

MINUTES

SOUTH CAROLINA WILDLIFE & MARINE RESOURCES COMMISSION MEETING

Dutch Plaza
Columbia, South Carolina
July 21, 1978

The regular monthly meeting of the South Carolina Wildlife and Marine Resources Commission was held in the Conference Room of the Dutch Plaza Complex, Columbia, South Carolina at 10:00 a.m., July 21, 1978 with Chairman Trask presiding. Other Commissioners present included Commissioners Stubbs, Dawson, Shuler, Buchanan, Edens, Boykin, Bennett and Dennis. Directors and staff members present included Dr. James A. Timmerman, Larry Cartee, Dan Dobbins, Ed Duncan, Jeff Fuller, Brock Conrad, Joe Logan, Pat Ryan, Tom Kohlsaas, John Culler, Bob Campbell, Johnny Evans, Benny Reeves, Ned Pendarvis, Dr. Ed Joseph, Gene Smoak and various others. Guests present included Dr. Jackie Jacobs, J. C. Boles, Ray Derrick, Bernard Goetee and Gilbert Bristow of the S. C. Wildlife Federation, Bob Hickman and Charles Liehmann of the Santee Cooper Counties Promotion Commission, Coy Johnston, Frank Ford and Buddy Kronsberg of the Wildlife and Freshwater Fisheries Advisory Board, Sam Crouch of the Law Enforcement and Boating Advisory Board, Frank Caggiano of the House Agriculture and Natural Resources Committee, and Bill Thomas, a commercial fisherman from Santee, South Carolina.

CALL TO ORDER

Chairman Trask called the meeting to order at 10:00 a.m.

INTRODUCTION OF NEW COMMISSIONERS

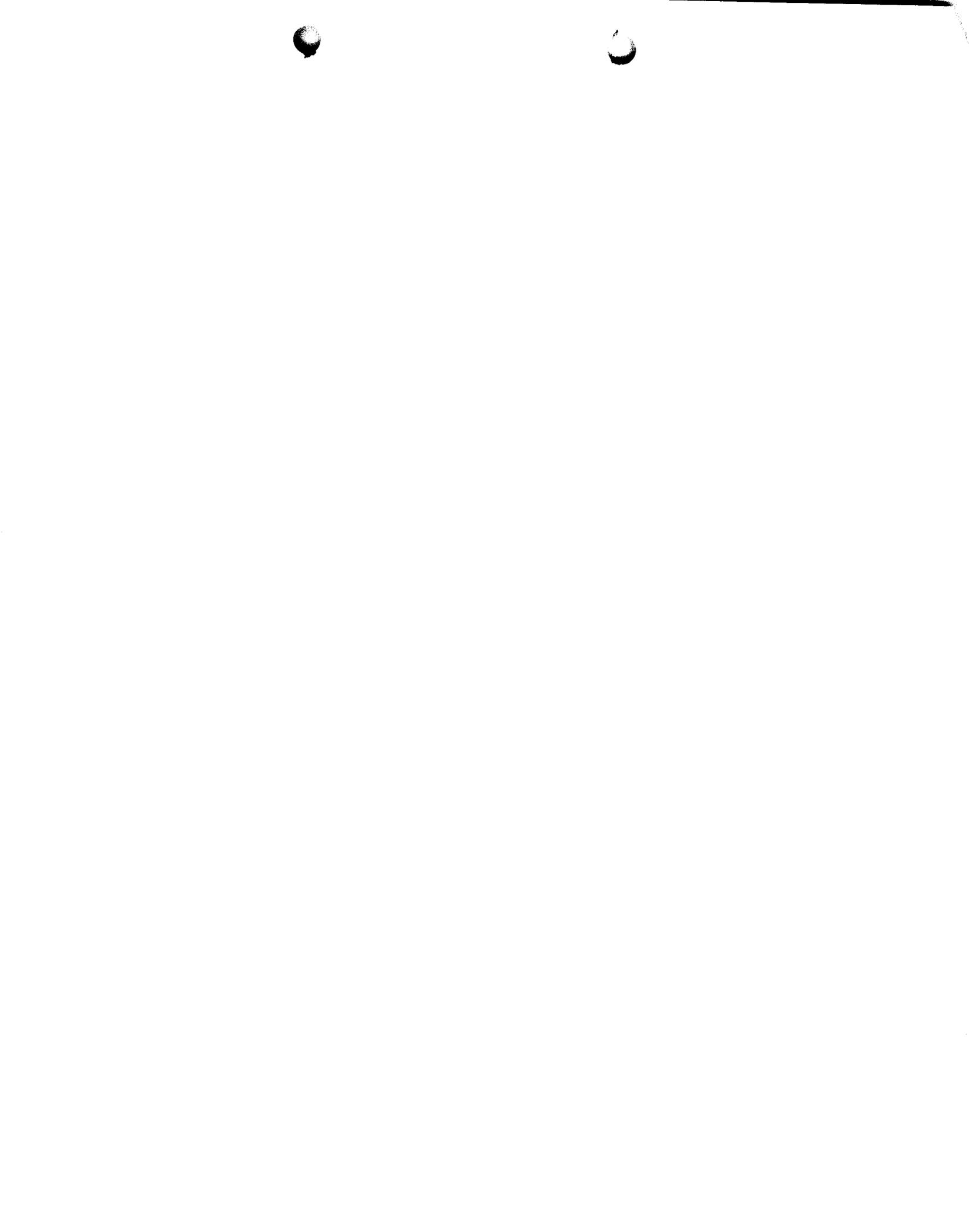
Chairman Trask introduced Mr. Calvin Dawson of Georgetown and Mr. Archie Stubbs of Greenville as new appointees to the Commission. Chairman Trask also extended his appreciation to the Governor for his appointment as Chairman of the Commission, noting that it was his desire that the Commission work in harmony to provide the Department with the best policies possible. He noted that it was Dr. Timmerman's job to see that the policies of the Commission are implemented. Chairman Trask stated that we are now entering an era of tax revolt which government must take note of and become more efficient in its operations. Mr. Trask noted that he hopes the Department can become a model state agency in this respect.

