

MINUTES

S. C. WILDLIFE & MARINE RESOURCES COMMISSION MEETING

Bankers Trust Tower  
October 25, 1977

The regular monthly meeting of the S. C. Wildlife & Marine Resources Commission was held at the Bankers Trust Tower offices in Columbia, South Carolina, at 11:00 a.m. on October 25, 1977, with Chairman Hudson presiding. Other Commissioners present were Lumpkin, Bennett, Boykin, Edens, Dennis, Buchanan and Shuler. Directors and staff members present were Dr. Timmerman, Jeff Fuller, John Culler, Dr. Joseph, Dr. Beam, Pat Ryan, Ned Pendarvis, Larry Cartee, Brock Conrad, Bob Campbell, Julie Lumpkin, Tom Kohlsaat, Bill Cotty and various others.

CALL TO ORDER

Chairman Hudson called the meeting to order. Dr. Timmerman introduced Mr. Clark Surratt of the STATE newspaper, Betty Spence of the S. C. Wildlife Federation, Frank Caggiano of the House Agriculture and Natural Resources Committee, Pat Robertson of the COLUMBIA RECORD, Ben Hardin, President of the S. C. Shrimpers Association, and Freddie Ziegler who was recently assigned as staff attorney to the Department by the Attorney General's office effective November 1, 1977.

ITEM I. READING OF LAST MEETING MINUTES

Commissioner Edens made a motion to approve Minutes of the Executive Session at Ft. Johnson on August 26, 1977, Minutes of the S. C. Wildlife Education and Training Fund, October 14, 1977, and Minutes of the S. C. Wildlife & Marine Resources Commission Meeting on September 23, 1977, as they were submitted. The motion was seconded by Commissioner Boykin and passed.

ITEM II. COMMENTS

Two years ago the Commission approved a policy to give a retiring Conservation Officer his pistol, holster and a plaque. Dr. Timmerman asked the Commission whether or not this would apply to persons holding law enforcement commissions, but assigned to Wildlife & Freshwater Fisheries, as three individuals have retired. It was the opinion of the Commission that these individuals should be treated the same as regular Conservation Officers. Dr. Timmerman also stated that he had checked with the Attorney General's office and found that it would be advisable and legal for the Department to reimburse the State for the actual cost of these items from the S. C. Education and Training Fund. Commissioner Edens made a motion that the three individuals concerned be given their pistols, holsters and plaques and that the State be reimbursed for the actual cost of these items from the S. C. Education and Training Fund. The motion was seconded and passed.

Dr. Timmerman reported that the deeds and all of the transactions have been filed in Georgetown concerning the transfer of the Yawkey Property to the Department. The Dedication Agreement and Easement and the Deeds have been recorded and placed in the



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Department safe properly signed. Dr. Timmerman passed a copy of these documents around to the Commission.

Regarding trapping, Dr. Timmerman reported that following the normal procedure, Rules and Regulations on trapping would not come before the General Assembly prior to January 10, 1978 for their approval or disapproval and by the time a Resolution went through the process, the trapping season would be almost over. Dr. Timmerman noted that there is a provision in the State Register Act that allows an agency to promulgate Rules and Regulations in an emergency situation. These Rules and Regulations would be in effect for ninety (90) days thereby allowing trappers to operate during their normal season and at that point the Department could reissue Regulations under the normal procedures in the act and have the General Assembly act on them at their pleasure. It was stated that there are grounds for the emergency provision since there will be economic harm for individuals who do trapping as a full time occupation and for various biological reasons as far as the population is concerned. Frank Caggiano stated that he has talked with the Attorney General's office and they feel that if the Department thinks it is an emergency situation they should go ahead and issue the Rules and Regulations and be prepared to back them up if necessary. He also stated that this would give the various delegations in the Game Zones time to make a decision on whether or not they wanted to allow steel trapping in their individual Game Zones. Once the Regulations are filed, trapping is legal by any other method other than steel trap until the Legislators act on the matter. Commissioner Lumpkin made a motion that the Department operate under the emergency provision and let the legislature decide whether or not they want to use steel traps in their Game Zones. Commissioner Buchanan seconded the motion and it was passed. After the Rules and Regulations are placed the legislators would be written regarding the matter.

