

S. C. Heritage Trust Advisory Board

Tentative Business Meeting Agenda

10:00 a.m. - September 4, 1980

Dutch Plaza, Columbia

- I. Approval of the June 5 Meeting Minutes
- II. Consideration of Registration and Dedication Agreements
  - a) Sagittaria fasciculata
  - b) Active Blad Eagle Nests
  - c) Victoria Bluff Dedication Agreements
- III. Update on Protection Projects
  - a) Natural Areas
  - b) Historic / Cultural Sites
  - c) Quarterly Status Report
- IV. Other Business
  - a) Heritage Trust Program Five-Year Review
  - b) Wildlife Department Funding Proposal
- V. New Protection Project Proposals
  - a) John de la Howe School
  - b) Bird Key - Stono

S. C. HERITAGE TRUST ADVISORY BOARD  
Thursday, September 4, 1980 - 11:00 am  
Dutch Plaza - Columbia, S.C.

MEMBERS PRESENT

Mr. Walter Ahearn  
representing Mr. Leonard Kilian, Jr.  
Dr. Wade T. Batson  
Mrs. Ethel Jane Bunting  
Mr. Ed Burgess  
representing Mr. Robert E. Leak  
Mrs. Claudette Cureton  
Mr. Philip Edwards  
Dr. Sidney A. Gauthreaux  
Mr. Robert Gunter  
representing Mr. Brinkman  
Dr. Robert L. Stephenson  
Dr. James A. Timmerman, Jr.  
Mr. Pat Walker  
representing Mr. John Parris

MEMBERS NOT PRESENT

Mr. Charles E. Lee  
Mr. Benjamin F. Williamson  
Mr. David C. Sennema  
(Manning, Hartnett & Boykin  
terms expired)

OTHER PRESENT

Mr. Steve Bennett, Heritage Staff  
Mr. John Cely, Heritage Staff  
Mr. Stuart Greeter, Heritage Staff  
Mr. Tom Kohlsaas, Heritage Staff  
Ms. Jan Mewborn, Heritage Staff  
Mr. Jim Sorrow, Heritage Staff  
Dr. Doug Rayner, Heritage Staff

The meeting was called to order by Vice-Chairman Bunting. The minutes were approved with the following changes: Thomas Heyward Burial Site - The amount for park facilities should read \$6,000. Under S. C. Heritage Trust Five Year Review - Mr. Gauthreaux raised a question concerning whether the Board decided to conduct a self-study or hire an outside consultant. The minutes were approved subject to clarification of this point at the next meeting.

CONSIDERATION OF REGISTRATION AND DEDICATION AGREEMENTS

Mr. Greeter brought several projects before the Board which are now ready for approval.

Sagittaria fasciculata (Registration) - Mr. Ahearn mentioned that in the future there should be a provision in the agreements for the removal of timber due to insect outbreak, etc. and it was decided that a more general statement regarding management be added to future agreements. Dr. Gauthreaux made a motion that in the future we should use a clause that says that manipulation of the habitat should be done only in cases where it benefits the welfare of the endangered species or the critical habitat. This was seconded and unanimously agreed to by the Board. Mr. Ahearn also mentioned that even though a statement regarding not being liable for lawsuits is inserted in the agreement, it does not legally guarantee against a lawsuit. Dr. Gauthreaux moved to approve the Sagittaria fasciculata Registration Agreement, Mrs. Cureton seconded the motion and the Board unanimously approved.

Lightsey Brothers Eagle Nests - Mr. Greeter brought the Active Bald Eagle Nest agreements before the Board. After some discussion Dr. Batson made a motion to approve the agreement, Dr. Gauthreaux seconded the motion, and the Board unanimously approved.

Victoria Bluff - Mr. Greeter made a correction in the Victoria Bluff agreement as follows: The word "be" should be inserted in the first provision after "the aforementioned one hundred and forty-four (144) acres (be) designated...." Mr. Kohlsaas reported that the Beaufort County School Board's request for 50 acres of the Victoria Bluff property for a school was denied by the Wildlife & Marine Resources Commission. Dr. Stephenson moved that the Victoria Bluff Dedication Agreement be approved, Dr. Batson seconded and the Board unanimously approved. The word "Commission" replaced the word "Trustee" in the first line of the second page of the Agreement.

