

AGENDA

SC DEPARTMENT OF NATURAL RESOURCES BOARD

10:00 a.m., February 24, 1995

Room 335, Rembert C. Dennis Building
Columbia, SC

- I. **Call to Order** (Burnside)
- II. **Meditation**
- III. **Approval of Minutes from Last Meeting**
- IV. **Presentations/Commendations**
- V. **Constituency Comments**
- VI. **Director's Briefings**
 - A. **Executive Office**
 - 1. Director (Timmerman)
 - 2. Legal (Mabry)
 - 3. Legislative (Dobbins)
 - 4. Human Resources (Agardy)
 - 5. Environmental (Duncan)
 - B. **Deputy Directors**
 - 1. Administrative (Reeves)
 - 2. Wildlife & Freshwater Fisheries (Conrad)
 - 3. Natural Resources Enforcement (Chastain)
 - 4. Conservation Education and Communications (Baines)
 - 5. Marine Resources (Sandifer)
 - 6. Water Resources (Vang)
 - 7. Land Resources and Conservation Districts (Chamblee)
- VII. **Items for Board Action**
 - A. Proposed Heritage Trust Property Acquisitions (Conrad)
 - B. Proposed Management Plan for Otter Island (Conrad)
- VIII. **Advisory Committee Reports**
 - A. Wildlife and Freshwater Fisheries (Haynsworth)
 - B. Natural Resources Enforcement (Miller)
 - C. Heritage Trust (Kohlsaas)
 - D. Water Resources (Vang)
- IX. **Missions, Goals, Strategic Planning** (Cartee)
- X. **Policy Review** (Agardy)
- XI. **Comments** (Board Members)
- XII. **Executive Session (If Necessary)** (Board Members)
- XIII. **Time and Location of Next Board Meeting** (Board Members)
- XIV. **Adjournment**



MINUTES
BOARD OF THE DEPARTMENT OF NATURAL
RESOURCES

Room 335, Rembert C. Dennis Building
Columbia, South Carolina
Friday, January 27, 1995
9:00 A.M.

The regular meeting of the Board of the South Carolina Department of Natural Resources was held at 9:00 a.m., Friday, January 27, 1995, in Room 335 of the Rembert C. Dennis Building, Columbia, South Carolina. Notice of the date, time and place of the meeting was mailed to the state's media. Chairman Marion Burnside presided at the meeting and other Board members present included: J. M. Pendarvis, George Vickery, Dr. Howard Poston, Tom Miller, Knox Haynsworth, and Jake Rasor. Dr. James A. Timmerman, Jr., and staff members of the Department of Natural Resources were present at the meeting as well as various guests.

I. Call to Order

Chairman Marion Burnside called the Board meeting to order at 9:00 a.m., and welcomed everyone to the meeting.

II. Meditation

The Board held a moment of silent meditation prior to the beginning of the meeting.

III. Approval of Minutes from Last Meeting

The Board adopted a motion to dispense with the reading of the minutes of the November and December Board meetings and approved them as submitted.

IV. Presentations/Commendations

Chairman Burnside then called on Freddy Vang to recognize the honorees in the State Beach Sweep/River Sweep 1994 Campaign. Mr. Vang reported that the Annual Beach Sweep/River Sweep Program was co-sponsored by the SC Sea Grants Consortium and the SC Department of Natural Resources and is held every year on the third Saturday in September as part of the Center for Marine Conservation International Coastal Cleanup. In 1994, more than 6,500 volunteers "swept" more than fifty-two tons of trash and debris from the state's waterways during the event. The program is a public/private partnership funded by numerous contributions from local businesses and industries. Mr. Vang then recognized the Beach Sweep/River Sweep benefactors, including BOC Challenge who provided a \$10,000 grant to the Plus-1 Boating Campaign; AMOCO Cooper River Plant who donated \$1,000; Colonial Printing who donated all materials and services for 15,000 advertising brochures; Duke Power who donated \$1,000; Santee-Cooper who donated \$500 and the filming of a public service announcement; and SONOCO, Inc. who donated



50,000 trash bags which were used during the campaign. Mr. Vang then recognized the River Sweep Coordinators of the Year who were awarded DNR Certificates of Appreciation. The 1994 Award went to Ann Walker of the Jasper County Soil and Water Conservation District and Jim Cope, DNR Conservationist Specialist in Jasper County. Their cleanup included nine boat landings on five different waterways with fifty-five volunteers collecting ninety-four bags of trash. The county removed an additional 3,400 pounds of debris from the waterways. Mr. Vang stated that local coordinators are indispensable in the cleanup effort as they select a site for cleanup, advertise the event, organize volunteers, oversee the actual trash collection and make arrangements for disposal of the trash. In 1994, there were fifty-five volunteer river sweep coordinators.

