

MINUTES
HERITAGE TRUST ADVISORY BOARD
February 5, 1998
Columbia, S. C.

Members Present

Dr. Terry Ferguson (Chair)
Mr. Michael Todd Smith
Dr. Julius Leary
Mr. Bruce Sahlman
Dr. Bruce Rippeteau
Ms. Mary Edmonds (for Rodger Stroup)
Mr. Joe Mills (for Hugh Ryan)
Mr. Corky Lee
Mr. Brock Conrad (for Paul Sandifer)

Members Absent

Mr. Tony Merck (Vice-Chair)
Mr. Dick Scott, III
Mr. Buddy Jennings
Mr. Freddy Vang
Dr. Tony Ganong

Others Present

Mr. Tom Kohlsaas
Mr. Stuart Greeter
Dr. Bert Pittman
Mr. Chris Judge
Mr. Johnny Stowe
Mr. Ken Prosser
Mr. Steve Bennett
Mr. Mark Dodd
Mr. James Duke
Mr. Dan Dobbins
Mr. Greg Lucas
Ms. Kathy Boyle
Mr. Buford Mabry

Dr. Ferguson called the meeting to order and called the roll. He asked all members to fill out the questionnaires from the Reorganization Commission and return them. Dr. Ferguson also passed out articles about Congaree Creek and Jocassee Gorges.

Approval of November 20 Minutes

After two changes were announced, a motion was made and seconded to approve the minutes of the November 20, 1997 Heritage Trust Advisory Board (HTAB) meeting. The motion was approved.

Comments from the Director

In Dr. Sandifer's absence, Brock Conrad gave an update on the department's proposed budget for next year. He stated that although there are currently no new funds in next year's proposed budget, Dr. Sandifer is working with the legislature to secure additional resources. Mr. Conrad reminded members that a recurring appropriation for the Wildlife Diversity Section is the number two priority in the department's budget package.

Regarding Jocassee Gorges, he briefly discussed the management plan and stated that the first draft is due February 17.

Stewardship

Johnny Stowe distributed a brochure he wrote about longleaf pine and informed members about the following items:

- A). He will attempt to burn 4,000 acres on heritage preserves this year.
- B). Sixty volunteers recently helped mark gopher tortoise burrows at the Tillman Sand Ridge Heritage Preserve.
- C). Operation Game Thief could be used to report unlawful activities on heritage preserves.
- D). A management plan for Longleaf Pine HP in Lee County will be included in the next HTAB package.
- E). DNR attorneys have yet to form an opinion about the liability issue for volunteers and stewardship committees.
- F). Our current preserve regulations are useless because they were not refiled when the Administrative Procedures Act was passed. If they were valid, no penalties could be assessed for violations because the Heritage Trust Act is under Title 51. A possible solution is a bill currently being written to revise Chapter 11 of Title 50. It would address any land the department owns and give HTAB the authority to approve regulations for preserves.

Buford Mabry stated the Chapter 11 rewrite would give DNR discretionary authority to set conditions of how our properties would be used. He added that if a Heritage Trust regulation needed to be changed, the revision would be submitted to HTAB and then to the DNR Board. If they approved it, it would become effective as of that date. However, if the legislative committee for DNR does not like a particular regulation the Board adopted, they can pass a resolution deleting it. Therefore, Mr. Mabry advised staff to create a uniform set of regulations applicable to all preserves. Mr. Conrad said that if the Chapter 11 rewrite does not pass, a possible solution would be to put all heritage preserves under the WMA program. Then, he said we could charge violators under WMA rules. Mr. Mabry said another possibility would be to write legislation for the next session that specifically outlines penalties for heritage preserve violations. After the current bill is given a number, Mr. Mabry urged all HTAB members to call their legislators and tell them to vote for it.

Other Business

- A) **Bylaws:** Stuart Greeter briefly discussed the proposed changes and informed members that the bylaws state officers should be elected at the first meeting of every even-numbered calendar year. Mr. Greeter asked members to review the proposed bylaws and submit any changes to him. Corky Lee suggested adding telephone voting to the bylaws. He then made a motion that we defer electing officers until the next meeting. Next, there was some discussion of members having two terms and imposing term limits. Dr. Rippeteau stated he supported term limits. Michael Todd Smith stated the bylaws should have a set time for electing officers. He also seconded Corky's earlier motion and said telephone meetings are a routine way of conducting business today. Mr. Smith added that he would send Stuart some examples of operating guidelines by corporations. After further discussion, Dr. Ferguson reminded members that the motion was to defer decisions on electing officers until the next meeting, with the board sending comments on the bylaws to Stuart in the interim. He also said that elections would take place at the next meeting following the bylaws. Dr. Rippeteau added an amendment to the motion allowing current officers to continue in their present positions until the next meeting. That motion was seconded. Then, a vote was taken and the full motion was approved.
- B) **Annual Report:** Ken Prosser reported that we completed nine protection projects totaling 5,448 acres in calendar year 1997. He added that the total cost for these projects was \$1,374,725. For the year, Mr. Prosser stated that property was acquired at a total cost of \$390 per acre and donations were valued at \$1,270,965.
- He also distributed updated preserve lists and land acquisition tables. Mr. Prosser noted that we now have 54 heritage preserves totaling 74,541 acres.
- C) **Acquisition Approval Process:** Mr. Greeter explained the process we go through to obtain properties and noted it takes at least six months to complete a property transaction. For the next meeting, Dr. Ferguson requested a clarification on the ruling from the State Engineer's Office that prohibits staff from requesting bids for services such as appraisals, environmental assessments and surveys.
- D) **Committees:** Regarding the Cultural Areas Committee, Dr. Ferguson noted that Mr. Taylor is no longer with the Department of Archives and History. Traditionally, he said the head of the SC Council of Professional Archaeologists is on the committee. Therefore, Dr. Ferguson requested that their chief, John Cable, serve on the Cultural Areas Committee. A motion was made, seconded and approved to appoint Mr. Cable as a member.

