

MINUTES

SOUTH CAROLINA WILDLIFE AND MARINE RESOURCES COMMISSION

DUTCH PLAZA
COLUMBIA, SOUTH CAROLINA

February 15, 1974

The regular monthly meeting of the South Carolina Wildlife and Marine Resources Commission was held at Dutch Plaza, Columbia, South Carolina on February 15, 1974. Chairman Hudson was not present at the beginning of the meeting, therefore, Vice Chairman Glenn presided until Chairman Hudson arrived. Also in attendance were Commissioners Rhame, Lumpkin, Harris; also in attendance were Major Cantey, Mr. Webb, Dr. Timmerman, Dr. Joseph, Pat Ryan, Jeff Fuller, John Culler, Wash Belangia, Charlie Bearden, Dr. Laurent, Brock Conrad, Ned Pendarvis, Bob Campbell, Bill Cotty, Chief Chastain, W. E. Howell, Ed Latimer, Billy DuRant, and various others. Chairman Hudson arrived later in the meeting.

CALL TO ORDER

ITEM I. READING OF LAST MEETING MINUTES: Minutes of last meeting were corrected on page 3, RULES, REGULATIONS & ZONING. Commissioner Rhame said that it should read: Commissioners in the area should be notified of any intention in zoning in that area prior to bringing it up before the Commission. This was in reference to Poplar Creek. With this correction, the minutes stand approved as read.

Since there was not a quorum present at the beginning of the meeting, we proceeded with Division Reports.

ITEM III. DIVISION REPORTS:

1. GAME AND FRESHWATER FISHERIES: Mr. Jeff Fuller went over his monthly report, which was mailed out prior to the meeting. Reported that the Turkey brochures are in the hands of the printers and plan to have the proposed Deer Regulations to present at the next monthly meeting of the Commission. → Game

2. MARINE RESOURCES: Dr. Edwin Joseph briefly went over the report for Marine Resources, a copy of which was mailed out prior to this meeting. Reported on success of the World Mariculture Society Workshop of which Marine Resources was the host. This meeting was held in January in Charleston with three to four hundred people in attendance with about fifteen foreign countries represented. He stated that the new



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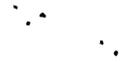
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Cooperative Research Center plan will be available to all Commissioners after this meeting. Dr. Joseph asked Mr. Bearden to go over the use of hydraulic escalator dredges. Some people feel that this might tear up the bottoms and have an environmental affect. We have proceeded very cautiously. A survey has been conducted and the area will be open February 6th to March 31st on an experimental basis only. Permits are being issued in South Santee. Have had no complaints in the area. Studies have been done and if there is any detrimental effect the operation will be stopped. This might bring new people into the industry. The Coastal Zone Management in Washington is having their annual symposium and we are assisting them in that. The meeting will be held in Charleston at the Mills Hyatt House March 12th through the 14th.

3. LAW ENFORCEMENT AND BOATING: Mr. Pat Ryan went over his monthly report which was mailed out prior to this meeting. Reported to Commission that the money given to the Sheriff's department in Pickens County in the case of the Law Enforcement Officer that was fired upon was greatly appreciate by the Officer and did a lot to boost his moral after his encounter.

4. INFORMATION AND PUBLIC AFFAIRS: Mr. John Culler had nothing to add to the report on his Division which was mailed out prior to this meeting. He showed the Commission a specimen he would like to publish in a series to give away free to the public. This would inform a man for instance how to plant a dove field, etc. The first series would be on dove and would run about twelve pages long. The other series would be on rabbit, quail, deer, turkey, duck, squirrel, wooduck and migratory waterfowl. Would then like to bind all of these series together and sell the total book for around \$2 to get some money back out of this project. He doesn't have any money to do this with. Would need about \$5,000. Chairman Hudson asked what the Commissions feeling was on this. Commissioner Glenn made the motion that we spend up to \$5,000 if the money is available. The motion was passed and Chairman Hudson asked Wash Belangia to work with John Culler and see if we could find some available funds for this project.

5. ADMINISTRATIVE SERVICES: Mr. Wash Belangia reported that his Division is still working with the Arthur Andersen Group on Internal Control and Management project. Also, we will be ready to move into Bankers Trust Building next week sometime. Ned Pendarvis is working with the people on the fuel allocations.