A copy of the Departmental Personal Grooming and Uniform Policy was passed out to the Commission for their review and will be placed on the Agenda for the November Commission Meeting.

Dr. Timmerman stated that it has just come to his attention that he was supposed to report any damage to vehicles in excess of \$100 to the Commission. He stated that he would come back to the Commission with information on this as soon as he is able to look further into the matter and would ask for the Commission's opinion on it.

Dr. Timmerman circulated a letter he received from the Regional Director in Atlanta expressing concern over the non-resident fishing licenses that are sold and are under County Funds. He stated that if this is not under direct control of the Department,



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there is a possibility of losing federal Dingell-Johnson Grant monies. Dr. Timmerman has replied to the letter.

Dr. Timmerman reported that Sonnoco Products has paid approximately \$12,500 for damages incurred recently when a chemical substance was released into a stream. A legal agreement has been received by the Department in this respect and Sonnoco officials were very apologetic.

It was reported by Dr. Timmerman that each Deputy Wildlife Conservation Officer that has not received the proper training has been written and plans are being made to meet with various members of the Delegation to discuss the matter.

Dr. Timmerman passed out information to the Commission on Alaska D-2 Lands Legislation stating that in essence, if this legislation is adopted, this 92 million acres would be taken from management by the State and placed under federal control. Such action would preclude any public hunting and fishing on these lands. While this does not impact South Carolina directly, it could set a precedent of federal control of wildlife and fishery resources at the State's expense. Dr. Timmerman stated that he has plans to meet with John Gottchalk in Washington who is Secretary for the International Association of Game and Fish Commissioners, as well as a lawyer representing the States, Secretary of Interior and the Assistant Secretary of the Interior. Commissioner Hudson stated that he feels that Dr. Timmerman should go to the meeting and come back to the Commission with information.

CALL FOR EXECUTIVE SESSION

Commissioner Lumpkin made a motion to hold Executive Session following the regular meeting of the Commission to discuss personnel matters. The motion was seconded and passed.

ITEM III. NEW BUSINESS

A. STATUS REPORT ON RABID RACCOONS: Jeff Fuller passed out maps showing location of rabid animals in the state. Staff met with the Department of Health and Environmental Control recently concerning the spread of rabies in South Carolina. A meeting is planned on October 27th at 10:00 am in Beaufort with D-HEC to give field personnel guidelines on what to do when they have a rabid animal reported to them or suspect one with rabies.

B. DIVISION REPORTS:

1. Administrative Services: Benny Reeves reported that the Budget Hearing will be held at 4:00 pm this afternoon. It was reported that the total Budget requested is \$13,731,900. Of that



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total \$6,013,159 or 44% are State Funds, \$2,808,492 or 20% are Federal Funds and \$4,910,249 or 36% are other. Dr. Timmerman reported that he would be requesting an additional \$500,000 for fringe benefits and \$50,000 for the magazine.