Natural Areas Committee

Joe Mills reported that the committee discussed two items.

- 1) **Seabird Nest/Roost Sites:** Mark Dodd described the area and said it consisted of four sites that provide habitat for sea birds, wading birds and shore birds. He stated that these areas are sandbars commonly found at the mouths of coastal estuary systems. Mr. Dodd stated that although the state owns these sites, we would need approval from the Budget and Control Board to dedicate them as heritage preserves. He added that no expenses would be incurred to the Heritage Land Trust Fund. Mr. Dodd said this area was important because it contains the habitat specifically required by sea birds for nesting purposes. Mr. Mills stated the committee, as a motion, recommended approval of these four islands for dedication as heritage preserves. The motion was seconded and approved.
- 2) **Protection Planning:** Steve Bennett explained that all approved HTAB sites and heritage preserves have been ranked by assigning values to the rare elements found on them. He added that this is a collaborative and ongoing effort that will be refined over the next several months. Mr. Bennett said global and state ranks created by The Nature Conservancy were used in this process. He gave out lists of the ranked sites to members and reminded them that this is a continuing process. Mr. Mills stated that his committee discussed this and thought it would be a great tool for HTAB to use when making decisions in the future.

Cultural Areas Committee

Mary Edmonds reported that they had several items to discuss in executive session. As a matter of information, Chris Judge informed members that an archaeological survey is presently underway on the 18th Century Pee Dee Indian Town site. He added that Marion County is financing the work. If a significant town site is identified, Mr. Judge said he hoped it will be donated to us.

Budget Committee

HTAB entered an executive session to discuss budgets for land acquisitions. HTAB returned to a regular session and Dr. Ferguson entertained a motion to exclude the proposed access facilities for Congaree Creek from the budget. He also appointed Mr. Lee and Mr. Smith to further examine the issue and provide recommendations at the next meeting.

Brock Conrad made a motion that we consider the addition to Green's Shell separately. It was approved.

Mary Edmonds made a motion that they approve Green's Shell as an addition to the budget. Bruce Sahlman proposed amending the motion to include getting a written agreement from the other partners addressing their financial commitments to the project. The amendment was approved.

Corky and Brock stated they would vote in favor of the project, but both had reservations about spending such a large amount of money on such a small parcel.

The motion to acquire the addition to Green's Shell was approved. A motion was made and seconded to approve the remainder of the budget. The motion was approved.

Dr. Leary asked about progress on lifting the acreage cap. Tom deferred the question to Corky who said he would inform the DNR Board about the issue at the next meeting.

Adjourn.

"PROPOSED"

Heritage Land Trust Fund Approved Expenditures:		February 5, 1998
Approx. January 1, 1998 Cash Balance:		1,462,365
Revenues Expected by December 30, 1998:		2,200,000
		<u>3,662,365</u>
Other Expenditures:		
Preserve Management	Statewide	(220,000)
Land Protection	Statewide	(80,000)
Capital Improvements	Statewide	(147,400)
		<u>(447,400)</u>
Less Commitments:		
Bird Mtn. Coserve. Ease.	Spartanburg	(1,000)
North Williman Is.(N)	Beaufort	(14,000)
Fort Frederick(C)	Beaufort	(48,000)
		<u>(63,000)</u>
Additions:		
Greens Shell Encl.		(118,000)
		<u>(118,000)</u>
		<u><u>3,033,965</u></u>
CURRENT ESTIMATED BALANCE ON January 1, 1999		3,033,965

(N) Natural Areas Project
(C) Cultural Areas Project

98BUD1

1998 Capital Improvements

<u>Heritage Preserve</u>	<u>Capital Improvement</u>	<u>Cost</u>	<u>Total</u>
1. Cartwheel Bay	Road Improvement	\$14,000	\$14,000
2. Waccamaw River	Highway 9 Boatramp	35,000	47,000
	Road Work & Parking Area	12,000	
3. Savannah River Bluffs	Parking Area	5,000	5,000
4. Dungannon	Dam Restoration	18,000*	23,000
	Parking Area	5,000	
5. Lee County Longleaf	Road Work	20,000	29,000
	Parking Area	5,000	
	Gates	4,000	
6. Chandler	Parking Area	4,000	4,000
7. Segars	Boardwalk	6,000	6,000
8. Peters Creek	Parking Area	15,000	15,000
9. Fort Lamar Kiosk Upgrade		400	400
10. Pacolet River Parking Area Improvement		4,000	4,000
		Total:	\$147,400

* We expect a \$3,500 reimbursement from the U.S.F.&W.S.

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