

MINUTES

SOUTH CAROLINA WILDLIFE AND MARINE RESOURCES COMMISSION MEETING

Columbia, S. C.
October 16, 1981

The regular monthly meeting of the South Carolina Wildlife and Marine Resources Commission was held in the Dennis Building, Columbia, S. C., at 10:00 a.m., on October 16, 1981, 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, Altman, Stubbs, Dawson, Shuler, Owen, Harrelson, and Compton. Directors and staff members present included Dr. Timmerman, Larry Cartee, Dan Dobbins, Sonny Baines, Pat Ryan, Ed Joseph, and various other staff. Guests at the meeting included Dr. Jackie Jacobs of the South Carolina Wildlife Federation, Danny Johnson of the South Carolina Water Resources Commission, Mike Rowe of the Governor's Office, Bunny Richardson of the Columbia Record, Keith Bush of the South Carolina BASS Chapter Federation, Ralph E. Tupper of Beaufort, and Wallace W. Mills of Camden.

CALL TO ORDER

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

ITEM I. READING OF THE MINUTES

Commissioner Owen moved to dispense with the reading of the Minutes of the September 18, 1981 meeting and approve them as submitted. Commissioner Compton seconded the motion and it was adopted by the Commission.

ITEM II. COMMENTS (For Information)

Chairman Edens noted that the Department has been working with the South Carolina Department of Parks, Recreation and Tourism on a joint management plan for the Mountain Bridge Project. He commended Dr. Timmerman and Fred Brinkman for their cooperative efforts and publicly acknowledged PRT's part in working out an agreement for use of this property. Fred Brinkman thanked Chairman Edens and the Department for their splendid cooperation on this project and noted that he looked forward to a continued good working relationship.

Dr. Timmerman advised the Commission that he has been putting emphasis on personnel management and supervision at recent staff meetings and this has been discussed with supervisors throughout the Department. Dr. Timmerman stated that we will have an overall management plan in effect by January 1. A listing of draft management guidelines was distributed to the Commission for information and any input they may desire.

Dr. Timmerman noted that staff in some Divisions are not aware of activities in other Divisions, so the Division of Information and Public Affairs is making a twenty-eight (28) minute film on departmental activities for use by employees and for talks by the staff and Commissioners. If this is available, it will be shown at the December meeting.



Dr. Timmerman also advised the Commission that ETV cameras will be used to develop mock situations in the field on how Conservation Officers approach and deal with people in the field. This will be used in the refresher training in the summer for all Officers.

In regard to recent discussions concerning the annexation of Lake Wallace into the City of Bennettsville, Dr. Timmerman noted that Tommy Edwards is working on this and we are waiting on a response from city officials.

Dr. Timmerman noted that Law Manuals brought in by the Commissioners would be updated. During the discussion, it was noted that Commissioners Harrelson, Altman and Stubbs did not have a manual and Dr. Timmerman asked Pat Ryan to get one to them within two weeks. Commissioners Shuler, Dawson and Edens' manuals need to be updated.

Commissioner Harrelson noted that a certain Judge had called him and he asked about the Department's policy on shooting over the limit. Commissioner Harrelson discussed a recent case in which there is some question about what constitutes a bag limit for doves and noted that this may result in a bad public relations situation. Chairman Edens asked Pat Ryan to check this matter out and advise the Commission of the policy as it applies to the bag limit.

Dr. Timmerman noted that the Marine Center staff just hosted the Atlantic States Marine Fisheries Commission meeting in Charleston and a lot of compliments were received that it was the best meeting in forty years. He expressed appreciation to the Marine Center staff for their efforts on this meeting.

Dr. Timmerman informed the Commission that IPA hosted the sports writers meeting at Bonneau Ferry and this was the best meeting ever. We received support for various programs and activities in the Department.

ITEM III. LEGISLATIVE UPDATE

Dan Dobbins advised the Commission that a copy of bills pending in the legislature pertaining to the Department has been distributed to the Commission for their information.