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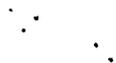
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At this time Mr. Don Dixon with Arthur Andersen Company reported on the work that has been done. He went over the program for the Commission explaining each project and the reasons for the project. Everything to date has worked out very good. Mr. Hudson commented that the department is very happy with the results of this project. There was discussion on whether or not Arthur Andersen & Company should come back from time to time to check the system and to see if it is working. Chairman Hudson recommended that the Commission adopt the guidelines as proposed by Arthur Andersen and get Wash Belangia to see that these procedures are implemented, and that Arthur Andersen comes back at a given time to see that the system is working. Dr. Lumpkin made the motion that we accept this program with periodic reviews and then a final review after July 1st. General Harris seconded the motion.

Dr. Timmerman commented on the Energy Problem and how the department is working on a policy for conserving energy. Also, the use of Myrex for the control of Fire Ants. Dr. Timmerman asked the Commission for their feelings on this use of Myrex. Chairman Hudson requested that he get the Commission more information on this so that the Commission could make a recommendation on this.

ITEM II: OLD BUSINESS:

A. Hearing - Oyster Lease No. 21: At approximately 11:30 am Chairman Hudson asked Commissioner Lumpkin to act as Chairman of this Hearing since he held the original Hearing and is familiar with the case. Commissioner Lumpkin gave the Commission the background on this Oyster Lease and the reasons for his decision. Commissioner Lumpkin appeared as Hearing Officer to hear contest claims and made a decision based on evidence submitted before him. The Assistant Attorney General Ed Latimer recommended that the matter be remanded for a more full Hearing in order that more information and evidence could be obtained and the records forming the basis of the decision be made adequate for judicial review. The Attorney for the party which had been ruled against by Commissioner Lumpkin made a statement requesting that the Commission not remand the decision because of the increased costs of the plaintiff, Mr. Rutledge Leland of Carolina Seafoods, (representing Mr. Leland was Mr. Fred Scott, Attorney), and the lack of clarity of the applicable statutes. Also contesting the granting of Oyster Lease No. 21 to Bulls Bay Seafood Company was Mr. Julian Morse and his attorney. As a result the Commission did formally accept the Hearing Officer, Commissioner Lumpkin's recommendation



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and granted the Oyster Lease No. 21 to Mr. Thomas Duke of Bulls Bay Seafood Company.

B. Purchase of additional property at Dennis Wildlife Center: Mr. Webb stated that Mr. Miller contacted Senator Dennis about the land and wanted to make a land exchange instead of selling it outright. Mr. Latimer told the Commission that there would be no legal objection to this with the department buying another tract of land and trading this to Mr. Miller for his tract of land. Are in the process of acquiring the land Mr. Miller wants.

C. Eel Study - Rules and Regulations: Dr. Timmerman reported to the Commission that we are still awaiting funding on this project. Suggests that we go ahead and set up the mechanics of this study now. There seemed to be some confusion over the decision made on the Proposed Rule and Regulation regarding the taking of eel in the Santee Cooper River System and tributaries presented at the January meeting. After some lengthy discussion on the matter, it was decided that Mr. Fuller's department should work up a revised Rule and Regulation including the Santee Cooper system and Lake Marion and Lake Moultrie with whatever recommendations they feel are applicable and the Commission would approved their decision. This revised Rule & Regulation would be submitted to the Delegation surrounding these areas for approval so that it can be implemented at the earliest possible date.

D. Additional reward for apprehension of those who fired on Conservation Officer in Pickens County: Mr. Webb told the Commission that the people involved were very appreciative of the Commissions decision and that the Sheriff has been notified.

E. Fish Kill in Catawba River: Mr. Latimer reported to the Commission that he has met with the legal firm representing Burris Chemical Company and their liability carrier. They have taken the position that they would not be liable either civilly or criminally as a result of this fish kill. He has furnished them with a report made up on this fish kill made up by our department and is in the process of getting reports made up and out to the Health & Environmental Control. They have taken a position that they would at this time deny any type of liability and would rather take it under advisement with the possibility of negotiating a settlement. He understands from Mr. Burris and their legal firm that they will petition the Commission to present their side of this issue possible at our next Commission meeting.



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APPOINTMENTS: The appointments that were mailed out were approved by the Commission. Appointment for a non-pay warden, Mr. Harold Lee Denton of Yamassee and Mr. Davis S. Brown of Hanahan were not mailed out in time for this meeting. They have been approved by the Supervisor in that area and the Commission moved that these appointments be approved, subsequent to the approval of Commissioner Glenn, the Commissioner in that area. Also mailed out, but not within the seven day limit were the reappointments of Doyle H. Hill, Manning, S. C. and Francis B. Allston, Jr. of Beaufort, S. C. as salaried officers. These were approved by the Commission, subsequent to the approval of the Commissioner in that area. Not mailed out were applications for appointment of non-pay officers John S. McGill of Woodruff, S. C. and Mr. Lawson Hayes of Spartanburg. These applications were approved by the Commission. Also approved by the Commission were applications for department employees Charels Gooding of West Columbia and Mike Temple of Belmont. Also, appointment of Lenué D. Ard of Hemmingway as a salaried officer was approved by the Unit Leader and has been investigated by the Law Enforcement Division. The Commission approved appointment of Mr. Ard subject to Commissioner Lumpkin meeting Mr. Ard. Appointment of William F. Sharp of Columbia as a salaried officer was approved by Commission.

