

MINUTES

S. C. WILDLIFE & MARINE RESOURCES COMMISSION MEETING Eutaw Springs June 17, 1977

The regular monthly meeting of the S. C. Wildlife and Marine Resources Commission was held at Eutaw Springs at 10:00 a. m. on June 17, 1977, with Chairman Joseph Hudson presiding. Other Commissioners present were: Lumpkin, Boykin, Buchanan, Edens, Shuler and Trask. Directors and staff members present included: Dr. Timmerman, Larry Cartee, Benny Reeves, Ned Pendarvis, Dr. Joseph, Mike McKenzie, Dr. Burrell, Pete Laurie, Tom Kohlsaas, Duncan Newkirk, John Culler, John Evans, Jeff Fuller, Brock Conrad, Pat Ryan, Bill Chastain, Alvin Poston, T. C. Welch, Captain Frank Weeks, Sgt. James L. Boone, C/O Walter Fogle, C/O Phillip Furtick, Lt. Hoyt McCaskill, Gerald Moore and Miller White.

CALL TO ORDER

CALL FOR EXECUTIVE SESSION: A motion was made by Commissioner Lumpkin to hold an Executive Session following the regular meeting to discuss personnel matters. Commissioner Trask seconded the motion and such was approved by the Commission.

ITEM I. READING OF LAST MEETING MINUTES: Commissioner Edens moved to dispense with the reading of the Minutes of the May 20, 1977 Commission Meeting and to approve them as submitted. Commissioner Trask seconded the motion and such was approved by the Commission. Commissioner Edens moved for the Commission to approve the two sets of Minutes for the Executive Session on April 15, 1977. Commissioner Trask seconded the motion and such was approved by the Commission. Commissioner Edens moved to approve the Wildlife Education Training Fund as mailed to the Commission. Commissioner Boykin seconded the motion and such was approved by the Commission.

ITEM II. COMMENTS: Dr. Timmerman distributed a copy of the Minutes of his recent Director's Staff meeting and a copy of a proposed legislative procedure to be implemented in the Department. These were briefly discussed by Dr. Timmerman.

Dr. Timmerman noted that Bill Cotty, Department's Legislative Liaison, will be resigning to go into private business. Contacts with various individuals and discussions in-house have led to the conclusion that this position could probably best serve in the Executive Office rather than in the Division of Administrative Services. This matter has been discussed with the Commission Chairman and it is felt that no Commission action is necessary. As such, unless the Commission objects to this matter, the position will be transferred to the Executive Office.



Dr. Timmerman noted that there was not a spring white shrimp crop and emergency funds could be sought for shrimpers, but the Board of the Shrimpers Association chose not to take this course of action at this time. This matter will be discussed in detail by Dr. Joseph later in the meeting.

Dr. Timmerman reported that the Department's inventory of fixed asset will be completed and on the computer system by the end of the fiscal year.

One of the areas of concern this year is the titling and registration process. The titling cycle will be completed by the end of June. Staff will evaluate the existing titling law and make proposed legislative changes to the Commission in this area so as to better serve the public and look at the benefit/cost ratio in the motor titling area.

Dr. Timmerman stated that the staff is doing a good job on "The Resource". Plans are underway to include a section in the newspaper to expose the public to conservation officers and biologists. In addition, news releases can be sent out to local newspapers where the individuals are based to provide more local exposure.

A meeting is scheduled on June 20, 1977, with Georgia officials concerning the boundary dispute and law enforcement for commercial fishing in the disputed area. A news release has been sent out concerning this matter stating that until midnight, June 20, 1977, we will enforce shrimping laws from the north jetty of the Savannah River, to the east most point and then due east to the three-mile limit. The meeting on June 20th will, hopefully, determine where we go from there.

Dr. Timmerman has asked Pat Ryan and Bill Chastain to look in District #9 along the Edisto River area to fill the law enforcement gap that exists in the area.

The Conservation Officer Selection Procedure is progressing quite well. The tests have been completed and we will probably recommend to the Commission, about half the positions in July to be filled the first part of August, and the other half in August to be filled by the first part of September.