V. Constituent Comments

There were no constituent comments to be presented at this time.

VI. Director's Briefing

A. Executive Office

1. Director - Dr. Timmerman briefly discussed the Department's plans for a new, more user-friendly format for the Department's Annual Report. He called on Sonny Baines, who discussed the utilization of the Department's *Resource* publication in this regard. Dr. Timmerman then referred the Board to the quarterly vehicle accident report, and asked that any Board member desiring to ask questions or further discuss the report contact him. Dr. Timmerman next introduced Michael Thompson, the Department's new Special Assistant for Legislative Affairs, stating that he will be representing the Board and the Department in the legislative arena and that he felt Mr. Thompson will be a great asset to the Department.

The Board was then briefed on a recent discussion at a Deputy Directors' staff meeting regarding the need for DNR to become more "user friendly." Dr. Timmerman stated that it was his goal for the Department to become a world-class service agency for its constituents.

2. Legal - Dr. Timmerman then called on Buford Mabry, who introduced Paul League. Mr. League provided the Board with a synopsis of three pieces of legislation -- two of which have been introduced and one that is currently proposed. This legislation deals with takings of private property as a result of governmental regulatory action, and it was pointed out that these laws could be construed very broadly to include and/or impact such things as local zoning regulations and some of the areas which the Department not only regulates but also manages. Buford Mabry then briefly discussed the



Lake Marion Toxic Waste Site and the lawsuit the Department had been involved in with Santee Cooper. He stated that on January 12, 1995, the DHEC Board took action that, if approved by the legislature, would considerably impact projects of this type in the future. He stated that the results would be to allow an operator to select from a variety of schemes that would purport to ensure that, if there is an accidental spill, their financial recompense to the state would be made available from a variety of different options. Santee Cooper's and our argument has been that it should be a liquid asset readily available in the event of a spill, and this would provide other options.

Mr. Mabry then reported that the civil rights case being considered in Greenville County has resulted in a mistrial with the trial judge feeling that the plaintiff needed additional time for discovery.

Mr. Mabry reported that the U.S. Army Corps of Engineers has paid the Department \$107,000.00 for fish killed during the operation of the Richard B. Russell Power Production Facility. He stated that the Department asked the court to permanently enjoin their operation. He stated that the Corps has already ceased night operation based on their determination that they cannot operate on an environmentally sound basis during night hours.

- (3) Legislative Affairs - Michael Thompson reported that he has met with the Chairman and Vice-Chairman of the Board to discuss legislative priorities. He has also met with Dr. Timmerman, Deputy Directors and their staff, as well as the Chairman of the Senate Fish, Game & Forestry Committee and the House Agriculture, Natural Resources & Environmental Affairs Committee -- together with their staff -- in preparation for the legislative session. He reported that legislative activity has thus far been light and that the DNR Legislative Planning Committee has been meeting in preparation for addressing various bills introduced to date. Mr. Thompson stated that he was looking forward to a productive legislative year. Dr. Timmerman thanked Mr. Thompson and indicated that he would like to meet with him and the Deputy Directors 30 minutes following adjournment of the Board meeting.
- (4) Human Resources - Caroline Agardy reported on the work being done by her office to evaluate the Department's training needs. She also reported on activities evaluating the Department's customer service training needs and the work being done to meet those needs.
- (5) Environmental - There was nothing further to report to the Board this month.



B. **Deputy Directors**

1. Administrative Services - Benny Reeves reported that Governor Beasley has called on all state agencies to reduce their budgets approximately five (5%) percent. Mr. Reeves stated that he and his staff will be working closely with the House Ways & Means Committee as they begin the budget preparation process. He did not know, at this time, what cuts would be proposed by the Committee. Mr. Reeves noted that the 5% cut would reduce the Department's budget by 1.247 million dollars.

Mr. Reeves stated that he had provided each of the Board members with a copy of legislation (S.300), authored by Sen. Greg Smith (Georgetown). He indicated that the Senator has been soliciting information on ways to increase money available for boat ramp construction and maintenance. He stated that this legislation had been introduced and was under consideration, stating that no Department position had been put forward as yet. After a brief discussion, Chairman Burnside noted that one factor to consider is how much the resource would be able to stand with regard to increased public access on the various water bodies throughout the state.

