

MINUTES

S. C. WILDLIFE & MARINE RESOURCES COMMISSION MEETING

Dutch Plaza
September 23, 1977

The regular monthly meeting of the S. C. Wildlife and Marine Resources Commission was held at Dutch Plaza, Columbia, S. C., at 10:00 a. m. on September 23, 1977, with Chairman Hudson presiding. Other Commissioners present included: Buchanan, Lumpkin, Boykin, Edens, Shuler and Trask. Frank Caggiano of the House Agriculture and Natural Resources Committee was present representing Commissioner Bennett. Directors and staff members present included: Dr. Timmerman, Larry Cartee, Pat Ryan, Jeff Fuller, Dr. Joseph, Dr. Beam, Benny Reeves, Bob Campbell, Johnny Evans, Sally Hopkins, Bill Chastain, Ken Stanseil, and Ned Pendarvis.

CALL TO ORDER

Chairman Hudson called the meeting to order. Dr. Timmerman introduced Mr. Clark Surratt of the "State" newspaper and Betty Spence of the S. C. Wildlife Federation as guests at the meeting.

ITEM I. READING OF LAST MEETING MINUTES

Commissioner Edens noted that on page 8 of the August 26, 1977 Minutes, a motion was adopted to approve the re-appointment of DWCO "subject to the approval of the resident Commissioner". Commissioner Edens moved that such be stricken from the Minutes since that is inconsistent with the rules governing the Commission. Chairman Hudson stated this practice has always been the custom of the Commission. Commissioner Lumpkin recommended that the by-laws of the Commission be reviewed to see if the Commission has the legal authority for such. Chairman Hudson noted that since a majority of the Commission approves or disapproves appointments and re-appointments, this can be made a part of the motion. Commissioner Edens stated that it should be pointed out that this action may be habit or custom, but not part of the rules governing the Commission. Other than this item, Commissioner Edens moved for the approval of the Minutes as submitted. Commissioner Boykin seconded the motion and such was approved by the Commission.

ITEM II. COMMENTS

In regard to the tentative approval given by the Commission on the Memo of Agreement with the S. C. Coastal Council, Dr. Timmerman noted that legal staff has reviewed this Agreement and it seems satisfactory to him.

Dr. Timmerman informed the Commission that shrimpers will meet on September 27th at Fort Johnson to discuss proposed disaster relief. The Department will be serving in a helper role regarding whatever action they deem pertinent.

Relative to the legislative process, Dr. Timmerman noted that the staff is currently reviewing proposed legislative needs and developing a priority list of legislative proposals to present to the Commission for their review.

Dr. Timmerman noted that the Commission had approved the Dedication Agreement for the Yawkey property and this was distributed to each Commissioner for their signatures. This will be forwarded to the attorney in Georgetown that is handling this matter.