In addition, Dr. Timmerman noted that the research coordinator's position is being evaluated. The staff is checking on the transfer of personnel at South Island. The small game and furbearer positions are being developed and priorities are being rearranged in the Division of Wildlife and Fisheries to fund these positions. It is anticipated, however, that state appropriations will be sought for these positions and the Commission's help on such would be appreciated. This should be funded by such rather than revenue derived from hunters and fishermen.

The IPA staff is progressing on the "Game on Your Land" series and such should be out in September.



Dr. Timmerman noted that the staff has conducted an in-depth study on selection of an architectural/engineering firm for the seafood port facility. A letter (attached) to the Commission, dated June 17, 1977, concerning staff recommendations on the firms selected was distributed to the Commission. Mike McKenzie went over this letter noting that the staff recommendations to the Commission, in order or priority, are as follows:

1. Harwood Beebe Company - Spartanburg
2. MGJ&K - Columbia
3. Russel and Axon - Anderson

Dr. Timmerman stated that if approved by the Commission, these firms will be recommended to the Budget and Control Board for their approval. In addition, Dr. Timmerman noted that a local ad hoc citizens advisory committee would be working with the firm selected on the site selection, preliminary design and cost estimates so that an application for funding can be developed. Commissioner Trask noted that he would like to meet with the firm that is selected. Chairman Hudson noted that the Commission will make a final determination on the site selected for the facility. Commissioner Edens moved that the Commission adopt the staff recommendations per the letter dated June 17, 1977, and forward such to the Budget and Control Board. Commissioner Lumpkin seconded the motion and such was approved by the Commission.

Dr. Timmerman noted that the recently passed tidelands legislation has been ratified and mailed to the Commission for information. Basically, the S. C. Coastal Council has been created that will operate as an independent unit or agency. The legislation states that the Department will assist the Council in services, staff, etc. The primary categories and the Department's inter-relationships are as follows: 1) Permitting - the permits for the coastal zone will go through the S. C. Coastal Council. As such, the Department will comment to the Council on permits requested in the coastal zone. The current coastal planning staff is being lost by the Department to the Council. A position will be established in the Department to hire a "front man" to handle permitting for the Department. Comments for the permits in the non-coastal zone counties will go through the same system that now exists. 2) Law Enforcement - the Coastal Council will sub-contract with the Department to add additional law enforcement personnel in District #9. 3) Technical Assistance - the Council will require some technical assistance from time to time which may be sub-contracted to staff at the Marine Center. 4) Administration - the administrative needs will be handled through the Division of Administrative Services as they currently are handled. Chairman Hudson noted that he had met with Senator Waddell and there are numerous matters to be worked out. Dr. Timmerman stated that the Heritage Trust Program would not be de-emphasized. Dr. Beam will continue to serve as Division Director of NARP. Duncan Newkirk discussed the permitting system noting that such must be independent in order to



put the staff in a position of potential conflicts. Mr. Newkirk stated that the Council membership is currently being put together and we will have to see what direction the Council will take. Chairman Hudson noted that problems remain to be worked out, primarily from the administrative standpoint. If the administrative problems cannot be worked out, then a total transfer to a new agency would have to occur. Dr. Timmerman noted that various meetings have been held concerning this matter and it seems to be progressing as well as can be expected. Once various items are settled, a formal agreement with the Council and the Commission will be developed for the administration of the program.

Dr. Timmerman stated that the Highway Department building will be ready for occupancy in early or mid-1979. The facility has 160,000 square feet of space and we will probably occupy about one-third of the building. The Department will get first priority in what we need. We are getting into the planning aspect early to meet our needs. Hopefully, a small auditorium, library and exhibit area can be established. Commissioner Boykin asked about the parking situation. Dr. Timmerman noted that he had been assured that adequate parking would be provided, but this remains to be worked out.

Dr. Timmerman noted that the travel allowance had been raised to \$25 for in-state travel, \$30 for out-of-state and \$35 for metropolitan areas in excess of 250,000 in population. In addition, Dr. Timmerman noted that the Commission had asked him to look at a uniform and groom policy for the Department. This is being developed and will be brought up at a later time when the pending grievance on such is settled.