Board Member Pendarvis asked about the division's deliberations on the cost of providing fish for farm pond stocking. Mr. Reeves stated that Larry Cartee had recently met with the S.C. Aquaculture Association and, based on discussions at that meeting, the Association is entering into a dialogue with the American Fisheries Society to determine their method of valuing fish. He thought that this avenue of investigation would be very beneficial in this regard. Mr. Reeves stated that he hoped to have the results of this deliberation for the Board's consideration at their February meeting.

2. Wildlife & Freshwater Fisheries - Brock Conrad provided the Board with a report on the Heritage Land Trust Fund Program for 1995, highlighting the numbers of acreage which have been preserved in various categories and their costs. He distributed copies of the new Heritage Trust Program posters to the Board.
3. Law Enforcement - Bill Chastain took this opportunity to thank Mr. Bob Bailey (S.C. Sportsmen's Coalition), the Quality Deer Management Association throughout the state, the S.C. Taxidermy Association, and other constituency groups for their help with various law enforcement projects over the last several months.



Mr. Chastain reported that the high waters during the months of December and January have increased the workload on the Natural Resources Law Enforcement Division, pointing out that hunting accidents, search/rescue operations, and illegal hunting activities had been increased due to flooding problems.

Dr. Timmerman pointed out that the House Ways & Means Subcommittee has had additional discussion regarding restructuring and that the question has again come up about DNR Law Enforcement remaining with the Department, and whether or not the DNR Law Enforcement aircraft would remain with that Division. He stated that he, Mr. Chastain, and staff have prepared a justification paper on both of these issues to be provided to the Committee. Copies of these papers were also provided to the Board members.

Board Member Miller asked about a Bill which would affect the Department's aircraft. Dr. Timmerman noted that he is aware of a House bill to that effect and that he has spoken with the bill's author, noting that the author is amenable to exempting DNR Law Enforcement aircraft from that legislation. Dr. Timmerman asked that Michael Thompson follow-up with the bill's author regarding this concern.

4. Marine Resources - Dr. Sandifer informed the Board that the Division has closed the shrimp season effective the date of the meeting. This closing should ensure survival of over-wintering shrimp stocks. Dr. Sandifer then introduced David Cupka, who discussed two legislative initiatives being recommended by the Division through the Marine Resources Advisory Committee. The first initiative dealt with legislation which would comport with changes in the shark fishery management plan. After a brief discussion, Board Member Pendarvis recommended that the Board approve this legislative initiative as being recommended by the Marine Resources Advisory Committee. Board Member Poston seconded the motion; and the motion was adopted by the Board. Mr. Cupka next discussed the proposed legislation to protect "live rock bottoms" in state waters. Board Member Pendarvis stated that he would discuss this initiative with the Marine Resources Advisory Committee at their next meeting; however, he made a motion that the Board approve the proposed legislation at this meeting, with the understanding that he would discuss the proposal with the Committee and report any additional action(s) to the Board at their next meeting. Board Member Haynsworth seconded the motion; and the motion was adopted by the Board.



5. Conservation Education & Communication - Sonny Baines introduced Beth Mason, who briefed the Board on the Women in Wildlife Project. She reported that the "Becoming an Outdoor Woman" workshop will be held at Camp Bob Cooper in November 1995.

Mr. Baines passed out copies of the most recent edition of the Department's magazine, discussing the educational supplement to be used by teachers across the state in their classroom instructional work. Mr. Baines also reported on the recent update of the boating access guide which will soon be available for sale to the public.

6. Water Resources - Freddy Vang reported that the Water Resources Advisory Committee has held its first meeting. He expressed the Committee's appreciation to Chairman Burnside and Dr. Timmerman for attending. He also reported that the Division's Blue Ribbon Committee is functioning and moving forward with its mission. He further reported that the Aquatic Plant Management Program has its annual plan out for public review, discussing briefly the funding for this program. He reported that the Catawba Bi-State Task Force has been established and is now functioning in both states.

Mr. Vang reported that DNR is now represented on the Internet and there had been over 7,500 inquiries during December. He went on to report on his division's involvement on the regional climatic center and the work being done -- noting that the long-range weather forecast activity has proven accurate to date.

