

MINUTES

SOUTH CAROLINA WILDLIFE AND MARINE RESOURCES COMMISSION MEETING

Room 335, Rembert C. Dennis Building
Columbia, South Carolina
March 22, 1991
10:00 A.M.

The regular monthly meeting of the South Carolina Wildlife and Marine Resources Commission was held at 10:00 a.m. on Friday, March 22, 1991, in Room 335 of the Rembert C. Dennis Building, Columbia, South Carolina, with Chairman Burnside presiding. Notice of the date, time and place of the meeting was mailed to the state's media. Commissioners present included: Chairman Burnside, Commissioners Drummond, Compton, Pendarvis, Poston, Graham, Owen, and Miller. Staff members present included: Dr. Timmerman, Dan Dobbins, Benny Reeves, Prescott Baines, Paul Sandifer, Brock Conrad, Bill Chastain, Buford Mabry, and various other staff members and guests.

CALL TO ORDER

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

ITEM I - READING OF MINUTES

The Commission adopted a motion to dispense with the reading of the Minutes of the February 15, 1991, Commission meeting and approve them as submitted.

At this time, Chairman Burnside asked Catherine Stokes to come before the Commission and presented her with a plaque commemorating her years of service and expressed the Commission's appreciation and gratitude for her good work throughout her tenure as Administrative Assistant to the Executive Director and to the Commission.

ITEM II - COMMENTS

Dr. Timmerman reported briefly on the status of the Department's budget, saying that \$390,000 of personnel money had been returned to the Budget and Control Board due to general cuts to meet anticipated revenue shortfalls. In addition, there was another cut of \$30,000 that we were notified of shortly thereafter. He stated that the Department had taken a very conservative attitude early in the fiscal year and had held back money by not filling open positions and through curtailing expenditures. He stated that this had enabled the Department to save these funds and that these cutbacks would not result in any forced layoffs of personnel. He then call on Benny Reeves for additional information.

Mr. Reeves stated that in ordinary circumstances the money that had been cut from this fiscal year budget's would be back in the base next year. The status of the Appropriations Bill at this point, however, has our Department suffering a net reduction of \$100,000 from the present fiscal year base. Mr. Reeves stated that this was one of the toughest budget years he has ever seen, and that the Department would be very fortunate to maintain its budget at the present level. He stated, however, that there was a proviso in the House passed version of the Appropriations Bill that could have a disastrous effect. This proviso would require any proceeds from the sale of assets be returned to the General Fund rather than retained by the agency. He said that this could have a maximum impact on our Department of \$350,000 which would be a net reduction in our budget, as we are able to retain those funds and use them to buy other equipment at present.

Dr. Timmerman stated that the Department's equipment budget was in dire straits, since our equipment base budget is some 22% lower than it was three years ago. This has resulted in a series of budget cuts that have eroded our base budget for the last three years. This problem will be greatly compounded by a provision that would not allow us to retain funds from resale of used equipment.

Dr. Timmerman stated that he is also cutting back on Department travel and is requiring any out-of-state travel to be approved not only by the employee's supervisor, but ultimately by himself.

Dr. Timmerman stated that a recent investigation has lead the Department to look closely at our total licensing structure, and he called on Jim Quinn to brief the Commission on this matter. Jim Quinn stated that because of the belief that there was significant fraud taking place with non-residents purchasing resident licenses, an amnesty program has been offered. If non-residents turn in their illegally obtained license and pay \$200.00, no further prosecution will be forthcoming from the State. He stated that the U.S. Attorney General's office and the S.C. Tax Commission is cooperating fully with the Department. He stated that the program would be over April 1, and indictments will be brought forth after that date.

Senator Drummond stated that the Senate Fish, Game and Forestry Committee had recently passed legislation that would make the residence requirements for the lifetime license be six months as opposed to one month, and felt that this would help.

Dr. Timmerman stated that there had been additional contact made in Congress concerning the Richard B. Russell Mitigation Project and asked Dan Dobbins to brief the Commission on these

activities. Dobbins reviewed briefly the history of the problems concerning the mitigation for Richard B. Russell and stated that Dr. Timmerman has been successful in bringing the Commissioner of the Georgia Department of Natural Resources into the matter. The Commissioner of the Georgia DNR had authorized his new Director of Fish and Game, David Waller, to assist South Carolina in our efforts with Congress. Dobbins reported that last week, Dr. Timmerman, David Waller, John Frampton and he met with all of the Georgia and South Carolina Delegation members to brief them on the project. He stated that the results of that meeting were that the House Delegations from Georgia and South Carolina are to write the Chairman and Subcommittee Chairman of the House Appropriations urging the appropriation of \$20.4 million for the Richard B. Russell Mitigation. The Senate Delegations will jointly write the Senate Appropriations Committee and Subcommittee members, and Senators Thurmond and Nunn will meet with the Secretary of the Army to seek his assistance. Dobbins stated that this year, more forces have been brought to bear on this problem than ever before and he was cautiously optimistic that it would result in some movement.