APPEARANCE OF CHANNEL NETTERS

Commissioner Lumpkin reported that at the meeting of the Marine Advisory Committee which met at South Island last week, there seemed to be some problem resulting in the closing of the bays and harbors to channel net fishing. A group of channel netters appeared before the Advisory Committee and presented their case and the Committee took no action on the matter and determined that the best thing to do was to bring it before the Commission for a decision. A group representing the channel netters was present. Dr. Joseph gave some background information to the Commission explaining exactly what channel net fishing is and stated that channel nets are never permitted to fish until the bays and sounds are fully open and the operating period is usually two to three months during the year. Since the shrimp were so sparse due to severe weather conditions, staff made the decision that if the department had an obligation to any segment of the industry, it was to what was considered the permanent core of the industry which are basically large and small trawler operators. Dr. Joseph stated that the channel net fishery is a relatively new fishery and has only built up to a sizeable number of permits within the last two or three years with approximately 120 permits being issued last year. Dr. Joseph also stated that most channel net operators do this on a part time basis and are fully employed elsewhere during the rest of the year and use this as a means of supplementing their income. Dr. Joseph stated that it is his opinion the Commission would best serve the shrimping industry at large to leave the matter just as it stands. This is the staff recommendation. Mr. Rogers with the channel netter group explained the procedure used for channel net fishing and stated that the group wanted an equal chance to shrimp with the trawlers. The general opinion of the channel netters is that they are being treated unfair and should have the same opportunities as the trawler operators. Ben Hardin of the S. C. Shrimpers Association stated that his group would like for the Commission to leave the policy as it is presently. Dr. Timmerman asked what resource is there compared to previous years. The channel netters stated that the number of shrimp is limited, but dollar-wise there is more resource than last year. Commissioner Edens asked Dr. Joseph why we are allowing the big boats to shrimp and denying channel netters the opportunity. Dr. Joseph replied that we were dealing with a very short season and statewide at least 75% of all the channel netters are not full time commercial fisherman. Under the immediate conditions this is not a biological problem since there no appreciable number of small shrimp. This is not a conservation issue at all, and is purely economic. After discussion on the matter, Commissioner



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Boykin made a motion that the ruling be changed and that channel net permits be issued in the normal tradition. The motion was seconded and passed. Dr. Joseph stated that he would call Mr. Bearden and instruct him that permits are to be issued. Mr. Rogers thanked the Commission on behalf of the channel netters.

2. Wildlife & Freshwater Fisheries: Brock Conrad went over the Turkey Hunting recommendations with the Commission. The only change from last year is that on Palachucola GMA in Hampton County, which is adjacent to Webb Wildlife Center, that hunting be allowed at the Webb Wildlife Center this year. In addition, the Legislature passed a new law last year that gave the department authority to set seasons and regulations in Game Zone Three. This was a result of our turkey restoration project where we made stockings of wild turkey in these areas. In the past Game Zone Three has had a fall and a spring season with very few turkeys. Staff recommends that Game Zone Three be closed to hunting this year with the exception of a small area of Lexington and Richland Counties that would be included in part of the Central Piedmont Hunt Unit. There is a small part of Aiken County that has turkeys well established there and that would be open for hunting under the April 1-May 1 season in the Western Piedmont. Conrad also mentioned that Ft. Jackson has had a restoration project where they stock turkey from Virginia there and they have done real well, although they have not had a hunting season yet. This would be done under special regulations with a base commander during the same dates. The bag limit on the area is not to exceed two gobblers per hunter. Commissioner Boykin made a motion to adopt these recommendations as submitted. The motion was seconded by Commissioner Shuler and passed.

3. Information & Public Affairs: John Culler reported that last week was a record week for the magazine with the Division taking in about \$20,000.

4. Law Enforcement & Boating: Pat Ryan reported that under the Coastal Management Act the Department is charged with enforcement responsibilities. Ryan also reported that he met with Dr. Beam and his staff yesterday and worked out the mechanism of this enforcement. He stated that we will be getting four (4) additional officers by the November Commission Meeting which the Coastal Council has given the Department \$82,000 to support. One will be in Horry County, one in Georgetown, one in Charleston and one in Colleton. We already have one in Beaufort County which is paid by the Department.

5. Marine Resources: Dr. Joseph reported that November 18th has been set for the dedication of the new facilities at Ft. Johnson. Senator Hollings will make the principle address.

6. Natural Area Acquisition & Resources Planning:



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Dr. Beam reported that the Division had done some negotiations with the Department of the Interior's Bureau of Outdoor Recreation on placing Capers Island in the Heritage Trust. An agreement has been negotiated with them, a copy of which was passed out to the Commission. Dr. Beam asked that the Commission review this agreement so that some action may be taken on it at the November Commission Meeting. Tom Kohlsaat stated that this is similar to an agreement on Stevens Creek that the Commission voted on a few months ago. The Heritage Trust Advisory Board has recommended to the Commission that Stevens Creek and Capers Island be placed in the Heritage Trust.