7. Land Resources and Conservation Districts - Dr. Timmerman noted that the Conservation Districts Association had their annual meeting on January 5-6, 1995. He stated that he was enormously pleased with the work this group is doing, and he distributed a letter to the Board outlining recommendations made by the Conservation Districts at their meeting. The first recommendation dealt with a proposal to change the name of Soil & Water Conservation Districts to "Natural Resources Conservation Districts." After a brief discussion, Vice-Chairman Miller made the motion that the Board endorse and support this effort. Board Member Poston seconded the motion; and the motion was approved by the Board. The second issue discussed was the matter of diversity of Conservation Districts Commissioners through appointments and elections. Several policy



positions and issue statements regarding diversity were recommended as additional guidelines to commissioner appointments and the election process. Dr. Timmerman stated that he commended the organization for their work and urged other advisory committees to look into this process.

After a brief discussion, Chairman Burnside requested that Dr. Timmerman communicate to the state organization the Board's pleasure at the quality and seriousness of the work they have accomplished.

VII. Items for Board Action

- A. Georgia Pen-Raised Quail Program - Chairman Burnside called on Board Member Pendarvis, who then asked Brock Conrad and Breck Carmichael to brief the Board on this issue. Mr. Carmichael gave a detailed report on the practice of releasing pen-reared quail and the fact that this was being done by some independent, private, wildlife consultants -- primarily in the State of Georgia. He noted that this was not a program of the Georgia Department of Natural Resources, nor was it endorsed by that agency. In conclusion, Mr. Carmichael stated that the Department neither encouraged nor discouraged such activity, but tolerated it since there was no legal bar. He noted that, however, there are still some biological concerns over the practice of pen-released birds, even when such extreme precautions were taken as indicated in his briefing.

After a lengthy discussion of the technique, Dr. Timmerman commended Breck on the amount of work committed to researching this issue. He stated that we would provide anyone interested in undertaking this activity with the best scientific advice available to the Department at that time.

VIII. Advisory Committee Reports

- A. Conservation Education & Communication - Chairman Vickery distributed copies of the latest Advisory Committee minutes and briefly discussed items taken up at the meeting. There were no items to be brought before the Board for action.
- B. Marine Resources - Chairman Pendarvis stated that the Advisory Committee met on January 13, 1995, at the Waddell Mariculture Center. He then briefed the Board on activities from that meeting. There were no items to be brought before the Board for action.
- C. Land Resources and Conservation Districts - Dr. Timmerman reported that the Advisory Committee has had its initial organizational meeting. There were no items to be brought before the Board for action.



D. Water Resources - Dr. Timmerman reported that the Advisory Committee has had its initial organizational meeting. There were no items to be brought before the Board for action.

IX. Missions, Goals, & Strategic Planning

There being no report, this was carried over to the next Board meeting.

X. Policy Review

Ms. Agardy reported that the committee has completed its work and circulated a draft to the Deputy Directors for input. Upon completion of this process, the draft will be presented to the Board for review and approval.

XI. Comments

Chairman Burnside stated that subsequent meetings will be held at 10:00 a.m., as opposed to 9:00 a.m. There was not objection from the Board.

XII. Executive Session

Vice-Chairman Miller moved for the Board to hold executive session to discuss legal and personnel matters. Board Member Rasor seconded; and the motion was adopted by the Board. Chairman Burnside announced that, at this time, the Board would hold an executive session to discuss legal and personnel matters.

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RETURN TO REGULAR SESSION

The regular meeting was resumed and participants were invited into the meeting. Vice-Chairman Miller made a motion that the Board accept the fish kill reports presented by Mr. Gene Hayes regarding the fish kill at Lake Murray (October 22, 1994). Board Member Poston seconded the motion; and the motion was adopted by the Board.

Vice-Chairman Miller made a motion that the Board approve the license for Ms. Barbara Richard Evans, Trustee, for limited use of the road to Donnelley WMA. Board Member Pendarvis seconded the motion; and the motion was adopted by the Board.

Vice-Chairman Miller made a motion that the Board approve the Manitoba Prairie Parkland Project as approved by staff. Board Member Rasor seconded the motion; and the motion was approved by the Board.



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Vice-Chairman Miller made a motion that the Board approve the proposed wildlife biologists/technicians salary increases, dated November 1994, and itemized as Scenario I in concept pending further study by staff. Board Member Poston seconded the motion; and the motion was approved by the Board.

Vice-Chairman Miller made a motion that the Board approve, in concept, the DNR Law Enforcement Officer salary increases, pending further study. Board Member Rasor seconded the motion; and the motion was approved by the Board.

XIII. Time and Location of Next Board Meeting

Chairman Burnside stated that the next Board meeting will be the fourth Friday of February (February 24th) at 10:00 a.m., in Room 335 of the Rembert C. Dennis Building in Columbia, South Carolina.

XIV. Adjournment

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