Dr. Timmerman then welcomed Larry Owen's wife, stating that the Commission was very pleased to have her attend the meeting.

ITEM III - LEGISLATIVE REPORT

Dobbins then distributed copies of the latest Legislative Report, and provided additional details on several matters and answered questions from the Commission.

ITEM IV - OLD BUSINESS

A. Disability License: Chairman Burnside then called on Benny Reeves and Linda Amick to discuss the disability license program.

Mr. Reeves made brief comments and asked Mrs. Amick to discuss this matter further. Mrs. Amick stated that while disability licenses were issued through the Columbia office, we do not know how many of those were still actively involved in hunting since there is no renewal. She stated that the State of Virginia is beginning to sale their disability license and considering them a lifetime license. For a fee of \$5.00 for a hunting and \$5.00 for a fishing license, they are then able to count these licenses for purposes of receiving federal matching funds and are using social security determinations for disability. She stated that she had met with the Disability Determination Division the South Carolina Vocational Rehabilitation Program and felt that this group may be of some assistance since they review cases periodically to insure that the disability is continuing through time and that people actually are permanently disabled. Following discussion, Senator Drummond asked that Mrs. Amick, Buford Mabry, and Dan Dobbins

develop language that would standardize the statute and bring it in line with other disability statutes in operation within the State so that he may introduce it in the Senate. Commissioner Miller placed that in the form of a motion, Commissioner Compton seconded it and the motion passed.

B. Fishermen's Opinion Survey: Joe Logan then provided the Commission with a copy of a recent Fishermen's Survey done by the Freshwater Fisheries Section, and gave a slide presentation on the results of that survey.

ITEM V - NEW BUSINESS

A. Discussion of Shrimp Baiting: Chairman Burnside then asked Commissioner Pendarvis to report on the joint Marine and Law Enforcement and Boating Advisory Boards meeting concerning the issue of shrimp baiting. Commissioner Pendarvis stated the recommendations had been mailed to the Commission prior to the meeting with the following changes: In the first proposal, on the fourth line, where it says "one or two years", should read "two years". Under #4, the current wording of the law intended to apply to possession limit of shrimp while not on the water or lands immediately adjacent to the waters is incomplete as written. The law should read, "The possession limit is ninety-six quarts of whole shrimp or fifty-eight quarts of headed shrimp when not on the waters or the lands immediately adjacent to the waters." He stated that the Advisory Boards had also recommended that the limit be reduced to 24 quarts per boat. Commissioner Pendarvis stated that there had been some erroneous information in the newspaper articles concerning the meeting and that these had caused some misunderstanding among the public. Commissioner Pendarvis then made a motion that the recommendations be adopted with the aforementioned changes, Commissioner Compton seconded, and there ensued a lengthy discussion of the recommendations. Following that discussion, Commissioner Compton called for the question, the motion failed by a vote of 4 to 3. (Copy of recommendations attached to original minutes).

B. Road Hunting: Chairman Burnside then called on Commissioner Miller to report. Commissioner Miller stated that the Commission had been mailed a copy of the final proposal made by the Law Enforcement Advisory Board (copy of proposal attached to original minutes). He then read the proposal in its entirety, and made the motion that the Commission adopt it for the purpose of sending it to the General Assembly for recommended action, Commissioner Compton seconded, and discussion ensued. Commissioner Owen asked that the following amendments be considered. The first being to include the road "through" as it relates to the roads and highways. Commissioner Miller amended

his original motion to include that amendment. Commissioner Compton seconded the amended version of the recommendation. After a brief discussion, Commissioner Miller asked if the Commission would allow him to amend his motion to change the word "highway" to "roadway", since highway is a technical term as far as the law is concerned and would limit the application of this change. Commissioner Compton agreed to further amend his second, and the motion was approved as amended.

C, Division Reports:

1. Administrative Services: Benny Reeves stated that the engineering design guidelines for docks, piers, and ramps had been mailed to the Commission. He stated that this document would be a dynamic document that would change through time as different methods of construction and different types of material were approved. He did ask that the Commission adopt these guidelines in principle with the understanding that they would change through time. Senator Drummond put this in the form of a motion, Commissioner Compton seconded, and the motion was approved.

2. Wildlife and Freshwater Fisheries: Brock Conrad stated that the Freshwater Fisheries Section had been involved in a Cooperative Striped Bass Study in the Santee-Cooper Lake System, and in cooperation with Oak Ridge National Laboratory and the Chesapeake Biological Laboratory will be involved in a \$180,000 three-year research project to develop a population dynamics model for striped bass in South Carolina. South Carolina, along with New York and California, was chosen by scientists at Oak Ridge who are trying to better understand landlocked populations of striped bass.