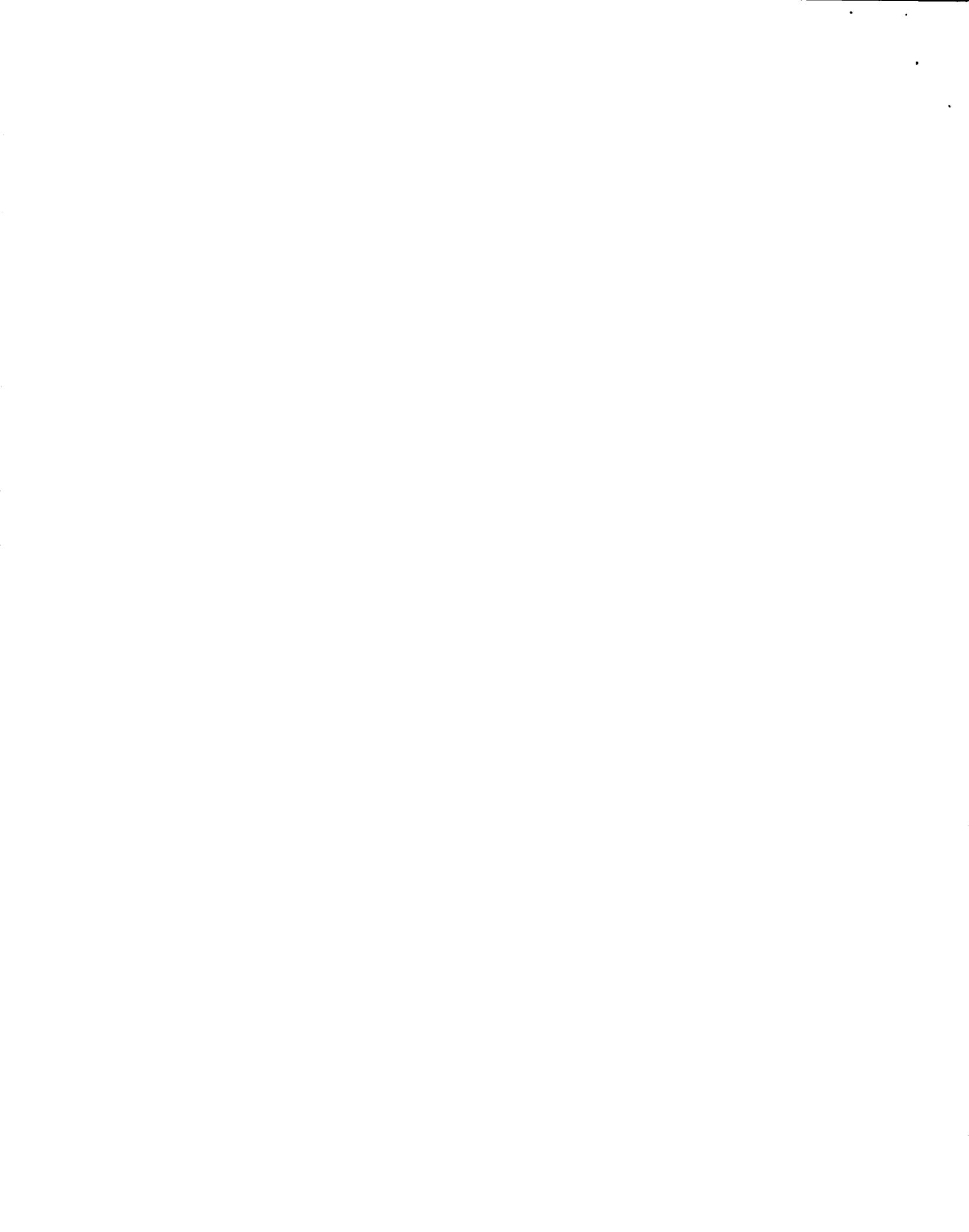
Dr. Timmerman stated that the Department's budget hearing before the Budget and Control Board will be held on October 25th at 4:00 p. m. in the Brown Building. Chairman Hudson recommended that the regular Commission meeting be held that morning at 11:00 in the Banker's Trust office and the Commission concurred.

Dr. Timmerman noted that several dedication ceremonies for buildings of the Department are being scheduled. The Dennis Center dedication will be scheduled next spring during the fish hatching season. The Cooperative Research Facility dedication will be scheduled in November or December. The Seafood Technology Laboratory will be scheduled for dedication next spring.

Dr. Timmerman distributed a list of Advisory Board members whose terms expire in October, 1977. Chairman Hudson noted that action is needed on this as the terms are about to expire. Following some discussion, Commissioner Edens recommended the re-appointment of Frank Ford, Commissioner Lumpkin recommended the re-appointment of Walt Zachowski, and Commissioner Boykin recommended the re-appointment of Art Williams. Commissioner Lumpkin noted that Claymon Grimes had resigned from the Marine Advisory Board. Commissioner Lumpkin moved for the re-appointments of these individuals to the respective Advisory Boards. Commissioner Edens seconded the motion and such was approved by the Commission. Commissioner Edens noted that he had asked the Governor to consider the re-appointment of Carroll Godwin to the Wildlife and Freshwater Fisheries Advisory Board. Chairman Hudson stated that he would send a letter to these individuals noting that the Commission had re-appointed them to the Advisory Boards.

