

MINUTES

SOUTH CAROLINA WILDLIFE AND MARINE RESOURCES COMMISSION MEETING

Columbia, S. C.
July 17, 1981

The regular monthly meeting of the South Carolina Wildlife and Marine Resources Commission was held in Columbia, S. C., in the Dennis Office Building, at 10:00 a.m., on July 17, 1981 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, Harrelson, Altman, Compton, Owen, Stubbs, Dawson and Shuler. Directors and staff members present included Dr. Timmerman, Larry Cartee, Benny Reeves, Sonny Baines, Pat Ryan, Jeff Fuller, Dr. Ed Joseph and various other staff. Guest at the meeting included Pat Robertson of the "Columbia Record", Trish Jerman of the Governor's Office, Dr. Sid Gauthreaux of the Heritage Trust Advisory Board, Danny Johnson of the Water Resources Commission, Betty Spence of the South Carolina Wildlife Federation, Sam Crouch of the Law Enforcement and Boating Advisory Board, LaBruce Alexander of the South Carolina Nature Conservancy, William Frank Berry, Joe Webster and Earnest Garrison of the Richland County Game and Fish Association, Joe McGarity of Columbia, and Burke Watson, David McCracken, and Robert O. Hutchins of the Sumter County Game and Fish Association.

CALL TO ORDER

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

ITEM I. READING OF THE MINUTES

Commissioner Stubbs moved to dispense with the reading of the Minutes of the June 12, 1981 meeting and approve them as submitted. Commissioner Dawson seconded the motion and it was adopted by the Commission.

ITEM II. COMMENTS

Dr. Timmerman advised the Commission that nameplates have been installed on the Conference Room tables and chairs denoting those which contributed to the purchase of this furniture.

Dr. Timmerman noted that steel shot regulations are going through the Federal Register process. The Atlantic Flyway Council will meet in Baltimore on July 29 - 30 and contacts with all states on the Council indicate that they will be going with the use of steel shot this year like last year, except for one or two states. Dr. Timmerman noted that the Commission may want to consider approving steel shot this year for 12-gauge only as it is our understanding there will be a distribution problem this year on 20-gauge shells. Chairman Edens stated there was a lot of confusion for the last several years on this and we need to see what was done last year and what is planned by other states for this year so the Commission will have this information for help in making a decision. This matter will be on the Commission agenda for action next month.



Dr. Timmerman advised the Commission that the Comptroller's Office will not allow agencies to expend funds on plaques for retiring employees. Dr. Timmerman asked for the Commission's consent to talk to the Comptroller to see if there is some way we could come up with a small amount for retiring employees, who have ten or more years service, to receive a plaque. There were no objections from the Commission on this matter and Chairman Edens noted that if the Department cannot purchase these plaques, perhaps such could be paid for from the Hampton Foundation.

Dr. Timmerman advised the Commission that a study has been done on the dam at Lake Oak Grove and it will cost about \$250,000 to fix this structure. The engineering reports have been sent to the Fish and Wildlife Service for review and the Commission will be kept informed on this matter. Chairman Edens noted that we should look at the available land around the lake to see what other alternatives, or possibilities, exist on this problem. Dr. Timmerman stated that we will look at all options and report back to the Commission.

Dr. Timmerman introduced LaBruce Alexander of The Nature Conservancy. Ms. Alexander presented the Department with a check for \$19,000 and requested that the funds be used to emphasize the Heritage Trust and Mountain Bridge projects. Chairman Edens thanked Ms. Alexander for the funds and noted that it is our intent to use these as requested.

Dr. Timmerman noted that we have had a good legislative year, but there will be some shortages in state funds for salaries. We are about \$250,000 short in state funds for personnel salaries. Five (5) law enforcement positions were added in our budget, but only \$22,873 in state funds were included to fund these positions. Dr. Timmerman noted that we may have to freeze employment early in the year to meet demands on the payroll.

Dr. Timmerman informed the Commission that the International Association of Fish and Wildlife Agencies will meet in New Mexico, September 13 - 16, and we would like to have at least one (1) Commissioner to attend as we are hosting this meeting in 1982. Dr. Timmerman also noted that the Southeastern meeting will be held this year in Tulsa, Oklahoma on October 18 - 21.

Dr. Timmerman distributed a copy of the vehicle accident report to the Commission for information noting that accidents have been minimal during this reporting period.

Dr. Timmerman recognized Jimmy Breazeale in the Division of Administrative Services who has been very successful in recovering stolen boats and motors. Dr. Timmerman passed out a list of his accomplishments to the Commissioners and went over this briefly.