Relative to the Commission approved Affirmative Action Plan, Dr. Timmerman stated that the staff is working to attain qualified minority employees by 1981. Dr. Timmerman also stated that all new employees will go through an orientation program about the Department's activities. In addition, a training program for all supervisory personnel will be established to aid in the role of management of the Department's personnel and operations.

Dr. Timmerman stated that a legislative procedure is being developed which is the most important item we have at the present time. A system will be implemented to assist the Department better than in the past. The staff has discussed a draft procedure and work flow chart for legislative needs. One of the problems in the past is that legislation has come up and there is not a Commission position of the bill. As such, assistance is needed from the Commission to develop a position in order to benefit the Department and our constituencies.



ITEM III. NEW BUSINESS

DIVISION REPORTS:

1. Administrative Services: Benny Reeves noted that the 78-79 budget procedure has started and contact will be made soon with the Commission's Finance Committee. The fringe benefit problem for law enforcement has been worked out. Commissioner Edens stated that the Conservation Officer Selection Procedure should not be referred to as a countywide system of testing and hiring. This is really a statewide program rather than a county system. Mr. Reeves noted that it is a statewide system, but individuals will be hired on a county basis, unless there are no qualified individuals in the respective county.

2. Wildlife and Freshwater Fisheries: Jeff Fuller stated that he did not have anything to add to the written report.

3. Information and Public Affairs: John Culler stated that he did not have anything to add to the written report.

4. Law Enforcement and Boating: Chairman Hudson asked Bill Chastain to provide an up-dated report on the Conservation Officer Hiring Procedure. Mr. Chastain noted that the program will develop a cut-off score to determine how many people should be interviewed. This year, the top five or so applicants in each county will be interviewed. The written test will be used to qualify the applicants for the interview. After the interview, a selection will occur for each vacancy.

Chairman Hudson noted that with this process, it is recognized that the legislators want and are going to have input for this system. Chairman Hudson recommended that the staff go through the aforementioned procedure and bring an individual's name to the Commission. When approved, the Commission Chairman would write a letter to each delegation member in the county in which the individual is selected, asking for any adverse comments on the individual in question before the individual is appointed by the Commission. Commissioner Lumpkin recommended that the legislators be given a two-week period to reply. Commissioner Edens noted that the Commission must respect legislators, but at the same time, it must be an independent selection process. As such, Commissioner Edens suggested that instead of asking for their comments, as a matter of information post the legislators on what has been done and why because for the first time, the Commission will be in a position to say why an individual has been hired. Commissioner Edens noted that another problem that is going to occur is having single member districts and getting the legislators together in each county. Chairman Hudson noted that the Commission should be responsible for informing the legislators of who is selected. Commissioner Edens noted that why an individual is selected should be included in the letter. The individuals would be approved subject to a two-week waiting period. Commissioner Lumpkin noted that the letters to the legislators should be sent as

registered letters. Commissioner Edens suggested that the House Members in the legislative district where the individual resides should be written since there are single member districts. In addition, the Senators that have jurisdiction over the respective House district would also be written. Commissioner Trask moved that the Commission would send a letter to the House Member in the legislative district where the individual resides and the Senator(s) having jurisdiction over that district giving them a two-week period to comment in a negative fashion to the individual selected before he is appointed after this two-week waiting period. Commissioner Boykin seconded the motion and such was approved by the Commission.

Commissioner Buchanan noted that some system needs to be devised to allocate Conservation Officers based on license sales, population, etc., as it appears that most of the new positions are going to the Lowcountry. Pat Ryan noted that not all of the new positions are going to the Lowcountry as they are spread all over the State. Dr. Timmerman noted that some of the new positions were funded in order to fill positions in particular counties. Dr. Timmerman noted that he will send information to the Commission on where the Officers will be assigned. Dr. Timmerman suggested that any future allocation of positions should be approved by the Commission.

