

MINUTES

SOUTH CAROLINA WILDLIFE & MARINE RESOURCES COMMISSION MEETING

Dutch Plaza, Columbia, South Carolina
May 18, 1979

The regular monthly meeting of the South Carolina Wildlife and Marine Resources Commission was held in the Conference Room of the Dutch Plaza Office in Columbia, South Carolina, at 10:00 a. m., May 18, 1979, with Chairman Trask 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 Trask, Boykin, Buchanan, Edens, and Stubbs. Directors and staff members present included Dr. Timmerman, Larry Cartee, Brock Conrad, John Evans, Ed Joseph, Pat Ryan, Jeff Fuller, Bob Campbell, Patrice Cunningham, Tom Kohlsaas, Bob Joyner, Bill Chastain, Dan Dobbins, and Tommy Welch. Guests at the meeting included Fred Zeigler, Dr. Jackie Jacobs of the South Carolina Wildlife Federation and Pat Robertson of the "Columbia Record".

CALL TO ORDER

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

READING OF THE MINUTES

Commissioner Boykin moved to dispense with the reading of the minutes of the April 20, 1979 meeting and approve them as submitted. Commissioner Buchanan seconded the motion and it was approved by the Commission. Commissioner Stubbs moved to approve the April 20, 1979 Executive Session minutes as submitted. Commissioner Boykin seconded the motion and it was approved by the commission.

ITEM II. COMMENTS

Dr. Timmerman welcomed and introduced all guests at the meeting.

Dr. Timmerman noted that he has mailed out a copy of the letter received on the Pittman-Robertson litigation whereby Judge Richey dismissed the suit without prejudice. This action clears the way for continued funding of the Department's game management projects.

Dr. Timmerman stated that he had informed the Commission on the Fish and Wildlife Service considering a cutback on the trout program in South Carolina. Their priorities are federal waters, national forests waters, and state waters. There is some concern that if the Alaska Lands Bill passes, they will need to



shift priorities from various states to Alaska. Dr. Timmerman noted that he has contacted the director of the Fish and Wildlife Service, the director of the National Fish Hatchery Program, as well as the state's Congressional Delegation, to let them know that we do not want a cutback on the trout stocking in South Carolina. In the short-range, it does not look as though this cutback will come about.

Dr. Timmerman noted that the Department has cut back on gasoline consumption by ten percent (10%). We are looking at ways to pool vehicle use and car pool rosters for Dutch Plaza, Dennis Center and the Marine Center have been developed. Dr. Timmerman noted that Governor Riley has recommended a fifteen percent (15%) reduction in mileage for state vehicles and we will comply with whatever the Governor mandates. Dr. Timmerman stated that we are working with the Division of Motor Vehicle Management concerning recent vehicle guidelines that have been issued. Under the guidelines, an employee would have to travel so many miles to justify a vehicle assignment, all trips will have to be logged, and a sixteen cents (.16¢) per mile commuter charge will be assessed for travel from residences to offices. Dr. Timmerman noted that there is some confusion concerning these guidelines as to how commuter charges will be set up and how to handle such for field personnel that do not have an office. The Division of Motor Vehicle Management will assume title to all state vehicles and will handle invoice procedures for state vehicles, gasoline, repairs, etc. Dr. Timmerman noted that he did not see how the Division of Motor Vehicle Management could monitor 16,000 vehicle logs per month and handle the invoice system for paying the bills. Dr. Timmerman also noted that the State Highway Patrol has been instructed to enforce the 55-mile per hour speed limit and this will also include state employees.

Dr. Timmerman noted that last year, we received a lot of criticism on the time delay in printing the GMA brochure and the Hunting and Fishing Regulations. This year, we have already gone out for bids on both publications and such should be printed by June 15th. Dr. Timmerman noted that there may be some legislation that will pass after the brochures are printed, but a disclaimer has been included in the publications. Fred Zeigler noted that these brochures are for information only, but as a practical matter, magistrates will follow these in trying cases. Dr. Timmerman stated that at the end of the legislative session, an issue of the "Resource" will be sent to license holders as an informational item to inform the public of changes that have occurred since the brochures were printed. The news releases and Wildlife Federation's paper will also be used to distribute this information. Commissioner Edens noted that this may create some confusion and we should explain the situation to the General Assembly to make new laws effective July 1, or not changing the rules in the middle of the year. Dan Dobbins reported that this is being worked on in our contacts with legislators as legislation is being considered. Dr. Timmerman noted that making legislation effective the



following year has been accomplished to some degree and we will continue to work with the General Assembly.

