

MINUTES

SOUTH CAROLINA WILDLIFE AND MARINE RESOURCES COMMISSION MEETING

Dennis Building
Columbia, S. C.
March 19, 1982

The regular monthly meeting of the South Carolina Wildlife and Marine Resources Commission was held at the Dennis Building, Columbia, S. C., at 10:00 a.m., on March 19, 1982, 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, Compton, Harrelson, Owen, Shuler, Dawson and Stubbs. Directors and staff members present included Dr. Timmerman, Larry Cartee, Benny Reeves, Ed Joseph, Pat Ryan, Joe Logan, Sonny Baines, and other staff. Guests at the meeting included Danny Johnson, Paul League and Jeff Havel of the South Carolina Water Resources Commission, Mike Rowe of the Governor's Office, Les Rabon of Columbia, Peggy Garvin of the South Carolina Wildlife Federation, Pat Robertson of the "Columbia Record", Mike Livingston of the "State" newspaper, and shrimpers C. A. Magwood, Mackie Altman, Francis Burn, Steven Shoemaker, W. S. Baldwin and William Gay.

CALL TO ORDER

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

Chairman Edens recognized Les Rabon to make some comments. Mr. Rabon asked the Commission to consider meeting in afternoons or on Saturday morning at a time more convenient for hunters and fishermen to attend. Chairman Edens noted this matter will be taken under consideration to see if such can be accommodated. Chairman Edens stated that we should put the agenda for each Commission meeting in the press release which is sent to the media.

ITEM I. READING OF THE MINUTES

Commissioner Harrelson moved to dispense with the reading of the Minutes of the February 19, 1982 meeting and adopt them as submitted. Commissioner Shuler seconded the motion and it was adopted by the Commission.

ITEM II. COMMENTS (For Information)

Dr. Timmerman noted that a school had raised some funds for endangered species and a resolution is proposed for the Commission's consideration. Tom Kohlsaas noted that Mrs. W. G. Vering and her first grade class sold cookies and raised \$13.50 for endangered species.



A resolution regarding this was read by Mr. Kohl Saat. Commissioner Harrelson moved for the Commission to adopt the resolution as proposed by Mr. Kohl Saat. Commissioner Stubbs seconded the motion and it was adopted by the Commission.

Chairman Edens advised the Commission that he will have spinal surgery next week.

Dr. Timmerman distributed a list of accomplishments in 1981 and areas of concentration for 1982. He asked the Commission for any input on these two items. Dr. Timmerman noted that this year, he plans to work hardest on personnel management and ways to save funds. At the May meeting, there are several administrative matters on housing, vehicle assignments, and policies will be brought before the Commission.

Dr. Timmerman advised the Commission that he has sent out a letter to the Greenville Delegation on the Lake Oak Grove dam problem and a meeting with them has been scheduled for Wednesday morning at 9:00 a.m.

Dr. Timmerman noted that the Commission had amended the Certificate of Meritorious Service Award at its last meeting and a revised copy of these guidelines were distributed to the Commission (copy attached to original Commission Minutes).

Dr. Timmerman advised the Commission that efforts have been undertaken to get federal funds restored for the Walhalla and Cheraw fish hatcheries. The state's Congressional Delegation is sending a letter to various Congressional budgeting committees to help get these funds restored. Chairman Edens noted that he talked with Secretary Watt recently, and if funds are not restored for these hatcheries, the Department would have a chance to obtain ownership of these hatcheries.

Dr. Timmerman distributed the Minutes of his recent staff meeting to the Commission for their information. An audit system for field purchase requisitions has been implemented and a copy of this procedure was passed out to the Commission for their information.

Commissioner Harrelson noted that he had seen a recent newspaper article in which the BASS organization had made an award to the Union Camp company in Virginia.

ITEM II. OLD BUSINESS

A. Carolina Refinery Permit Application: Chairman Edens noted the applicant has been contacted to appear before the Commission or send their representative, but they declined to do so. Ed Duncan



noted that a report on this permit--dated March 12, 1982--was sent to the Commissioners (copy attached to original Commission Minutes). Mr. Duncan went over this report noting that we have not been able in over two years to get adequate information from the applicant to provide safeguards that would protect the resources in the Georgetown area. Mr. Duncan stated the applicant has taken the position that they do not feel there is anything they can do to reconcile differences with the Department on the permit and they have written the South Carolina Water Resources Commission asking that reconciliation be terminated so they can make a decision on the permit application. Following other discussion, Commissioner Harrelson noted that since the applicant does not have the capability nor the desire to guarantee protections against potential adverse and damaging effects, he moved that the reconciliation procedure be terminated and that we make our recommendations to all agencies involved that they deny the permit. Commissioner Harrelson noted that his motion also includes that we advise all agencies involved of our concerns on this permit application and that the total project be reviewed in the process by the state rather than just the pipeline itself. Commissioner Compton seconded the motion and it was adopted by the Commission.

B. Proposed Changes in Trout Fishing Regulations and Laws:
Commissioner Owen noted these proposed changes on four streams and Lake Jocassee were mailed out to the Commission (copy attached to original Commission Minutes). The proposal also requests the Commission to endorse the concept of developing legislation to give the Commission authority to manage Lake Jocassee through regulations as the Commission deems appropriate. These proposed changes would be sought to go into effect on July 1, 1983. Commissioner Owen moved for the Commission to adopt these proposed changes. Commissioner Harrelson seconded the motion and it was adopted by the Commission. Chairman Edens noted these changes should be properly published for the public, if they go into effect.