ITEM IV. OLD BUSINESS

A. Proposed NMFS Agreement: Pat Ryan reported that a copy of the final agreement or memorandum of understanding has been sent to the Commissioners (copy attached to original Commission Minutes) and this provides the NMFS and our Department with what is needed without any financial burden on our agency. Commissioner Harrelson stated that this looks like a good arrangement and he moved for the Commission to adopt this agreement. Commissioner Compton seconded the motion and it was adopted by the Commission.



B. Statement - Union Camp Project: Dr. Timmerman noted that the staff has been working on this statement for some time and he commended Ed Duncan for work on this project. Dr. Timmerman noted that the draft statement has been sent to the Commission (copy attached to original Commission Minutes), but some editing and rewording of the verbage needs to be done which will not change the substance of the statement. In order that our statements are not taken out of context, Dr. Timmerman stated that he plans to get Ed Duncan and the IPA staff to work up a news release on this statement following the Commission meeting. This statement will be used for the October 20th public hearing on the permits and it will be reported to the Corps of Engineers, South Carolina Department of Health and Environmental Control and the South Carolina Water Resources Commission. Ed Duncan presented an in-depth discussion of the background work on this statement noting that we have various concerns and conditions which we have requested be in the permit. In addition, fisheries studies at a paper mill plant in Georgia are being conducted and this data would be useful to our evaluation of the permits for this project. In conclusion, Mr. Duncan stated that we were recommending that final action on all permits be held in abeyance until this data from Georgia can be obtained and reviewed. Dr. Timmerman noted that we can request this, but the permitting agencies have the final authority on issuance of the permits. Dr. Timmerman also noted that we may be able to get funds to study striped bass and other fish to develop baseline information if plants locate on other waters in the future. The Commission discussed the draft statement in detail and asked various questions regarding the project. Dr. Timmerman stated that if the Commission endorses this statement, he would request this approval allow the staff to edit some language in the statement. Commissioner Harrelson noted that we have to look at appreciable damages to the resources, but we do not want to unduly delay the project. Commissioner Harrelson stated that he would go along with adopting the statement with reservations to change subject to more information becoming available and becoming better enlightened. Following other discussion, Commissioner Compton moved for the Commission to approve the draft statement submitted by staff with editing as requested by Dr. Timmerman and to obtain additional information as requested. Commissioner Owen seconded the motion. Commissioner Harrelson stated that he voted in favor of the motion with his reservation as previously stated. Chairman Edens noted that what the Commission is saying is to not go ahead with the permits until all the questions raised in the statement are answered or included in the permit. The Commission then approved the motion as presented.

C. Proposed Use of Duck Stamp Funds: Dr. Timmerman noted that some recommendations on the use of duck stamp funds were presented at the last Commission meeting. Since that time, there have been some areas of concern on use of these funds for land acquisition and some areas are concerned about the funds not being geographically distributed and too much of the funds being proposed for expenditure on wood duck boxes. Dr. Timmerman suggested that the Commission may want to accept the recommendations today as information and ask the Wildlife and Freshwater Fisheries Advisory Board to further consider the proposals. Chairman Edens noted that



the proposals would be considered to see if they need to go back to the Board for consideration. Brock Conrad stated that the proposals were considered by the Board, but no conclusions were reached. Mr. Conrad went over the proposal for use of the duck stamp funds which was sent to the Commission (copy attached to original Commission Minutes). Commissioner Owen expressed some concern that more funds are not going to District #1 and the upstate area. Chairman Edens stated that this is a one-year proposal and the Advisory Board has the flexibility to shift funds around for use in the future. He suggested that the Board start working now for proposed uses of the funds next year. Following other discussion, Commissioner Harrelson moved for the Commission to adopt the proposed use of the duck stamp funds as recommended for one year. Commissioner Dawson seconded the motion and it was adopted by the Commission.