Dr. Timmerman informed the Commission that Dr. Charles Lee of the Department of Archives and History is interested in using the Heritage Trust Act as a vehicle for securing a conservation easement in an area adjacent to the Ashley River. Tom Kohlsaas reported that the people sponsoring this proposal are interested in an informal reaction from the Commission on this matter. A two-hundred (200) foot easement along the Ashley River to protect a scenic corridor is being considered. The easements would come to the Department from the property owners along the road under the provisions of the Heritage Trust Act. Commissioner Trask asked how the people in the area felt about this proposal. Tom Kohlsaas stated that there is mixed reaction from the landowners. A lot of people want a wider road in the area. There are also some reservations about the proposal as far as the state dictating land use policy in this area. Commissioner Edens asked who had initiated the action on this matter. Mr. Kohlsaas noted that the Department of Archives and History had initiated the action. Dr. Timmerman asked Mr. Kohlsaas what he recommended. Mr. Kohlsaas stated that if there is a strong public sentiment from the county council, delegation and the landowners this would be the direction to go, then we would recommend that the Commission accept the easements. Mr. Kohlsaas further recommended that the Commission inform Dr. Lee that if there is adequate local support for the project, then the Department would accept the easements. Fred Zeigler noted that this matter involves a conservation easement and the Commission is the acting body to receive the easement. At the same time an easement is granted, an agreement with the Department is entered into which deals with the restrictions on use of the property. Under the Heritage Trust Act, no public funds can be used where the whole interest in the property is not secured. Under the easement, only a partial interest in the property is secured. The Act further provides that an easement could be secured and the maintenance and management of Heritage Preserves could be transferred to the Department of Archives and History when the easement is drawn up. Dr. Timmerman stated that the Commission may want to recognize this as a scenic area, but the Department of Archives and History should be the leading force in getting agreement on easements as a whole in the area rather than having some property with easements and some without. Chairman Trask asked if the easements would prohibit condemnation of the property for widening the highway. Fred Zeigler noted that there is a special section in the Heritage Trust Act which allows for condemnation by a public body, so the Highway Department could



condemn this property if there was a compelling need. Chairman Trask stated that he did not see anything wrong with the proposal if the people in the area want it. Commissioner Edens noted that we are dealing with private property rights and before any agreement is made, there should be unanimous consent of the landowners. Commissioner Edens suggested that we ask Dr. Lee to go back to determine the landowner wishes on the matter and then if it becomes a cooperative effort between the Commission and the landowners, it will work very smoothly. To expedite this matter, Commissioner Edens moved that the Commission ask Dr. Lee, his associates and other appropriate people, or agencies, to determine the will of the landowners in the area and report back with something concrete so the Commission can take action. Commissioner Stubbs seconded the motion and it was approved by the Commission.

Dr. Timmerman informed the Commission that Judge Stoney has upheld the Commission's recommendation on awarding an oyster lease to one of the three parties that had appeared before the Commission.

ITEM III LEGISLATIVE UPDATE

Dan Dobbins distributed a copy of the legislative report to the Commission and a listing of progress on bills that have been considered by the General Assembly. Many of the Department's proposals have been given extensive consideration this year by the General Assembly. Mr. Dobbins stated that many of the bills have been introduced on both the House and Senate side in order to give both bodies ample time and information for all proposed legislation. Dr. Timmerman noted that the Department has a broader base of support of legislators, particularly in the House, since he has been associated with the Department. Dan Dobbins noted that the budget bill is now in the Senate Finance Committee and is currently about twenty million dollars out of balance. Dr. Timmerman stated that the Senate Finance Committee will take up the Department's budget next Tuesday and our request for additional funds looks very encouraging. When cuts are made to balance the budget, the Department will probably be cut also in some areas. Dr. Timmerman noted that the State is going to have to look very seriously at the increases in new State employees. In addition, next year the Department is going to have to be more conservative in the number of bills that are requested as we had quite a backlog of proposals that were introduced this year. Dan Dobbins noted that we had forty-eight (48) proposals that were submitted and about ten (10) other proposals that were developed during the legislative development process. Commissioner Buchanan asked about the status on the statewide uniform season for deer hunting. Dan Dobbins noted that no bill has been drafted. Dr. Timmerman stated that this matter has been pushed in the Senate Fish, Game and Forestry Committee, but there is a lot of controversy on this in the low state and very little interest has been generated on the proposal. Mr. Dobbins noted