Dr. Timmerman noted that he and Chairman Hudson recently attended the International Association meeting in Vancouver. One of the themes of the meeting was that Directors and Commissioners need to do whatever possible to influence public opinion regarding hunting and wildlife management. Dr. Timmerman stated that he was elected to the Executive Committee of the International Association of Fish and Wildlife Agencies.

Dr. Timmerman informed the Commission of meetings of the National Association of State Boating Law Administrators, Southeastern Association of Game and Fish



Agencies, and the national meeting of the Nature Conservancy. In addition, Dr. Timmerman noted that the Commission had been invited to Palmetto Bluff on October 25 - 26 and Coy Johnston had personally invited the Commission to Bonneau Ferry on October 12 with the Wildlife and Freshwater Fisheries Advisory Board meeting being held on October 13. Commissioner Edens stated that further information will be sent out on this matter.

OTHER BUSINESS

Vic Evans, Deputy Attorney General, reported to the Commission regarding the South Island Ferry and recent court cases whereby an individual's head was decapitated by the ferry cable. As a result of these court cases, the Corps of Engineers has inferred that the cable operated ferry is a hazard to navigation and commerce. The Corps plans to require the discontinuance of the ferry in the near future. By statute, the S. C. Highway Department is required to operate a ferry at the site. The basic problem is the need for long-term access to South Island. Mr. Evans reported that several alternative means of access have been discussed including a self-propelled ferry, bridge, and a tunnel. A meeting is scheduled with the Corps on October 14, 1977, at which time the Department will be required to show that sufficient public need exists for access to South and Cat Islands. Mr. Evans recommended that the Commission enable Dr. Timmerman the authority to negotiate a solution for permanent access to this property. Mr. Evans also noted that close coordination between the Department and the S. C. Highway Department is well advised. Chairman Hudson asked Commissioner Lumpkin to meet with the Corps and the Highway Department regarding this matter. A report on this will be made to the Commission at the October meeting.

ITEM III. OLD BUSINESS

A. Update on Trapping Law: Dr. Timmerman noted that at the last meeting, the Commission had asked the staff to contact legislators to see if we could postpone implementation of the new trapping law. In checking with the Attorney General's office, it was revealed that with the new law, we have to operate on the provisions thereof. The staff is currently developing regulations to allow the use of traps, but such must be filed under the Administrative Procedures Act and approved by the General Assembly after they convene on January 10, 1978. Thus, trapping would not be legal until this process is followed. Jeff Fuller noted that besides the filing procedure, we must attain approval of a majority of the delegations in each game zone to allow trapping in such. Under the new law, a \$100 license is required of anyone selling a pelt for commercial purposes. Chairman Hudson noted that numerous comments have been received from trappers, coon hunters, and legislators regarding the complications of this law. Dr. Timmerman noted that the Department will abide by the law regarding the promulgation of rules and regulations and contact the delegations in each game zone to see if they approve

or disapprove allowing trapping under the provisions of the Act. In addition, Dr. Timmerman stated that the staff will develop proposed changes in the existing legislation.

ITEM IV. NEW BUSINESS

A. Proposed Recognition for Mr. Samworth at Dirleton Plantation: Johnny Evans reported that the IPA Division recommended that the Pee Dee GMA be named the Samworth GMA. In addition, a plaque at the entrance gate and a photo display in the house in Mr. Samworth's honor are recommended. Commissioner Lumpkin moved for the approval of the recommendations and for the IPA staff to proceed with such. Commissioner Boykin seconded the motion and such was approved by the Commission.

B. Request from Lexington County Recreation Commission to Purchase Property at Styx Hatchery: Dr. Timmerman distributed a map to the Commission denoting property at Styx Fish Hatchery that is owned by the Budget and Control Board, but leased to the Lexington County Recreation Commission. The Recreation Commission had requested a 25-year lease on the property in order to attain BOR funding to improve the property. Since the long-term lease represents a loss of control on the property, the Budget and Control Board recommended that it be appraised and sold to the Recreation Commission. Before such is done, the Budget and Control Board wanted to satisfy the Department's needs first. Dr. Timmerman reported that the staff has reviewed this matter and we do not foresee any long-term needs for the property. As such, Dr. Timmerman recommended that the property be appraised and sold to the Lexington County Recreation Commission. Commissioner Shuler moved that the Commission recommend such to the Budget and Control Board. Commissioner Lumpkin seconded the motion and such was approved by the Commission.