UPDATE ON PROTECTION PROJECTS

Chandler Bridge Creek Formation - Mr. Greeter reported that Westvaco was contacted and was

reluctant to donate any property but mentioned the possibility of selling some land. A meeting will be scheduled to discuss this matter with Westvaco.

Eastatoe Creek - Mr. Greeter reported that title to the property has been transferred to the Department. A dedication agreement will be written and available for discussion at the next meeting. Mr. Greeter reported that the grant proposal submitted to HCRS for facilities at Eastatoe Creek was approved. The rules & regulations pertaining to Eastatoe Creek are provided in the packet. The Dedication Agreement will be similar in content. The rules & regulations have been formulated early so they can be submitted at the beginning of the next legislative session. Paragraph #11 of the rules & regulations was changed to read: "No person on the property shall possess...." Dr. Timmerman made a motion that we accept the rules & regulations in principle and H. T. Advisory Board or staff members may submit recommended changes which will be considered. Dr. Batson seconded the motion and the Board unanimously agreed.

Mountain Bridge - Mr. Kohlsaas reported that at the last meeting we were working up an application for some federal funding to acquire some of these properties and it has been announced in the last few weeks that a grant of 1.6 million dollars from the Secretary of Interior has been awarded to the state for acquiring as much of the land as we can. PRT took the lead in putting together the application for contingency funds which is enough to acquire the Watson property, Raven Cliff Falls and possibly one other property. PRT also succeeded in obtaining authorization to commit state bonding money to the project. PRT has met with owners of Raven Cliff Falls but they have not yet reached an agreement. The staff is also working on a management concept with PRT. PRT and the Wildlife Commission will meet jointly in October to work out the details of this agreement.

#### QUARTERLY STATUS REPORT

After some discussion, Dr. Gauthreaux moved as follows: 1) In future reports, approved projects that come to some form of resolution be recorded in terms of their final disposition be it registration, dedication, or acquisition by other conservation agencies; and 2) projects which hit a dead end should continue to be listed, possibly on another list. The motion was seconded and the Board unanimously approved.

Dr. Timmerman recommended to the Board that a letter from the Chairman of the Heritage Trust Advisory Board be sent to the Governor and the Director and Commissioner of PRT thanking them for their efforts in the acquisition of the Mountain Bridge property. Dr. Gauthreaux seconded the motion and the Board unanimously agreed. Dr. Timmerman also mentioned that PRT and the Wildlife Department are working more closely together regarding the multipurpose use of certain land areas and that at their last meeting Registration Certificates were presented to the PRT Commission and the Governor attended the meeting. Dr. Timmerman mentioned that both the Wildlife Commission and PRT Commission would meet jointly in October to discuss Mountain Bridge and have an opportunity to view the site. Dr. Timmerman recommended that the Chairman or designee of the Heritage Trust Advisory Board attend this meeting to fortify Heritage Trust interests in the activity and also get involved in some of the discussion that may take place. The meeting will be held on Friday, October 17. Dr. Stephenson seconded the motion and the Board agreed. The staff will notify Mr. Williamson and if he cannot attend the meeting he should appoint a designee.

40-Acre Rock - Mr. Greeter reported that The Nature Conservancy is trying to get a survey completed and that funds to purchase the property have been transferred to the S.C. Wildlife Department. The property could be purchased soon after a survey and appraisal is completed. Dr. Timmerman noted that funds for this project should be encumbered while they are available.

#### HISTORIC/CULTURAL SITES

Thomas Heyward Burial Site - Mr. Greeter reported that the property had been transferred from the Heyward Foundation to Jasper County and they received \$6,000 for park facilities. Hopefully at the next meeting we will be able to consider a dedication agreement from the County to the Heritage Trust. The dedication agreement will consist of an easement to insure the property is used in perpetuity as a historic public park. Ownership would remain with the county.

Auldbrass Plantation - Mr. Greeter reported in talking with Mr. Meffort of the National Trust for Historic Preservation that Westvaco is considering selling Auldbrass and the National Trust is hoping to get an easement in the process.

