the law would put him in quite a predicament, particularly in view of an agreement with Georgia.

He also said there was quite a problem in the conflict between the laws for shad netting and the laws governing netting of non-game fish. Mr. Johnson said that the agency charged with the enforcement of a law could not test its constitutionality.

A motion of Mr. Cox was adopted that Dr. Lunz and Mr. Ryan, "enforce the laws as written and let aggrieved persons seek redress in the courts."

Mr. Johnson suggested that Dr. Lunz and Mr. Ryan request a hearing before the House Agriculture and Conservation Committee, after drawing up legislation that would remedy the situation. (Later in the meeting, Mr. Ryan returned and said that he and Dr. Lunz, along with Mr. Fickling, were to appear before the Committee next Tuesday afternoon and were to discuss and draw up proposed legislation that morning.)

Dr. Lunz also mentioned a bill by Rep. Harvey of Beaufort which would wipe out fisheries law violations after two years, and Mr. Johnson suggested that he ask a hearing before the Senate Fish, Game and Forestry Committee.

Mr. Johnson asked how Henry Gaud had become involved as an attorney for the Commercial Fisheries Division, and Dr. Lunz explained that he had been forced to get some legal help when it could not be obtained from the Attorney General. He said Mr. Gaud's work had been most satisfactory.

He then mentioned trouble where a man on Folly Island had driven two Negroes off an oyster lease to which the owner had had title since 1927, and where the Negroes were acting under instructions from the owner.

He also said that a Negro attorney had told him he was going to test the constitutionality of the oyster lease law all the way to the U. S. Supreme Court, a



case involving this being set to come up Friday.

Dr. Lunz said the Charleston delegation was not particularly interested in becoming involved in Commercial Fisheries matters.

Dr. Lunz said he had written Highway Commissioner Pearman regarding a provision in the federal law that any projects affecting roads through a salt marsh must go through the federal agency for approval. It was suggested that he contact Mr. Webb about this.

Dr. Harry Freeman of the College of Charleston was introduced by Mr. Fuller. Dr. Freeman said that he wished to make a survey of the Black River, similar to ones already done on some other rivers of the State, to determine what species of fish inhabited the waters.

Mr. Fuller presented an estimate of costs which would be around \$27,000 for two years, of which the Federal Government might pay 75 per cent.

Mr. Cantey asked how this survey would benefit the Department and the anglers of the State.

Dr. Freeman said that it would permit determination of whether a stream had become polluted by checking the fish population, and it would also keep records of temperature and siltation.

Mr. Cox asked what physical property would come to the Department as a result of the survey and Dr. Freeman said this would include a check list of fishes, a distribution map and photos of the various kinds of fish.

A motion of Mr. Cox was adopted that: "Dr. Freeman be thanked for his appearance and that his presentation be received as information and that the Commission might confer with him at some later date."

Dr. Freeman said it was important that the work, if approved, should be started by June.

Mr. Johnson asked about two posts that Mr. Samworth wanted erected at Dirleton and Mr. Nelson said plans had already been completed.



Mr. Johnson mentioned the appearance before the House A&C committee of himself, Major Cantey, Mr. Hopkins and Department personnel.

It was agreed that the matter of having assistants to the supervisors involved headaches but was important, particularly since some of the supervisors are nearing the retirement age. It was agreed to carry the matter over until after the General Assembly had adjourned.

In connection with negotiations for the lake in Florence county, Mr. Johnson said there should be a form for people to fill out in making such applications.

A motion of Mr. Heyward was adopted that: "Formal applications be prepared in detail considered necessary by Mr. Fuller, signed by the entire delegation, including the senator, setting forth how much they will contribute and in what form."

It was also voted that Mr. Fuller present a tentative application form for approval at the next meeting.

The 51 flathead catfish from Arkansas released in Santee-Cooper were discussed and Mr. Fuller said he did not believe a hatchery for these fish was feasible.

Mr. Johnson said each Commissioner should have a looseleaf notebook with a continuing budget for each project, so it could be learned what the total cost would be. He said it was important for the Commission to keep up with big money matters, saying that Commission had never seen the APW budget which was approved by the Budget and Control Board.

Mr. Cox approved the idea of notebooks and his motion was adopted that: "Looseleaf ledgers be provided each Commissioner setting out the projects under way with details of expenditures proposed, and changes as they develop from meeting to meeting, and any other pertinent matter deemed necessary."

Mr. Johnson read a letter from the Barnwell Board of Managers suggesting that the recently-constructed lake at Barnwell be named for Edgar A. Brown.

Mr. Tison moved that this suggestion be followed and that as soon as the work was completed an appropriate ceremony be held and an appropriate marker be erected.



Mr. Nelson then presented looseleaf notebooks to the Commissioners, containing all the projects of the Division of Game.

Mr. Tison said keeping up with all the projects in detail would involve too much work and time.

Mr. Cox suggested that the notebooks be numbered page by page. He also said that it would be up to the individual as to how thoroughly he wished to go into the projects and even if a Commissioner did not want to study it in detail the information would be available.

Mr. Johnson mentioned an upland game project in Virginia and also said places like it, and a field trial area in North Carolina, are used as showplaces, and that South Carolina needed something similar.

Mr. Tison suggested that the Director be given the authority to appoint non-pay wardens and it was agreed that in the future the Director commission non-wardens directly unless he gets notice of refusal to approve from a Commissioner.

The matter of an Allendale warden was carried over until a later meeting.

Mr. Welch brought up a recommendation that it be permissible to display boat numbers on brackets when the design of the boat made it impossible to place them on the bow; and also the adoption of a uniform marking system in Clark Hill and Hartwell.

Both recommendations were adopted on motion of Mr. Heyward.

At this point Mr. Ryan returned from the Legislature, where he had gone to make arrangements to appear before the A&C committee with Dr. Lunz, and said that the license handling bill was being opposed by two House members.

At this point Mr. Johnson asked who is usually assigned to contact the Legislature should there be opposition to some bills. Mr. Ryan stated that if he was so directed by the Director and the Commission he would do what he could along this line. It was suggested that he and possibly the supervisors from the home counties of the two opposing the bill contact the House members and explain the bill.

The Secretary was instructed to proceed with plans for having a conservation message placed on Commission letterhead and envelopes. He said that he was sending questionnaires



to the Commissioners for them to fill out for their pictures, which would be run in the magazine.

Mr. Fuller read the slogan that was being printed on the back of lake permits.

Mr. Cox said that he thought certain wardens should be raised, saying that some of them who were doing good jobs needed the raise right now. It was agreed to take no action at this time.

Mr. Ryan, in answer to a question from Mr. Johnson said that he and Director Webb set the salary schedule for wardens.

Mr. Johnson asked Mr. Ryan if he did not consider it a good idea to have the Supervisors included in all this type of thing. Mr. Ryan stated that his experience along these lines was that the Supervisors did not necessarily want to accept the responsibility for suggesting raises, and that recommendations by the Supervisors usually include raises for all the personnel in the district.

Mr. Fuller presented a request from Mr. Webb for \$9,000 for weed control at Ashwood and Barnwell lakes. Mr. Tison moved that action be deferred until the next meeting and that the request be set up in budget form.

Mr. Fuller then brought up the matter of a superintendent for the Springs-Stevens hatchery, saying that the man recommended by Senator Roddey did not meet the educational standards set by the Commission. He said that the man seemed qualified otherwise and a motion of Mr. Oliphant was adopted that he be employed.

Eddie Finley