ITEM I. READING OF THE MINUTES

Commissioner Edens moved that the minutes of the June 16, 1978 Commission Meeting be approved as submitted. The motion was seconded by Commissioner Boykin and adopted by the Commission.

ITEM II. COMMENTS

- A. Introduction of Guest: Dr. Timmerman introduced various guests that were present at the meeting. Dr. Timmerman stated that some of the guests wanted to make comments at the meeting and they would be heard from later in the meeting.
- B. Appearance of Mr. Bob Hickman - Santee Cooper Counties Promotion Commission: Mr. Bob Hickman spoke on behalf of the Santee Cooper Counties Promotion Commission noting that Mr. Charles Liehmann had been recently hired as Executive Director.



Mr. Hickman stated that the Commission's purpose was to foster the recreational use of the Santee Cooper lake system and associated recreational facilities. Mr. Hickman offered various comments and suggestions regarding the fishing resources of the Santee Cooper Lakes. First, the size of striped and largemouth bass has declined over recent years and it is suggested that 15 to 20 inch size limit be considered to allow the fish to reach spawning size. Second, the commercial fishing for catfish should be carefully studied and consideration should be given to developing different license requirements for non-resident commercial fishermen. As fishing pressure increases, there is concern of such on the impacts on the lakes and the associated recreational facilities. Mr. Hickman stated that the Santee Cooper Counties Promotion Commission wants to work with the Department concerning the fishery resources at Santee Cooper and they hope the Department will call upon them whenever they can be of assistance.

C. Dr. Timmerman's Comments: Dr. Timmerman presented the following comments regarding the budget and the 1978 Legislative Session:

"I would like to inform the Commission that the 1978 Legislative Session has been one of the most successful years in terms of funding and legislation. This year, I feel the Department has experienced the best working relationship with the Senate and the House since I have been associated with the Department. I would like to thank Senator Dennis, Senator Waddell, Representative Bennett and all of the members of the General Assembly, as well as their support and research personnel, for their advice and assistance during this legislative year. I would like to personally thank Benny Reeves, Dan Dobbins and the entire staff of the Department for their hard work and concerted efforts toward making this a very successful legislative year.

The budgeting process represents one of the most important activities in our Department. I feel that changes in the budgeting process mandate fiscal accountability and identifying programs and their related source of funds (i.e., state, federal or revenue). It is the intent of the General Assembly for all State agencies to work toward a programmatic budgeting process. This is closely inter-related to the State's Five-Year Planning Process of which the Department was required to develop and submit a Five-Year Plan in order for the State of South Carolina to project short-term needs for public goods delivery and set priorities for such. It will be important to work with the Commission Finance Committee in the updating of this Five-Year Plan to ensure that we are properly budgeted in all programs. I plan to have copies of this Plan made for each Commissioner and send to you for your information. As part of the budgeting and planning process, I, as Executive Director of the Department, intend to implement a so-called "internal sunset concept" on all the Department's programs. This will require that each Division Director and their staff to review their programs, determine their total efforts, dollars expended, and benefits to the people of South Carolina. In essence, we will be conducting a benefit/cost analysis of all the Department's programs. If we find programs where the costs are greater than the public benefits derived, then I will recommend to the Commission that the "sun will set" on these programs.