5. Marine Resources: Dr. Joseph noted that the spring shrimp fishery was disastrous. The shrimp industry was urged to let the spring fishery be declared a disaster to qualify shrimpers for emergency relief funds. The Board of the Shrimpers Association did not want to do this, just for the spring fishery. At this point, the staff is not optimistic about the fall crop and some prediction will probably be made within the next couple of weeks. As such, the Board of the Shrimpers Association may want to take another look at the emergency funds at that time. Commissioner Trask noted that it was well publicized in his area that the shrimpers did not wish to seek emergency relief.

6. Natural Area Acquisition and Resources Planning: Tom Kohlsaas noted that the Commission had approved the inclusion of Capers Island and Stevens Creek into the corpus of the trust. In order to legally expedite this matter, copies of the proposed dedication agreements and easements were distributed to the Commission for their consideration. Chairman Hudson stated that such would be reviewed by the Commission and taken up at the next meeting.

Chairman Hudson noted that a major piece of property on the Cooper River is being considered for inclusion in the Heritage Trust in a few years. Funding is available for this property and it could be attained with total funding from the Foundation in a few years. Mr. Kohlsaas stated that the property is known as Bluff Plantation which consists of approximately 1,700 acres. The Foundation is required to expend a certain amount of money on management of the property in order to maintain its tax exempt status.

Chairman Hudson noted that Mr. Myers on the Edisto has left us Botany Bay Plantation. In addition, Chairman Hudson stated that, due to a recent judicial ruling, CBI has now been granted a permit. As such, the State Ports Authority will be deeding about 1,100 acres at Victoria Bluff to the Department. Recent contacts with Mr. W. W. Johnson, Chairman of the SPA Board, wants to have a dedication ceremony to transfer this property to the Department in the near future.

Mr. Kohlsaas noted that Dr. Timmerman had recently signed an agreement with Westvaco to register a site known as Cook's Mountain in Richland County on the Wateree River. This agreement will come before the July meeting of the Advisory Board and then to the Commission for ratification.

Benny Reeves noted, as a matter of information, that legislation passed for a non-resident hunting license at \$42.50, 10-day - \$22.50 and 3-day - \$12.50. The titling fee was increased from \$1.50 to \$3.00. Dr. Timmerman noted that the complimentary license portion of the bill was deleted. As such, there is no legal authority to issue a complimentary license and there will not be any issued after July 1, 1977.

ADVISORY BOARD REPORTS:

1. Marine Resources: Commissioner Lumpkin noted that the Minutes of the meeting were mailed to the Commission. The Board noted that Senator Waddell had requested the staff to develop a management plan by June 1st for the Senate Fish, Game and Forestry Committee to consider both commercial and recreational shellfish harvesting and recommendations for needed legislation. This was developed by the staff and submitted to Senator Waddell. The Advisory Board will review this report and discuss such at their next meeting so that it can be brought to the Commission for its consideration.

Commissioner Lumpkin noted that the Board went on record as supporting Senate Bill 142 (shrimp marketing order) and Senate Bill 289 (to tax commercial fishing boats on an assessment equal to five percent of fair market value rather than the current ten and one-half per cent). Since the legislature is near adjournment, the staff will follow-up on these bills next year so as to attain the Commission's support of these bills when the General Assembly returns in 1978.

Commissioner Lumpkin noted that one of the Board members, Walt Zachowski, had been fined for undersized crabs at his processing plant. He asked for the Board's assistance in obtaining an Attorney General's ruling on whether the particular statute is working for the Department, it may be detrimental in asking for an opinion. Following other discussion by the staff and Commission, it was felt that Mr. Zachowski should seek an Attorney General's opinion or seek an interpretation of the statute through the judicial process.



2. Law Enforcement and Boating: Commissioner Boykin stated that he did not have any items or recommendations to discuss pursuant to their June 10, 1977 meeting. The Minutes of the Advisory Board have been mailed to the Commission.

3. Wildlife and Freshwater Fisheries: Commissioner Edens noted that representatives of the S. C. Archery Association came before the Board seeking the Department's cooperation with their program to improve the image and quality of archery hunting in South Carolina. The individuals were put in contact with Jim Mills to discuss hunter safety and with staff in IPA to provide some publicity for their program. This publicity will include their upcoming national meeting at Clemson University in July.