C. ADVISORY BOARD REPORTS

1. Wildlife & Freshwater Fisheries: Commissioner Edens reported that his Advisory Board met on October 13, 1977 at Bonneau Ferry and that copies of the Minutes of that meeting have been mailed to the Commission. It was stated that this year guidance will be used from the four different areas where lespedeza was planted and try to put out a quality product this year at \$1 per bag and shortly after the first of the year, planting plans need to be made. The Wildlife & Freshwater Fisheries Division will come back to the Advisory Board with a detailed outline of what happened this year. Plants will have been distributed and suggestions will be made for the program next year including a unanimous concern about the cost being charged for this. Commissioner Edens stated that there was some concern by the Advisory Board over the Departments attendance at events held by special interest groups. The Advisory Board feels that a list should be obtained identifying special interest groups, organized or unorganized around the state and see what we can do to maintain closer contact with them and let them know that they have the opportunity to come before the Advisory Board or Commission. The Advisory Board recommended the Commission not to have a Public Hearing, but to go back to the established system of each Advisory Board hearing anyone who requests to be heard. Chairman Hudson stated that he feels that the Commission should have the hearing and be the ones to decide what should be done. Commissioner Edens stated that if the hearing is held there should be some ground rules made as to what subjects are going to be discussed, etc. Chairman Hudson stated that it was his understanding that staff was going to put together some material and notify the Commission as to the time and date of the hearing. Dr. Timmerman asked the Commission whether or not they still wanted to hold the hearing. Commissioner Hudson stated that the hearing would be held and it should be done at the earliest possible time. The ground rules can be determined at any time and should not hold up plans being made. This is a special hearing and the normal practice of the Advisory Board's holding hearings will continue. Commissioners Edens stated that the December meeting of the Advisory Board will be December 1st.

2. Law Enforcement & Boating: Commissioner Boykin



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stated that his Advisory Board recommends that efforts be made to allow the Executive Director to issue gratis licenses with discretion to certain persons coming into the state not to exceed fifty (50) licenses a year. This was the practice in previous years and was taken away by legislation. The Advisory Board feels that there are sufficient cases to justify some licenses to be available. Commissioner Boykin stated that the situation of wildlife dogs was discussed and recommended that information go out to the public on the problem and would welcome any help we can get on the problem. This is for information only. The rabbit hunters appeared and stated that they feel that they are being discriminated against because they are not being allowed time to hunt on public hunting areas that other people are being allowed. This item will probably be coming up at the hearing. Commissioner Edens stated that he was against having to wear an outside visible badge, that a hunting license should be sufficient. Buchanan stated that his group would like to see rabbit season changed to November 1 - February 1. Commissioner Boykin stated that this was turned over to staff of Wildlife & Freshwater Fisheries for more information to be given at the next meeting of the Board.

3. Marine Resources: Commissioner Lumpkin stated that Bob Russell has resigned from the Advisory Board and a letter has been received to this effect. Chairman Hudson asked that Commissioner Lumpkin made a recommendation of an individual to fill this vacancy. The matter of restricting crabbing hours was discussed and this is still under study.

4. Heritage Trust: Chairman Hudson stated that most of the Board members were at the Nature Conservancy Annual Meeting held recently in Charleston and most of the time was spent with those attending the meeting.

D. SALARY REVIEW COMMITTEE: Dr. Timmerman stated that all the reviews were in order and a copy of the report was given to the Chairman for filing.

E. APPOINTMENTS: Dr. Timmerman went over the recommendations with the Commission for appointments and re-appointments of which a list was passed out. Information on these were mailed out prior to this meeting, with the exception of a recommendation on a Deputy Conservation Officer for William Wallace Fennell, III which was received too late for mailing. There were no objections to these recommendations, therefore, Commissioner Lumpkin made a motion to approve these recommendations as submitted. The motion was seconded by Commissioner Boykin and passed.

There being no further business at this time, the meeting was adjourned into Executive Session.

Respectfully submitted,

*Christine S. Murray*