While I have mentioned that we have just completed a successful budget year, it is time to begin a new budget year for Fiscal Year 1979-80. I feel



that the first priority for the FY 79-80 budget process is to get all personnel paid from revenue, other than federal funds, on the state payroll. This would enable the State to pay the fringe benefits for these personnel, rather than having to take such out of the operating budgets established by revenue funds. One problem we had in recommending such action this year is that we had five Conservation Officers paid out of the County Game and Fish Funds. Due to the fact that four new Conservation Officer positions were funded by State appropriations for coastal enforcement and we have a contractual arrangement with the South Carolina Coastal Council for \$80,000 per year for law enforcement, I instructed Benny Reeves to take the five positions off the County Funds effective July 7, 1978 and place on the State side. In the future, this action will provide additional funds in the respective County Fund accounts that would not have been the case otherwise. Other than the plans to get all employees on the State payroll as I have mentioned, I do not plan to recommend any significant changes in the Fiscal Year 1979-80 budget."

In addition, Dr. Timmerman stated that Commissioners Stubbs and Dawson had visited the Columbia office to discuss the Department's organization, personnel and programs. Dr. Timmerman also noted that he had mailed the Commission a copy of the Information and Public Affairs Study Committee Report for information. Dr. Timmerman is working with John Culler to upgrade the Division's programs and set budget standards. At the last Commission Meeting, Dr. Timmerman stated that Commissioner Edens expressed concern on the Department receiving and depositing checks for magazine or newspaper subscriptions but not have a record of such. Dr. Timmerman stated that he had discussed this matter with John Culler, Benny Reeves and staff and changes are being made in the process to correct any errors that may have occurred. Commissioner Edens presented another cancelled check for the renewal of a subscription and there is no record of such in the Department. Benny Reeves stated that a double accountability system for checks is being implemented that should correct most of the problems involved.

Dr. Timmerman noted there are various provisos in the FY 78-79 budget that will have some impact on the Department's operations. A new system for the management of motor vehicles will be developed but no major changes in the Department are anticipated. The Department is also seeking to develop a workable solution to the indirect cost provisions for research projects with the Legislative Review Committee and the Budget and Control Board that will administer these provisions. Also, Dr. Timmerman sought advice from the Commission on radio call numbers and license tag numbers for each Commissioner. A list concerning this matter was distributed for coordination with Chairman Trask as to which numbers would be utilized by each Commissioner.

ITEM III. LEGISLATIVE UPDATE

Dan Dobbins distributed an update for the Law Manual and a report on bills that have been ratified to each Commissioner. Mr. Dobbins noted that the bills to reinstate the two-device limit on fishing and amendments to the trapping law are pending the legislature. Dr. Timmerman stated that a bill requiring Deputy Wildlife Commission Officers to attend special training services and other requirements as discussed at the June Commission Meeting had been amended to delete Deputy Wildlife Commission Officers from the requirements of this law. This has been sent to the Governor for his signature. Mr. Dobbins noted that



he plans to develop a formal legislative procedure for information at the next Commission meeting.

ITEM IV. NEW BUSINESS

A. Election of Officers and Committee Appointments: Commissioner Boykin noted that he had been elected Vice-Chairman of the Commission at the June meeting and he felt that with a new Commission Chairman, this should be handled according to the desire of the new Chairman. As such, Commissioner Boykin submitted his resignation as Vice-Chairman of the Commission. Chairman Trask opened the floor for nominations of a Vice-Chairman. Commissioner Edens nominated Sam Boykin as Vice-Chairman and the nomination was seconded by Commissioner Buchanan. There being no other nominations, Commissioner Dennis moved that the nominations be closed and that Commissioner Boykin be elected by acclamation. This motion was approved by the Commission.