Ashley River Road - Mr. Greeter reported that Mr. Meffort of the National Trust for Historic Preservation has started working on this project and intends to hold a meeting with the property owners the latter part of this month. Mr. Meffert hopes to have a donation of an easement from Charles Duell of Middleton Place at that time. That donation coupled with eight (8) letters of intent would preserve 65% of the roadway in our study area. The goal is to preserve 80% of the roadway by the end of the year.

Flagg & Grove Plantation - Dr. Stephenson reported that since the last meeting he has made at least seven contacts with Amoco Chemical Company and they have approved the agreement and sent it on to their legal counsel in Chicago where it has been held up. Mr. Keel's staff is attempting to get the agreement out of Chicago.

#### OTHER BUSINESS

H. T. Five Year Review - Dr. Gauthreaux reported that his committee met after the last Advisory Board meeting and agreed to follow a procedure whereby each committee member would contribute questions to the Department, Commission, and Board.

Dr. Timmerman offered the services of his assistant, Larry Cartee, and the Assistant Attorney General, Tommy Edwards, as consultants to the committee. Later in the meeting, Dr. Batson moved to refer Dr. Timmerman's offer to the Committee for use as it sees fit. Dr. Gauthreaux agreed to this approach and the motion was seconded and approved.

Dr. Timmerman also made the following points:

- (1) It is difficult for the Wildlife Department to justify adding a staff position to deal with cultural projects because it would overlap with the functions of other agencies.
- (2) The Wildlife Department's revenue structure is badly in need of updating. A blue ribbon committee has been convened to recommend basic changes in this structure.

Dr. Gauthreaux made the following points on the review process and the Committee's preliminary ideas:

- (1) The questions are organized around various sections of the Act and are directed to the component of the program (Department, Board, or Commission) covered by the section in question. Each component should also have an opportunity to respond independently to general questions about the program. The Committee will use these responses to form its view of the program.
- (2) It appears that the Board has certain powers that have never been exercised. This point needs clarification, which the questions are intended to provide.
- (3) He has received virtually no response from questions he submitted on behalf of himself and Mrs. Bunting. The Committee will meet after today's Board meeting to discuss ways to remedy this situation.

John de la Howe School - Dr. Rayner reported on the 125-acre Museum Tract which is one of the most outstanding plant communities in the Southeast. It is essentially an old-growth piedmont forest consisting of a tremendous canopy of shortleaf pines and a sub-canopy of tremendous oaks. The site has been recognized as a National Natural Landmark and it is recommended that the Board approve John de la Howe School as a protection project. Dr. Gauthreaux moved that the John de la Howe School Museum Tract be entered as an official Heritage project. Dr. Batson seconded the motion and the Board unanimously approved.

Bird Key - Stono - Mr. Cely reported on Bird Key - Stono located at the mouth of Stono River below Folly Beach. It is being used as a pelican rookery for the first time since Deveaux Bank was nearly destroyed last year in Hurricane David. Only two such rookeries exist in the state; Cape Romain and the new rookery at Bird Key - Stono. Evidently no one has claimed ownership to Bird Key - Stono and it is in need of protection, particularly during the nesting season. Dr. Gauthreaux moved that the Advisory Board request an immediate decision from the State Attorney General as to the ownership of Bird Key - Stono so that the Board may proceed with dedication. The motion was seconded by Mrs. Cureton and unanimously approved. The Board agreed that the Chairman of the Advisory Board should convey this motion to the Attorney General. The Chairman should also request assistance from Senator Wise and submit maps to both Senator Wise and the Attorney General. Mr. Greeter is to convey this request to Tommy Edwards, the Assistant Attorney General assigned to the Wildlife Department.

WILDLIFE DEPARTMENT FUNDING PROPOSAL - Mr. Kohlsaas added his report regarding the funding situation as it relates to nonconsumptive resources. He reported that legislation authorizing a voluntary donation on the State tax return will be pursued, pending approval of the committee which is presently reviewing the Department's funding situation. Dr. Timmerman suggested getting support from garden clubs and other conservation groups when this item is brought before the legislature.

There being no further business the meeting was adjourned.