ITEM V. NEW BUSINESS

A. Changes in Three-Mile Limit Policy: Commissioner Compton noted that the Marine Resources Advisory Board has recommended a proposed change in the three-mile limit territorial policy which was sent out to the Commission (copy attached to original Commission Minutes). Dr. Joseph noted that in 1973, the U. S. Government adjusted the baseline for which the three-mile territorial limit was measured but the Commission decided to stay with the baseline which was being used rather than using the new three-mile limit baseline for law enforcement purposes. The Fisheries Management and Conservation Act of 1976 has the federal government responsible for managing fisheries outside this new territorial line adopted in 1973. Thus, it is being recommended that the Commission revise its policy for law enforcement and fisheries management to the three-mile territorial limit as adopted by the U. S. Government and depicted on National Ocean Survey charts. Following discussion by the Commission, Commissioner Compton moved for the Commission to revise its policy and adopt the three-mile territorial limit as recommended to be effective on the opening day of the 1982 South Carolina shrimp season.

B. Proposed Retirement Policy for Law Enforcement: Pat Ryan noted that the staff is working with the U.S.C. Athletic Department to develop a physical fitness monitoring program for law enforcement personnel. Al Courie went over some of the basic components for a proposed Conservation Officer retirement policy (copy attached to original Commission Minutes). Commissioner Shuler stated that at some time in the future, a specific retirement program for law enforcement will be presented to the Commission.

C. Division Reports:

1. Administrative Services: There was nothing further to report.
2. Wildlife & Freshwater Fisheries: There was nothing further to report.
3. Law Enforcement & Boating: Pat Ryan noted that a problem has arisen with non-Department individuals wearing law enforcement uniforms and apparel which is prohibited by law (copy attached to original Commission Minutes). Mr. Ryan recommended the Commission reaffirm the importance of personnel not giving uniform apparel



to non-Department individuals and to further recommend that under certain circumstances, if serious enough, that the law be followed to enjoin non-Department individuals from wearing law enforcement apparel. Chairman Edens and other Commissioners noted that the wearing of law enforcement apparel can only be worn by law enforcement personnel and Commissioners. Commissioner Compton moved for the Commission to reaffirm its position to stand by the law regarding that only law enforcement personnel may wear law enforcement apparel. Commissioner Owen seconded the motion and it was adopted by the Commission. Chairman Edens stated that Mr. Ryan should pass the word around regarding the Commission's action and to enforce the misuse of wearing such law enforcement apparel.

4. Information & Public Affairs: Sonny Baines reported that 186,000 copies of a new issue of the "Resource" are being mailed out. Mr. Baines showed the Commission a RESPECT hat which international orange and being sold. The first order of 500 has been sold and they are being reordered. Dr. Timmerman noted that the new issue of the newspaper is well-balanced with all departmental activities.

5. Marine Resources: There was nothing further to report.

D. Advisory Board Reports:

1. Wildlife & Freshwater Fisheries: Commissioner Owen noted that the Board met on October 1, 1981 at Bonneau Ferry. He went over the items discussed by the Board noting that about 75 - 80% of the people at the public hearings on the September 1 deer season opening bill in the upstate area have been in favor of leaving the season as it currently exists.

2. Law Enforcement & Boating: There was no report from the Board this month.

3. Marine Resources: Commissioner Compton noted that the Board will meet in November.

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

E. Salary Review Committee: Dr. Timmerman reported that this report is in order and a copy has been sent 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). Chairman Edens advised Mr. Ryan that in the future, they could just send out a listing of appointments and re-appointments in the Commission packet. All recommendations as presented to the Commission were adopted by the Commission.

G. Other Remarks: Commissioner Stubbs advised the Commission that the Wildlife Federation awarded a plaque to Conservation Officer Jimmy Sims at the RESPECT Conference in Greenville.



Tommy Edwards advised the Commission that we have received a request from the Department of the Interior for an easement at Fort Johnson for an underground waterline to go to Fort Sumter. This easement consists of .3 acres to cross a road at the Marine Center. The Division of Marine Resources does not have any problems with this proposal. Commissioner Harrelson moved for the Commission to approve the conveyance of this easement as requested. Commissioner Compton seconded the motion and it was adopted by the Commission

Mr. Ned Tupper noted that his law firm is representing citizens to preserve Santee Cooper and he asked when the Department's statement on the Union Camp project will be made public. Chairman Edens noted that as soon as this statement is edited and put in final form, it will be public information.

H. Time and Place of Next Meeting: Chairman Edens announced that the next meeting will be held in Columbia on November 20, 1981, at 10:00 a.m.

ITEM VI. ADJOURN

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