3. Law Enforcement and Boating: There was nothing further to report.

4. Conservation, Education and Communication: Sonny Baines stated that the Division had published a brochure called "Finding The Falls" and stated that the South Carolina State Library had notified Dr. Timmerman recently that this publication had been named as one of the "Notable State Documents" for 1990. Mr. Baines stated that Glenn Oeland was responsible for the production of this publication and deserves the credit. The Commission concurred in this praise of Mr. Oeland and complimented the Division.

5. Marine Resources: Dr. Paul Sandifer stated that Dr. Vic Burrell, Director of our Research Institute, was retiring and that a function was being held for him the evening of April 5 beginning at 7:00 p.m. and invited all the Commissioners to attend. He stated that the Division is in the midst of the second search for a replacement for Dr. Burrell, this had been reduced down to four finalists and he hopes to have a new director in place by midsummer.

D. Advisory Board Reports:

1. Law Enforcement and Boating: Commissioner Miller stated that the Board had met on March 8 in Columbia in the morning and had attended a joint meeting with the Marine Advisory Board in the afternoon. He stated that he welcomed a new member, David Cline, who had been appointed by the Governor. He reviewed briefly the matters discussed by the Board, but stated there was nothing further to bring before the Commission for action.

2. Marine Resources: Commissioner Pendarvis stated that it appeared the federal TED regulations may be amended in some manner in the very near future. He stated that the Board recommended that the Commission authorize the Legal staff to redraft State regulations to reflect those changes if and when they are in fact made. He placed this in the form of a motion, Commissioner Compton seconded, and the motion passed. He stated that the next Marine Advisory Board meeting will be at the Waddell Center at 10:00 a.m. on May 3, for the purpose of discussing the placement of an artificial reef off of Hilton Head. He stated that there was an individual who is willing to fund the entire reef construction cost, but that it may be controversial in that it would require a change in the shrimp trawling area to keep shrimp trawlers off the reef.

E. Other Remarks: Dr. Timmerman stated that the Palmetto Sportsmen's Classic had begun and that the Commission was invited to a luncheon in conjunction with that function at Seawells at 1:00 p.m. Dr. Timmerman stated that the Commissioners may have noticed that a staff member who was normally at the Commission meetings was absent today, and stated that Larry Cartee was taking care of organizing the Palmetto Sportsmen's Classic. He stated that Larry Cartee had been the guiding force in conceiving the idea of the Sportsmen's Classic and has been the one primarily responsible for seeing that it has moved forward and that it has been carried out in the successful manner that it has for the last several years. He stated that Larry's leadership and guidance has involved a broad range of the Department's staff in what has proven to be one of the most successful functions that this agency has every been involved with. He stated that Larry should be highly commended for the job he has done and that all the staff who participate should be commended as well.

Senator Drummond stated that he had just been informed that a world record blue catfish had recently been caught at Santee Cooper, weighing 109 pounds and 4 ounces. He stated that this was a positive reflection on our Freshwater Fisheries program.

At this time, Commissioner Compton made the motion that the Commission hold an Executive Session to consider personnel matters. Commissioner Miller seconded and the motion was passed. Chairman Burnside announced that at this time the Commission would hold an Executive Session to discuss personnel matters.

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RETURN TO REGULAR SESSION

Following the Executive Session, the regular meeting was resumed and participants were invited into the meeting.

Commissioner Compton moved that the Commission accept the appointments of DWCOs as made by staff, and he also stated that he would like to add under appointments Mr. Gary Michael Norris of Dorchester County as a countywide appointment and Mr. Price Franklin McMicken of Dorchester County as a countywide appointment. Commissioner Pendarvis seconded the motion, but asked that the motion be amended to include the revocation of a DWCO Commission for Mr. Kenny Jarrett that had been discussed previously in Executive Session. Commissioner Compton amended his motion, Commissioner Pendarvis seconded the amended motion, and motion passed.

Commissioner Compton then made the motion that the Commission adopt the amended Commission Policy C-040 which had been discussed in Executive Session; Senator Drummond seconded, and the motion approved. (Copy attached to original minutes.)

ITEM VI - TIME AND PLACE OF NEXT MEETING

Dr. Timmerman stated that the National Wild Turkey Federation had invited the Commission to hold its April meeting at their office in Edgefield, and recommended that if the Commission approved such, that it be held at 11:00 a.m. He stated, that with the tight budget, he would not be able to approve overnight accommodations costs for the staff for the function. If there are any meal functions, he stated that the Commission and staff would pay \$10.00 for supper and \$4.00 for breakfast which would cover the cost for preparing the food.

Commissioner Graham stated that he would like to invite the Commission to hold the May meeting at Riverbend Lodge in Spartanburg County in conjunction with the Harry Hampton Fund Raiser in Spartanburg. He stated that the CEC Advisory Board would meet in the afternoon following the Commission meeting.

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Commissioner Compton placed both of these recommendations in the form of a motion, Senator Drummond seconded, and the motion was approved.

ITEM VII - ADJOURN

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