C. Division Reports

1. Administrative Services: Benny Reeves distributed a copy of the completed 1978-79 budget to the Commission. Mr. Reeves noted that the primary budget problem is in fringe benefits where the Department is required to absorb \$540,000 total liability. At the upcoming budget hearing, the staff plans to inform the Budget and Control Board of this problem and the affects it will have on operations in the Department. The major portion of this fringe benefit problem is in the Division of Law Enforcement and Boating.

Dr. Timmerman presented an in-depth discussion of the budget, noting specific budget problems in operational funds for fisheries, Santee Reserve operations, motor vehicle repairs, etc. Dr. Timmerman noted that in order to absorb the fringe benefits, as required by the Budget and Control Board, we have had to take funds from operations. Dr.

Timmerman stated that with these budget problems for FY 78-79, we can either cut services, not fill positions, or seek a license fee increase. Dr. Timmerman asked for guidance from the Commission regarding whether or not to seek license fee increases. Commissioner Buchanan stated that he felt the staff should develop license fee increases to meet the Department's needs. In most cases, the sportsmen would support a license fee increase. Commissioner Boykin noted that funds seem to be going for personnel, but not as much for operations and services. Chairman Hudson stated that the Commission needs a recommended fee increase for an extended period of time for their review and comments. This can be reviewed and acted upon at the October Commission meeting. Dr. Timmerman noted that some thought has been given to a trout stamp to support the trout stocking program. Commissioner Buchanan stated that he felt we should consider a big game permit. Commissioner Edens stated that he felt special licenses or permits are counter-productive. Since the consumptive sportsmen is involved in basic hunting and fishing, any license fee increase should be spread as broadly as possible in a general license fee increase so as to provide for everyone on the same basis. Chairman Hudson recommended that the staff develop their projections and recommendations for the next Commission meeting.

2. Wildlife and Freshwater Fisheries: Jeff Fuller reported that he did not have anything to add to the written report submitted. Commissioner Boykin noted that he wanted to make the Commission aware of problems with private landowners in the Central Piedmont GMA. Basically, the small private landowners are complaining that they are being overrun by hunters coming into the area. Commissioner Boykin noted that the Department has created a "two-headed monster" in developing an adequate deer population in the area and having a large number of hunters coming into the area infringing on private property of small landowners; Most of these landowners claim that the Department is not giving proper attention to their complaints. Commissioner Boykin noted that we may lose some GMA property if some attention is not given this problem. Mr. Boykin recommended that some type of hearing be held to hear the complaints of these landowners and seek means to resolve the problem. Chairman Hudson noted that we are so committed to the GMA program that we are not looking anywhere else. Dr. Timmerman suggested that we look at the deer management plan and incorporate landowner problems and concerns into such. Commissioner Edens noted that he felt it would be a good idea to hold a special meeting of the Wildlife and Freshwater Fisheries Advisory Board in Columbia to hear the complaints of these landowners. Chairman Hudson recommended that Dr. Timmerman schedule a time and

place for a joint meeting of the Law Enforcement and the Wildlife & Freshwater Fisheries Advisory Boards to hear the landowners complaints, follow up on such and take necessary action to resolve the problems which exist.

3. Information and Public Affairs: Johnny Evans did not have anything to add to the written report.

4. Law Enforcement and Boating: Pat Ryan did not have anything to add to the written report.

5. Marine Resources: Dr. Joseph reported that he had received a telephone call from Senator Hollings' office stating that he could participate at a dedication ceremony on November 18 for the Cooperative Research Facility. Since that is the regular meeting date for the Commission, this could be held at the Marine Center and have the dedication ceremony on the same date. Chairman Hudson suggested that we try to schedule the meeting and dedication ceremony on that date.