Chairman Trask made the following committee appointments:

1. Chairman, Law Enforcement and Boating Advisory Board - Manning Shuler
2. Chairman, Wildlife and Freshwater Fisheries Advisory Board - J. Drake Edens
3. Chairman, Marine Resources Advisory Board - Calvin Dawson
4. Chairman's designee to the Heritage Trust Advisory Board - Sam Boykin
5. Finance and Audit Committee - Jones Buchanan, Chairman; Archie Stubbs; Manning Shuler; Senator Dennis, Advisor; Rep. Bennett, Advisor.
6. Commission By-Laws Committee - Samuel Boykin, Chairman; J. Drake Edens; Manning Shuler (Dr. Timmerman and legal staff to serve as Advisors as the Committee will develop by-laws for the Commission to consider.)

B. Migratory Bird Seasons, 1978-79: Brock Conrad reported on the proposed migratory bird seasons and regulations for 1978-79, noting that such is a proposed framework and will be confirmed by the U. S. Fish and Wildlife Service within a few days. The proposed seasons and regulations were distributed to the Commission and are attached as a part of the minutes. Mr. Conrad stated that the seasons are about the same as last year and most sportsmen seem satisfied with such. Dr. Timmerman noted that since this proposed framework is on the Federal Register, the Attorney General's office has ruled that we do not have to follow the State Register process. Following same discussion, Commissioner Dennis moved for approval of the seasons and regulations as distributed. This motion was seconded by Commissioner Boykin and adopted by the Commission.

Dr. Timmerman informed the Commission that he would attend a meeting in Denver next week and will stress that unless there is evidence otherwise, we want to leave the steel shot regulations only on the coastal counties. In addition, Dr. Timmerman stated that he would argue against the half-day penalty on Wednesday for duck seasons. Commissioner Buchanan stated that a bill in the House this year (H. 3755) would extend the rabbit season by two weeks to March 1, but the people in his area would like to see the season open two weeks earlier. Chairman Trask stated that this matter would be taken under advisement for further discussion at a later meeting.



C. Guidelines and a Program of Orientation for Commissioners: Dr. Timmerman noted that the Commission had requested that the staff develop a set of guidelines and an orientation program for Commissioners. Working in conjunction with Commissioners Edens and Shuler, such a document was developed and mailed to the Commission. Dr. Timmerman stated that on Page 2, Item 4 (g), the State Personnel Division sets the salary schedules for departmental employees. Commissioner Edens suggested that the language be changed such that the Commission would initiate action to recommend salary schedules for departmental employees. Commissioner Edens suggested that the second sentence on Line 4 of Page 1 read as follows, "In order to fulfill this responsibility in meeting the needs of the State's natural resources and, also, serving the public interest to the fullest extent compatible with that responsibility, the following guidelines and rules of the Commission are identified." On Page 2, Item 7, Commissioner Edens recommended that the following sentence be added, "Suggestions involving substantive changes should be made through the Executive Director or the appropriate division director." On Page 5, Item 5, Commissioner Edens recommended that the language be changed to reflect that the Department's houses will be used for official Department business as a first priority. Personal use of these facilities on a rental basis will be on a first come, first serve basis. On Item 8, Page 6, since a two-way radio cannot be bought from the Department, Commissioner Edens recommended that the last sentence in Item 8 be deleted. On Page 6, Item 7 (b), Commissioner Boykin recommended that reimbursement for meals while traveling on official State business should be in line with all other agencies. Dr. Timmerman noted that the latter part of the sentence should include the following, "...to a metropolitan area in excess of 250,000 in population." In addition, it was suggested that the following sentence be added, "Reimbursement for travel expenses may change as there are changes in the State Appropriations Bill, however, reimbursement for travel expenses while on official State business shall be in line with all other State agencies. Subject to the changes as recommended, Commissioner Shuler moved for the adoption of these guidelines and program of orientation for the Commissioners. The motion was seconded by Commissioner Boykin and approved by the Commission. (These guidelines, with corrections, are made a part of the original Commission minutes.)

D. Division Reports:

1. Administrative Services: Benny Reeves reported that all law enforcement personnel have been reclassified to the same level of the Highway Patrol effective today. Dr. Timmerman informed the Commission that \$500,000 had been approved in the Supplemental Appropriation Bill for the purchase of vehicles and equipment.

2. Wildlife and Freshwater Fisheries: There was nothing to add to the written report.

3. Law Enforcement and Boating: There was nothing to add to the written report.

4. Information and Public Affairs: There was nothing to add to the written report.

5. Marine Resources: There was nothing to add to the written report.

E. Advisory Board Reports:

1. Wildlife and Freshwater Fisheries: Commissioner Edens reported that a



meeting is scheduled for August.