ITEM IV. NEW BUSINESS

A. Proposed Heritage Trust Dedication and Registration Agreements: Stu Greeter noted the Commission had been sent a proposed dedication agreement at Bird Key Stono in Charleston County and a proposed registration agreement with Westvaco for a bald eagle nesting area in Berkeley County (copies attached to original Commission Minutes). These proposals are recommended to the Commission by the Heritage Trust Advisory Board. Commissioner Harrelson moved for the Commission to adopt the dedication and registration agreements as presented. Commissioner Owen seconded the motion and it was adopted by the Commission.



B. Proposed Francis Marion GMA Regulation: Brock Conrad noted that proposed changes in Francis Marion GMA and other regulations were sent to the Commission (copy attached to original Commission Minutes). These proposed changes would go into effect in 1983. Following discussion by the Commission, Commissioner Harrelson moved for the Commission to adopt the proposed changes in these regulations as presented. Commissioner Compton seconded the motion and it was adopted by the Commission. Chairman Edens noted that we need to put out a press release that these changes are being proposed and that the changes will be in the State Register under the requirements of the Administrative Procedures Act.

C. Division Reports:

1. Administrative Services: There was nothing further to report.
2. Wildlife & Freshwater Fisheries: There was nothing further to report. Commissioner Harrelson noted that he was contacted by former Commissioner Edwin Johnson's family about poor maintenance and trash at Lake Johnson in Spartanburg County. Dr. Timmerman stated that he would have Joe Logan and Mac Flood look into this matter and report to Commissioner Harrelson.
3. Law Enforcement & Boating: Pat Ryan stated that a firearms policy needs to be considered by the Commission. This will be mailed to the Commission for consideration at the April meeting.
4. Information & Public Affairs: There was nothing further to report.
5. Marine Resources: There was nothing further to report.

D. Advisory Board Reports:

1. Wildlife & Freshwater Fisheries: There was no report from the Board this month.
2. Law Enforcement & Boating: Commissioner Shuler stated that he would like to have the dive team make a presentation to the Commission at its May meeting. Commissioner Shuler noted that funds have been sought for the law enforcement recognition program. It has been suggested that if an organization would contribute \$10,000, \$15,000, \$25,000 or so for this program, a plaque could be used to recognize this organization and use such a plaque each year for the Conservation Officer of the Year award. The Commission agreed with this approach and asked that it be pursued.
3. Marine Resources: Commissioner Compton noted that the Board met on March 12th and one item discussed was the three-mile limit. He noted that the Attorney General's Office recognizes the



NOAA charts as the state's three-mile territorial limit. Commissioner Compton stated the question to consider is for the Commission, under regulation or whatever, making a zone for law enforcement for shrimping purposes. The Board recommended the Commission receive information today on this matter and make a decision. Commissioner Compton noted that Mr. C. A. Magwood has presented the Commission a letter requesting that the Commission maintain the same boundaries for shrimping that were in effect prior to February 1, 1982 (copy attached to original Commission Minutes). The staff presented some charts to the Commission denoting the old and new boundaries. Mr. C. A. Magwood, William Gay, W. S. Baldwin and other shrimpers made various comments to the Commission regarding this matter to request that the old boundaries be used for shrimping purposes. During the discussion, Chairman Edens asked the staff to put out news releases, including the agenda, for all Commission and Advisory Board meetings and to include---in bold type---that the public is invited to attend. Chairman Edens noted that he had talked with Mr. Toler of the Shrimpers Association and he requested for the sake of harmony that the Commission postpone enforcement between the old and new line for one (1) year and during that time, ask the staff and the industry to come up with some solutions. Following other discussion, Commissioner Harrelson moved for the Commission to postpone enforcement between the old and new line for one (1) year, ask the shrimping industry to work with the Department on reporting data needed by the Department, and for a committee of staff and industry representatives to be set up to develop recommendations prior to time to act next year. The motion was seconded and it was adopted by the Commission

Commissioner Compton advised the Commission that a proposed gill net bill was endorsed by the Board and such is presented to the Commission for information. He also noted that the Board has recommended that 50% of an oyster lease be cancelled and this will be on the agenda for the Commission to discuss at the April meeting.

4. Heritage Trust: There was no report from the Board this month.

E. Salary Review Committee: Dr. Timmerman noted this report is in order and a copy has been given to the Chairman.

F. 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). Commissioner Harrelson moved for the Commission to approve all appointments and re-appointments as presented. Commissioner Compton seconded the motion and it was adopted by the Commission.



G. Other Remarks: Commissioner Shuler asked that the slide show on steel shot and one on trappers and houndsmen be scheduled for the Commission at some future meeting. Chairman Edens noted that such will be scheduled at a future meeting.

The Commission approved the Certificate of Meritorious Service Award to an individual to be announced at the May Commission Meeting.

Dr. Timmerman introduced Ms. Deb Sterling who works in Washington, D. C. and has been of great assistance to the Department.

Dr. Timmerman advised the Commission that an open house will be held on April 17th at the Dennis Center and he invited the Commissioners to attend.

Dr. Timmerman noted the Commission had approved a regulation to prohibit the use of rifles for turkey hunting, but it was not acted upon in time to include in the turkey brochure this year. Commissioner Stubbs moved that enforcement of this regulation be postponed until next year. Commissioner Owen seconded the motion and it was adopted by the Commission.

Commissioner Owen asked about the status of a bill, H.3140. Dan Dobbins noted this bill is in a Senate committee and the Chairman of that committee has asked that the Commission's action last month be conveyed to the committee.

H. Time and Place of Next Meeting: Chairman Edens stated the next meeting will be held on April 16, 1982, at the Marine Center in Charleston.

ITEM V. ADJOURN

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