6. Natural Area Acquisition and Resources Planning: Dr. Beam did not have anything to add to the written report.

D. Advisory Board Reports

1. Marine Advisory Board: Commissioner Lumpkin distributed a copy of the Minutes of the recent Advisory Board meeting. The Board recommended that the Commission endorse Amendment 1 of the Atlantic States Marine Fisheries Commission Compact. The Commission approved such last year, but it was not introduced in the General Assembly. Commissioner Lumpkin moved that the Commission endorse Amendment 1 and recommend such to the legislature. Commissioner Trask seconded the motion and such was approved by the Commission.

The Board recommended that the Commission adopt a rule and regulation to include the Atlantic loggerhead sea turtle on the state's endangered species list. Dr. Joseph noted that such action would not have an adverse affect on the shrimping industry. Commissioner Trask moved to adopt the rule and regulation, as noted, to include the Atlantic loggerhead sea turtle on the state's endangered species list. Commissioner Boykin seconded the motion and such was approved by the Commission.

Relative to problems with crab pots, crab fishing at night, etc., the Marine Advisory Board recommended that such be referred to the Law Enforcement and Boating Advisory Board to develop recommendations for legislative action. Dr. Timmerman noted that the staff needs to review this matter and develop legislative proposals which should be coordinated with the Marine Resources Advisory Board and the Law Enforcement & Boating Advisory Board.

Commissioner Lumpkin noted the Board had endorsed the concept of establishing a seafood marketing economist position. Dr. Joseph stated that the rock shrimp exemplifies the need for such a position in the state. Commissioner Lumpkin moved that the Commission recognize the need for such a position and for the staff to attempt to establish such. Commissioner Boykin seconded the motion and such was approved by the Commission.

E. Salary Review Committee: Dr. Timmerman reported that the report of the Salary Review Committee was in order and such was presented to Chairman Hudson.

F. Appointments: Dr. Timmerman noted that he had written those DWCOs that did not attend the two-day training session as required by the Commission. These replies will be coordinated within the next few weeks with the resident Commissioner to see what action may be necessary.

Dr. Timmerman stated that there are cases whereby a DWCO may apply for a re-appointment, but such is not processed until after the expiration date. Dr. Timmerman asked for guidance from the Commission as to whether these individuals would be required to attend the one-week training session or the routine two-day in-service training session. Commissioners Hudson and Buchanan recommended that such should be handled on a case-by-case basis and coordinating such with the resident Commissioner.

Dr. Timmerman presented proposed appointments and re-appointments of DWCOs, re-appointments of Conservation Officers and other department personnel (copy attached to original Minutes). Commissioner Lumpkin moved for approval of such, seconded by Commissioner Edens and adopted by the Commission.

Dr. Timmerman presented for new appointments as conservation officers the following:

1. Marvin English - Edgefield County
2. William Frazier - Williamsburg County
3. Bogan D. Gee - Williamsburg County
4. William McCabe - Williamsburg County
5. Carl T. Lucas - Lancaster County

Commissioner Boykin moved for approval of these new appointments, seconded by Commissioner Lumpkin and adopted by the Commission.

Dr. Timmerman noted that there were no qualified applicants for the Conservation Officer vacancy in McCormick County and the Commission had instructed the staff to attain someone from the adjoining counties. Mr. Charles Buist from Abbeville County is recommended for this position, but the material was not available to mail to the Commission one week prior to the meeting. Bill Chastain reported that Mr. Buist lives in Abbeville County near the Abbeville/McCormick County line and will move into McCormick County. Commissioner Buchanan noted that there was no opposition from the local House member to this appointment. Commissioner Boykin moved for the appointment of Mr. Buist, seconded by Commissioner Lumpkin and adopted by the Commission.

Relative to the re-appointment of DWCO William L. Bessinger, which was approved at the August meeting, Commissioner Lumpkin recommended that Mr. Bessinger's jurisdiction be extended to include Georgetown, Horry, and Williamsburg Counties. Commissioner Edens moved for the approval of such, seconded by Commissioner Boykin and adopted by the Commission.

ITEM V. ADJOURN

Commissioner Boykin moved for adjournment of the meeting. The motion was seconded by Commissioner Trask and adopted by the Commission.