2. Law Enforcement and Boating: Commissioner Boykin reported that a meeting is scheduled next month and he will be getting with Commissioner Shuler to provide him with some information on the Board, agenda, etc.

3. Marine Resources: Dr. Timmerman noted that this Board had not met and he asked Dr. Joseph to meet with Commissioner Dawson to discuss this matter.

4. Heritage Trust: Dr. Timmerman reported that this Board has not met. In addition, Dr. Timmerman informed the Commission that Dr. Beam is now Executive Director of the S.C. Coastal Council and that the Heritage Trust Program had been moved from the Bankers Trust Building to Dutch Plaza with Tom Kohlsaas reporting directly to him.

F. Salary Review Committee

Dr. Timmerman reported that all matters were in line in the Salary Review Committee Report and such was passed on to Chairman Trask.

G. Appointments

Dr. Timmerman distributed the recommendations for appointments and re-appointments of Deputy Wildlife Conservation Officers and the appointments and re-appointments of Conservation Officers and other Department personnel (copy attached to original Commission minutes). It was noted that the appointments and re-appointments of Deputy Wildlife Conservation Officers would be subject to the Governor signing a bill to delete DWCOs from training requirements. A motion was made to approve the recommendations as submitted. The motion was seconded and passed.

Dr. Timmerman informed the Commission that an individual recently appointed as a new conservation officer in Charleston County did not pass the physical examination or stress test. Therefore, the Law Enforcement staff recommended that this individual not be hired and that we seek a qualified individual for the job.

In addition, Dr. Timmerman noted that an applicant for a Conservation Officer job in Kershaw County was being considered but it was revealed through investigation that he was a resident of Richland County. Therefore, the Law Enforcement Section will recommend another applicant for the job which will be presented at the August Commission meeting.

H. Other Remarks

1. Comments by Dr. Jacqueline Jacobs - S.C. Wildlife Federation: Dr. Jacobs appeared before the Commission and read a prepared written statement which is attached to the original Commission minutes. Basically, Dr. Jacobs reminded the Commission that it was their duty and responsibility to oversee the use of the State's natural resources and that as a group, the Commission has not lived up to its responsibilities with the Cooper River Rediversion Project and the Wando Port Terminal Project. Dr. Jacobs also noted that it was the Commission's responsibility to properly inform the public of the effects of such projects and to stand up for the best interest of the people of South Carolina. Dr. Jacobs also noted that their comments were being offered in a spirit of constructive criticism.



Dr. Timmerman expressed his thanks to Dr. Jacobs for her constructive criticisms and presented an in-depth discussion of the Department's involvement and comments on the Cooper River Rediversion Project and the Wando Port Terminal Project. Dr. Timmerman emphasized that the Commission and the Department have done an adequate job in evaluating these projects on the grounds of environmental soundness and saneness. Dr. Timmerman noted that these projects have been thoroughly discussed at various Commission meetings and various environmental concerns have been expressed in the Department's review of these projects. Dr. Timmerman also presented numerous magazine articles, news releases, newspaper articles, television appearances, etc. the Department has presented to the public concerning the nature of these projects and the impacts of such. Dr. Timmerman pointed out that these projects have been carefully and wisely looked at and concerns have been expressed, however, any further data and information that the S.C. Wildlife Federation may have that would help in the Department's evaluation would be appreciated. Dr. Timmerman also noted that the Department can express its concerns on projects such as these, but we do not set nor can the Department override State policy that is established by the Governor.

2. Comments by Mr. Bill Thomas - Commercial Fisherman from Santee, S.C.:
Mr. Bill Thomas appeared before the Commission to express his concerns over the Commission's action to limit the number and size of traps for commercial fishing. Mr. Thomas stated that he felt the 2 x 4 trap size was too small and would kill fish before they could be removed. Mr. Thomas requested an opportunity to appear before the Commission before any further action is taken on this matter. Chairman Trask informed Mr. Thomas that he could make an appointment for such through Dr. Timmerman. Commissioner Shuler noted that the Commission has already approved limiting the number of traps and the size. Dr. Timmerman stated that these regulations have not been put into effect due to the requirement of the Administrative Procedures Act but that we will proceed unless the Commission instructs otherwise.

1. Time and Place of Next Meeting

Commissioner Shuler suggested that the next Commission meeting be held in Columbia at Dutch Plaza at 10:00 a.m. on August 18, 1978. This met with the consensus of opinion of the Commission.

ITEM V. ADJOURN

There being no further business to come before the meeting, a motion was made, seconded and passed, to adjourn.