SUB-LEASE OF PORTIONS OF CLARK HILL MANAGEMENT AREA: Mr. Fuller introduced Mr. Dorn of The Clark Hill Authorities of McCormick County. Mr. Dorn presented to the Commission a plan to ask the Commission to reclassify and give a blanket release on approximately 2,000 acres in our Western Piedmont Hunt Unit Management Area, scheduled to be up for renewal with the Corp of Engineers in 1978. Information was passed out to the Commission on this area and their reasons for wanting this acreage. Mr. Dorn gave justifications for this project. This plan would provide a much needed recreational area also boosting the economy of that area. Mr. Dorn will supply the Commission with additional data on this. The Commission will make a decision after reviewing the material and advise the Clark Hill Authority of their decision.

NATIONAL AUDUBON SOCIETY, Alexander Sprunt, Jr., Sanctuary: Mr. Webb briefed the Commission on this matter and asked Mr. Latimer to read the proposed Rule & Regulation. There was some discussion and it was decided that this would be carried over to the next meeting.

X THE FOLLOWING INFORMATION IS TO BE MADE A PART OF THESE MINUTES:

Membership of the Game & Freshwater Fisheries Advisory Board and the length of term to which they were appointed is as follows: Mr. F. C. Ford, 1 year; Mr. Carroll Godwin, 1 year; Mr. Coy Johnson,



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2 years; Mr. S. G. McMeekin, 2 years; Mr. Marion Burnside, 3 years; Mr. R. B. Russell, 3 years; with Commissioner Rhame as Chairman of this Advisory Board. All members are subject to re-appointment.

Membership of the Law Enforcement and Boating Advisory Board and the length of term to which they were appointed is as follows: Mr. Arthur Williams, 1 year; Mr. Gaines Smith, 1 year; Mr. Lawson Hayes, 2 years; Mr. Sam Crouch, 2 years; Mr. David C. Bryan, 3 years; Mr. John London, 3 years; with Commissioner Harris as Chairman of this Advisory Board. All members are subject to re-appointment.

Terms for the Marine Resources Advisory Board will be given at a later date.

X VICTORIA BLUFF - S. C. PORTS AUTHORITY: Chairman Hudson brought the Commission up to date on the Victoria Bluff issue. The S. C. Ports Authority has agreed that if a permit is issued to Chicago Bridge and Iron to turn over the remainder of Victoria Bluff to the Wildlife Department to be developed in the future. A resolution needs to be passed by our Commission as will the Ports Authority to give Chairman Hudson the permission to enter into an agreement with the Ports Authority that they will deed this land to us but they want a restriction in this agreement that if Chicago Bridge & Iron permit is not issued or if CBI fails to build on the property that it will revert back to the Ports Authority. After some discussion on this matter, the motion was made that Chairman Hudson enter into the agreement with the Ports Authority and it was seconded and approved by the Commission.

DEPARTMENT FACILITIES: Chairman Hudson passed out a list of all of the properties owned by the department that need repairs and the cost of getting these repairs done. The total cost would be approximately \$508,700. Chairman Hudson asked the Commission to take these lists and study them and give their feelings or comments on the matter at the next meeting.

There being no further business, Chairman Hudson asked that the Commission go into Executive Session with Staff remaining. This meeting was adjourned at approximately 1:15 pm.

Respectfully submitted,

Christine Stapleton

(Miss) Chris Stapleton,
Secretary to Commission



ATTACHMENT TO THE MINUTES OF THE COMMISSION MEETING HELD IN
COLUMBIA, February 15, 1974:

CLARK HILL AUTHORITY:

Shortly after the February Commission meeting, Chairman Hudson polled a quorum of the Commission by telephone and got approval for the following: The S. C. Wildlife & Marine Resources Commission has acted favorably on the request by CLARK HILL AUTHORITIES for the release of certain lands in McCormick County in our Western Piedmont Hunt Area. This would be on the condition that the Wildlife Department would be able to manage the areas that were not presently being developed. By that we would be willing to release the property as the CLARK HILL AUTHORITIES need it.

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The above is hereby made a part of the minutes of the February 15th, 1974 Commission Meeting.



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