that bills for a September 1 opening in Game Zones 2 and 5 have been introduced and are still in committee. Chairman Trask asked if the bill to confiscate shrimp boats in a restricted area has been passed. Dan Dobbins noted that it has passed the Senate and referred to the House Agriculture and Natural Resources Committee which has received a favorable report on the bill from its sub-committee. Dr. Timmerman noted that we have informed the legislators of the Commission's approval of a statewide opening of deer season on September 1 and this has been pushed. Commissioner Buchanan noted that he has asked some legislators to consider a bill whereby the State cannot put property in the GMA program or spend funds on lands where there is not a public access and asked if such a bill has been introduced. Dan Dobbins stated that he did not know of such a bill being introduced. Dr. Timmerman stated that this is a good suggestion and the Commission may want to form a policy on this matter. Commissioner Stubbs stated that a member of the Senate Finance Committee had called him about the number of graphic artists in the Department noting that the Department is asking for two (2) more. Dr. Timmerman noted that we have funds for temporary employment whereby an artist works for six (6) months, the establishment of a permanent position was requested since the funds are available. As the bill came out, there were two (2) graphic artists positions and we had only asked for one (1) position.

ITEM IV OLD BUSINESS

A. Recommendation on Access to Game Management Property in Saluda County: Brock Conrad noted that this 600-acre tract is part of the 200,000 acres leased from Champion Paper Company. There are a number of small scattered tracts in various counties that are leased from Champion Paper Company. Mr. Conrad stated that a road was built by Champion across Mr. Mellwood Coleman's pasture for harvesting timber which was used by hunters. After the timber was harvested, the road was closed and a cable was installed. Department personnel can use the road, but it is not open to the public. Another road is close to the game management land, but to reach the game management land one would have to cross Mr. Coleman's property. Chairman Trask asked if Mr. Coleman was asked if he would give access to the game management land. Mr. Coleman stated that he would give the Department access to the game management land, but not the public. Chairman Trask noted that when the Department leased this tract of land, it was probably assumed that the public could use the road to get to the tract. Brock Conrad stated that this was the case and the staff was unaware that no access to this land existed. Commissioner Buchanan noted that there are other landowners (Dr. Henry Thayer, Jr. and George Miles) that have property near the game management land that could be used for access. Commissioner Buchanan stated that Mr. George Miles has indicated that he might provide public access to the game management land for "X" number of dollars. Commissioner Buchanan informed the Commission that this tract was stocked with turkeys five (5) years



ago and was opened for the first time this year. Brock Conrad noted that other lands in the area were stocked with turkey and they have moved onto the game management land. Chairman Trask asked if there is a possibility that other landowners in the area will provide access to the game management land. Brock Conrad stated that he did not think so, but based upon Commissioner Buchanan's information, access may be obtained from other landowners. Chairman Trask stated that the matter will be held in abeyance until the staff further investigates to see if we can get access to the tract from other landowners. Dr. Timmerman suggested that if we cannot gain access to the game management land, we should ask Champion Paper Company to drop the land from the game management program. The Commission agreed that the staff would further seek access to the land and report back to the Commission.

B. Russell Dam Mitigation Proposal: Jeff Fuller noted that at the last Commission meeting, Commissioner Boykin was appointed to meet with the staff and the U. S. Fish and Wildlife Service on a mitigation proposal for the Russell Dam Project. A meeting was held to review the mitigation alternatives and a letter has been sent to the Fish and Wildlife Service that we approve of their recommended mitigation plan. This plan provides for four (4) tracts of land, three (3) fishing piers, payment to the Department for hybrid bass production and stocking, and a specified poundage of trout for stocking in streams and tailrace canal. This recommended mitigation plan will be considered by the Corps and sent on to the Congress for funding. The Corps would be responsible for securing the land for mitigation and such would be leased to the Department for the life of the project, probably ninety-nine (99) years. Dr. Timmerman noted that the Governor's Office and the South Carolina Wildlife Federation have endorsed the recommended mitigation plan.

ITEM V. NEW BUSINESS

A. Report on Phragmites Problem at Yawkey Center, Santee Reserve and Bear Island: Bob Joyner reported that Commissioner Dawson requested that he bring this matter to the attention of the Commission. Phragmites is a plant that has contaminated the Georgetown County area and is also at the Yawkey Center. The plant is known as "common reed" and was discovered in 1968 on a spoil area in Georgetown County. It is a perennial plant that invades both fresh and brackish water areas. The plant spreads by root stems which run 25 - 30 feet in a year's time. The plant can clog up a marsh area and if it gets into impoundments, it can cause problems. The Yawkey Trustees have budgetted \$10,000 to treat the phragmites at South Island. There are also some patches of the plant at Bear Island and Kinlaw Plantation. Chairman Trask asked how the plant can be eradicated. Bob Joyner stated that treatment with dowpon and amitrol is effective on