The Board also heard comments by Mr. Crosby Lewis concerning the Department's request to reclassify the Saluda River below the Lake Murray Dam from Class B to Class A. Mr. Lewis questioned the Department's request on this matter noting that he felt the Commission should act on such a matter rather than the staff. The Advisory Board, however, did not agree with Mr. Lewis' opinion. The Board felt that the decision regarding this reclassification was now in the hands of the DHEC Board, thus, no further action is required.

Commissioner Edens noted that the Commission had asked the Board to consider Representative Ashe's request to allow buckshot on private land in the Carlisle and Broad River GMA. The Board found no objections concerning this matter to be granted in the regulations for next year.

The Board also discussed the request from rabbit hunters in the Greenwood area to set aside certain areas on GMA lands exclusively for rabbit hunters. Following considerable discussion by the Board, Commissioner Edens stated that two things are recommended to the Commission. First, the Board recommends that the season be extended to March 1 in Game 1, 2 and 4, if the Commission so approves. Second, the Board felt that the number of rabbit hunters needs to be determined and the Board will come back next year with a recommendation. Commissioner Edens noted that the Board welcomes the opportunity to further discuss this matter with Commissioner Buchanan and his constituencies.

Commissioner Edens noted that the Board discussed the proposed antlerless deer harvest program discussed by Gerald Moore. The Board approved the proposal subject to a minor revision on the revocation portion as follows: under the section dealing with the revocation of permits, such was reworded to "whereby a permit, upon revocation would be for the remainder of the season plus all of the following year." (Copy attached.) The Law Enforcement and Boating Advisory Board reviewed the proposal and did not have any objections. Mr. Moore discussed the proposal that was mailed to the Commission. Chairman Hudson noted that he



did not agree with having a shorter season for smaller landowners noting that we are in business to accommodate the public. Mr. Moore noted that a shorter season for smaller landowners is based on past abuses of doe quotas and to assist in law enforcement. Commissioner Edens noted that proposal could be amended to allow antlerless deer harvest for all landowners from October 1 to January 1. In addition, Commissioner Edens stated that all landowners given a doe quota should be sent a letter that such will be strictly enforced. Following other discussion, Commissioner Edens moved that the Commission adopt the proposal subject to the aforementioned revision on the revocation of permits and having all dates for harvest in counties with doe quotas to run from October 1 to January 1. Commissioner Lumpkin seconded the motion and such was approved by the Commission. Chairman Hudson recommended that we go to the legislature to increase the fine for untagged deer.

Commissioner Edens moved that the Minutes of the Wildlife and Freshwater Fisheries Advisory Board be approved by the Commission. Commissioner Boykin seconded the motion and such was approved by the Commission.

OTHER DISCUSSION

Commissioner Buchanan noted that he recently met with personnel of the Tennessee Department of Wildlife. A report on food plots and management tools for landowners was passed on to Commissioner Edens and Mr. Fuller's staff for their information.

Chairman Hudson stated that the upcoming Southeastern meeting will be held in San Antonio on October 9 - 12. He urged each Commissioner to attend this meeting, if possible. Dr. Timmerman noted that he would appreciate a large turnout for this meeting.

Commissioner Boykin suggested that the shooting of turkey in restocked areas before the season opens should be considered in development of a legislative packet.

Dr. Timmerman noted that representatives of Palmetto Bluff have invited the Commission and staff on October 25 and 26. Chairman Hudson requested that some notice of this be mailed to each Commissioner.

Dr. Timmerman also noted that for the third year in a row, the magazine has received the AACI award for best magazine in the country. A letter of commendation to John Culler and his staff has been forwarded by Dr. Timmerman.

SALARY REVIEW COMMITTEE:

Dr. Timmerman noted that the Salary Review Committee had met. All reviews are in order and there is nothing to report regarding this matter. A copy of this report was given to Chairman Hudson.



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APPOINTMENTS:

Dr. Timmerman distributed a list of appointments and re-appointments (copy attached) that were mailed to the Commission. Dr. Timmerman went over this list with the Commission. A motion was made, seconded and adopted by the Commission to approve the appointments and re-appointments as submitted.

There being no further business, the Commission adjourned and went into Executive Session.