Chairman Edens called on Betty Spence of the South Carolina Wildlife Federation to comment on a recent letter they had sent to the Commission regarding a legal suit they have brought against the South Carolina Coastal Council. Ms. Spence noted that the South Carolina Wildlife Federation has taken the Coastal Council



to court regarding their certification of the Carolina Refinery permit. She stated the Council has violated their own policies in this certification and she asked that the Commission become an intervenor in this suit to help prevent this from happening in the future. Chairman Edens stated that we have grave concerns about this permit and have requested an environmental impact statement on this permit. Our Department currently has stated that we do not have the information we need to fully comment and the permit should not be issued until an environmental impact statement is prepared. Chairman Edens stated that it would put our agency in an unnecessarily awkward position to intervene in this suit or sue another state agency, thus, we feel the best approach is to maintain our position for an environmental impact statement and not become a party to the suit. Chairman Edens noted that the Department would agree that the Wildlife Federation could subpoena all employees that would assist their case.

ITEM III. APPEARANCE - SUMTER COUNTY GAME AND FISH ASSOCIATION

Chairman Edens introduced Mr. Burke Watson and David McCracken of the Sumter County Game and Fish Association to make comments to the Commission relative to the Union Camp paper mill project in Eastover. Mr. Watson noted that the Sumter County Game and Fish Association has come out against the Union Camp plant as there are concerns about human and mechanical errors in operating such a plant. The plant will use 36-million gallons of water per day and they are concerned about the discharge and the quality of water. Mr. Watson noted they are also concerned about the effects of the nutrients discharged into the water as it will affect the weeds and grass in Lake Marion. The odor of the plant is also a concern as well as the emission of sulphur dioxide which may cause acid rain. Mr. David McCracken noted they are concerned about the plant even though it will operate within EPA and DHEC guidelines. He noted they are concerned on the effects this plant will have on fish and wildlife. The discharge into the river will increase nitrogen and phosphorus daily which will be nutrients that create concerns about the lake being taken over by weeds. There will also be a discharge of mercury into the lake and the acid rain will lower the ph level in the lake which may affect the fish as they need a certain ph level to live. Mr. McCracken noted that he would like to see a study done on what these effects will be. Mr. Watson asked the Commission to discuss this matter as it is a reflection on the Department. Chairman Edens asked if the group has gone to court. Mr. Watson stated that they have not yet decided to do this. Dr. Timmerman stated that their concerns will be expressed in the Minutes to make sure we have these in writing. Dr. Timmerman noted that our primary concern will be the emission into the water. We will get information and have questions answered before permits are signed off on for the permits which will be sought.

ITEM IV. LEGISLATIVE UPDATE

Dan Dobbins stated that the latest legislative reports have been distributed to the Commission and he went over various bills which have been ratified. Mr. Dobbins noted that the bond bill has passed the House and has been sent to the Senate. Dr. Timmerman noted that a proviso was put in our budget on Title 50 violations whereby magistrates were not held to a minimum fine. This was amended to provide for a \$25 minimum fine.



ITEM V. OLD BUSINESS

A. Proposed Regulations for Capers Island Archery Hunt: Dr. Timmerman noted that Capers Island was purchased by the Department with old BOR funds to be set aside in its natural state. The Commission asked the Division of Marine Resources to develop a management plan for the island. While this was being prepared, the Commission adopted rules and regulations for the island. These regulations provided that no hunting of game species would occur except for excessive damage or to trap animals which are predators. This was not pointed out to the Commission when they recently approved archery hunting on the island. Dr. Timmerman noted that we have reviewed the tapes of the meeting and the Commission may have been under the impression that there was an excessive number of deer that needed to be harvested and the Commission may have thought this hunt with a controlled number of people was an Advisory Board recommendation. There was a communications problem regarding this matter. Upon Commission action, proposed rules and regulations for archery hunting were drafted, but they did not say this was for one year only, as adopted by the Commission. There was enough concern expressed at the first hearing on these regulations that the second hearing was cancelled. Before any further action was taken, it was felt that the Commission may want to take another look at this and hear from the Chairman of the Heritage Trust Advisory Board. Dr. Timmerman noted that there are about thirty deer on the island and they are not excessive. Dr. Sid Gauthreaux, Chairman of the Heritage Trust Advisory Board, noted that since the Commission serves as trustees of Heritage Preserves, there is a need to have good communications between the Commission and the Heritage Trust Advisory Board. He noted that the Board feels that any time there are excessive populations, there needs to be means to control the population, but several Board members did not feel there is an over-population of deer on Capers Island. Dr. Gauthreaux stated that as far as the Board is concerned, it is recommended that the regulations for hunting on Capers Island (in their present form) be withdrawn. He stated the Board is now reviewing the Capers Island management plan and it is recommended that hunting on Heritage Preserves be reviewed on a case-by-case basis. Commissioner Harrelson moved for the Commission to withdraw the proposed regulations for archery hunting on Capers Island and not enter into such on Capers Island again unless there is a biological reason to do so. Commissioner Dawson seconded the motion and it was adopted by the Commission. Chairman Edens stated that the Wildlife and Freshwater Fisheries Division should be involved in the development of a permanent management plan for Capers Island. Chairman Edens also noted that before any additional property is deeded to the Heritage Trust, we need to look closely at what authority is being given away.