the plant. This has been used to spray at Yawkey Center and has been successful, but it is not known if it will come back or not. Jeff Fuller stated that the phragmites at Bear Island have been treated with the chemicals and it is not known if it will come back or not. Bob Joyner stated that there are about 500 acres of phragmites located throughout the state. Dr. Timmerman noted that this looks like a problem and we can look at our revenue next year for use in treating the plant on the Department's property. Dr. Timmerman also suggested that Bob Joyner get with landowners and expertise in the State to develop a short and long-range plan for treating and controlling the plant. Bob Joyner stated that he has contacted personnel at DHEC, Soil Conservation Service and Corps of Engineers, and they are concerned about this matter. Chairman Trask noted that a state effort on this problem is needed. Jeff Fuller reported that Commissioner Dawson has recommended some method of statewide control of the plant. Following other discussion, Commissioner Boykin moved that the Department take concerted action on this matter and keep it on the agenda for further action. Commissioner Edens recommended that the motion be amended to include that the Department take a lead role in bringing in all state or federal agencies involved in their areas of responsibility and that we publicize this widely to private landowners, give them what information we have, and encourage them to privately do everything they can. Commissioner Boykin accepted this amendment to the motion; it was seconded by Commissioner Edens and approved by the Commission.

B. Division Reports

1. Administrative Services: There was nothing to add to the written report.
2. Wildlife and Freshwater Fisheries: Jeff Fuller reported that the biologists have been monitoring daily, the recent oil spill in the Enoree River. A crew has been working in the area to count, weigh, and measure dead fish and a report will be developed on the fish kill from the oil spill. Dr. Timmerman stated that he had flown over the area and could see the oil that had escaped into the Enoree and Broad Rivers. Dr. Timmerman noted that the equipment to contain the oil spill was readily available and most of it was maintained. With recent rain in the area, the river was flowing rapidly which allowed for better oxidization and the material is a volatile material which evaporates easier than other petroleum products. Dr. Timmerman stated that we would be back in touch with the Commission on this matter to see what action may need to be taken.
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.

C. Advisory Board Reports

1. Wildlife and Freshwater Fisheries: Commissioner Edens reported that no meeting was held this month. Commissioner Boykin reported that he had received several calls on the turkey season in the Central Piedmont stating that it was not felt that the turkey season coincided with the gobbling season. As such, it was recommended that the Advisory Board look into this matter and consider opening the season on March 15 and let it run for forty-five (45) days. Chairman Trask noted that the season this year is about a month behind due to weather conditions. Commissioner Edens stated that the Board will take this matter under consideration and put it on the agenda for the next meeting.

2. Law Enforcement and Boating: There was no meeting this month.

3. Marine Resources: Dr. Joseph noted that several members were unable to attend and the meeting would be rescheduled.

4. Heritage Trust: There was no meeting this month.

D. Salary Review Committee

Dr. Timmerman stated that this is in line and there is nothing to report.

E. Appointments

Dr. Timmerman distributed the recommendations for appointments and reappointments of deputy wildlife conservation officer commissions (copy attached to original Commission minutes). Commissioner Boykin moved for approval of the recommended DWCO reappointments. The motion was seconded by Commissioner Edens and approved by the Commission. Dr. Timmerman went over the list of new DWCO appointments noting that the paperwork for Jerry Bridges was just received and has not been passed out to the Commission. Mr. Bridges meets all the requirements and a letter recommending the appointment has been received from the delegation. Commissioner Boykin moved for approval of all new appointments as submitted. Commissioner Buchanan seconded the motion and it was approved by the Commission.

F. Other Remarks

There were no other remarks from the Commission.

G. Time and Place of Next Meeting

Dr. Timmerman noted that he would be in Atlanta on June 15th, the next regular meeting date of the Commission. Dr. Timmerman stated that Commissioner



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Shuler has requested the next meeting be held at Eutaw Springs. Following some discussion, the Commission agreed to meet on June 22, 1979, at Eutaw Springs and not hold a meeting of the Commission in July.

H. Call for Executive Session

Commissioner Buchanan moved for an Executive Session to discuss a personnel matter. Commissioner Boykin seconded the motion and it was approved by the Commission. Chairman Trask announced that the purpose of the Executive Session was to discuss a personnel matter.

ITEM VI. ADJOURN

There being no further business to come before the regular meeting, the Commission approved a motion to adjourn the regular meeting and go into Executive Session.