ITEM VI. NEW BUSINESS

A. Division Reports:

1. Administrative Services: There was nothing further to report.
2. Wildlife & Freshwater Fisheries: Brock Conrad brought the Commission up-to-date on the doe quota program noting that procedural changes are being made to improve efficiency. All participants in the program are being sent a form to fill out to provide information to decide if an inspection is needed or not. This will save a lot of time and money. Commissioner Shuler stated that there may be unneeded information requests on the form and some thought should be given to making it shorter.



Mr. Conrad noted that he had written the Commission this week on proposed regulations and framework for marsh hens, mourning doves, gallinules, woodcock and snipe for the 1981-82 hunting season (copy attached to original Commission Minutes). This was discussed with the Commission and Commissioner Harrelson moved for the Commission to adopt the recommendations as presented. Commissioner Stubbs seconded the motion and it was adopted by the Commission.

3. Law Enforcement & Boating: There was nothing further to report. Commissioner Harrelson asked about his request for the Department to provide the Colleton County Sheriff's Department with a radio to monitor at night. Pat Ryan stated that we do not have a radio at this time for them to use, but we may be able to issue them a good used radio when we receive our order of new radios.

Commissioner Harrelson asked about the status of a proposed agreement to tie in with a computer of the federal government. Dr. Timmerman stated that we would mail out the proposed agreement and the pros and cons of the agreement for the Commission to evaluate at the next meeting. Chairman Edens stated this would be on the agenda for the August meeting.

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

5. Marine Resources: Dr. Joseph informed the Commission that we are in the middle of the brown shrimp season and, thus far, it is a poor season. The price is also very low due to the heavy catch on the Gulf Coast. Dr. Joseph requested that a presentation on the marketing program be included at the next Commission meeting.

B. Advisory Board Reports:

1. Wildlife & Freshwater Fisheries: Commissioner Owen noted that the Board will meet on August 13, 1981.

2. Law Enforcement & Boating: Commissioner Shuler noted that the Board had met, but there was nothing to report to the Commission. Chairman Edens noted that eight of the nine members were present at the meeting and he asked the Commission to go on record commending the Board's attendance and to notify the Board of such. By unanimous consent, the Commission agreed to do this.

3. Marine Resources: Commissioner Compton was unable to attend today's meeting, but Dr. Joseph passed out the Minutes of the recent Marine Resources Advisory Board meeting.

4. Heritage Trust: There was no report from the Board this month. In order to improve communications, and cooperation, and support for each group, Chairman Edens invited Dr. Sidney Gauthreaux to meet with the Commission each month and share information on activities of the Heritage Trust Advisory. Chairman Edens stated that Dr. Gauthreaux will be placed on the agenda for this presentation in the future.



C. Salary Review Committee: Dr. Timmerman stated that this report is in order and a copy has been sent to the Chairman.

D. 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 prior to the Commission meeting, Senator Dennis had called and strongly endorsed the appointment of John C. Dial, Jr., of Moncks Corner as a Conservation Officer in District #5. All appointments and re-appointments were approved by the Commission as recommended on this list.

E. Other Remarks: Commissioner Owen noted that he would like to get with Dr. Timmerman and Commissioner Stubbs to conclude plans for hearings on the September 1 deer season bill. Dr. Timmerman stated that we need to decide on dates, times and places as well as establish procedures for the hearings. Dr. Timmerman noted that we will do this and get back in touch with Commissioners Owen, Stubbs and Compton to finalize this matter.

Commissioner Harrelson stated that we need to do some serious study for an alligator harvest program. Jeff Fuller noted that a preliminary report on this has been prepared and a management plan for alligators will be prepared by July 1, 1981, for presentation to the Commission.

Commissioner Harrelson stated that he was concerned about shad laws and he asked whether or not we have freshwater shad laws in his area. Commissioner Altman noted that shad laws vary from county to county. Chairman Edens stated that this matter would be put on the agenda for clarification next month.

F. Time and Place of Next Meeting: Chairman Edens announced that the next meeting will be held in Columbia on August 21, 1981.

ITEM VII. ADJOURN

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

