

Revised Minutes
Board of the South Carolina Department of Natural Resources
Videoconference Meeting
February 18, 2021 10:00 AM

The regular meeting of the Board of the South Carolina Department of Natural Resources was held by videoconference at 10:00 a.m., February 18, 2021. Notice of the date, time and place of the meeting was posted and mailed to the news media. Chairman Norman Pulliam presided at the meeting. Board members present included Dr. Mark Hartley, Mike Hutchins, Jerry Lee, Carlisle Oxner, Jake Rasor, Jr. and Duane Swygert. Director Boyles and staff members of the Department of Natural Resources were present at the meeting.

I. Call to Order

Chairman Norman Pulliam called the meeting to order and welcomed everyone to the meeting.

II. Invocation

Chaplain Dave Tafaoa, SC Law Enforcement Assistance Program (SC LEAP), offered the invocation.

III. Pledge of Allegiance

Mr. Hutchins led the group in the Pledge of Allegiance.

IV. Chairman's Comments

Chairman Pulliam welcomed and thanked Board members for being present, in person or virtually, for this meeting. Chairman Pulliam expressed his appreciation to staff for keeping business going during this difficult time.

V. Introduction of Guests

Ken Rentiers, Deputy Director for Land, Water and Conservation, introduced Phil Goss, US Association of Reptile Keepers, Scott Whitaker, Coastal Conservation Association; and Austin Smallwood, SC Realtors Association.

VI. Constituent Comments

Mr. Rentiers informed the Board that Zybryus Heard has requested to comment to the Board. Mr. Heard did not respond when called on for comment.

VII. Approval of Minutes

Chairman Pulliam asked if there were any additions, deletions or corrections to the January 21, 2021, January 26, 2021 meeting minutes and the February 4, 2021 public meeting minutes. *Mr. Hutchins made a motion that the Board approve the minutes of the January 21, 2021, January 26, 2021 and February 4, 2021 meetings as presented. Mr. Oxner seconded the motion and the motion carried unanimously.*

VIII. Presentations/Commendations

A. Director Boyles commended Will Dillman, Emily Cope, Kevin Ryan, Van Whitehead, Sandy Rucker, Shannon Bobertz, Valerie Shannon and Melissa Griffin for their assistance in coordinating the February 4, 2021 Public Meeting on Nonnative Wildlife.

- B. Director Boyles commended a diverse group of employees from all divisions and the Executive Office who served on the Employee Morale Task Force that was formed following our employee survey to develop actionable items to address employee concerns. Members included: Lorianne Riggin, Keya Jackson, Shari Tolen, FSGT Dale Gibson, INV Damian Yongue, FSGT Brian Crawford, LCPL Kendall Lownsbury, LCPL Shawn Hanna, PFC Jordan Hawkins, PFC Brant Elliott, Hope Mizzell, Sean Taylor, Jacky Steen, Deanne Myrick, Joshua Boatwright, Matthew Brown, Maia Ingle, Ben Dyar, Tracey Smart, Olivia Bueno, Tony Reed, Tiffany Haggins, Tanner Arrington, Terrence Tomlin, Bonnie Greenwood, Jenni Chrislip, Willie Simmons, Sarah Chabaane, Will Dillman, Preston Chrisman, Alicia Farrell, and Ken Forrester.
- C. Director Boyles commended Stephen Czwartacki and Jeff Brunson of Marine Resources for going above and beyond to assist a stranded commercial fisherman.
- D. Director Boyles commended Bill Marshall of Land, Water and Conservation for completing the Scenic River Management Plan for the Black River.

IX. Advisory Committee Reports

A. Heritage Trust

Mr. Rasor reported that the Heritage Trust Advisory Board met virtually on February 11, 2021. The Advisory Board received an overview on Lewis Ocean Bay Heritage Preserve. The Advisory Board received updates on the Botany and Plant Conservation Program and the Cultural Heritage Trust Program. The Advisory Board approved several property items which will come before the Board later in the meeting.

B. Land, Water and Conservation

Mr. Rentiers reported that the Land, Water and Conservation Advisory Committee met virtually on February 16, 2021. The Advisory Committee received updates on the Climatology Program and the Flood Mitigation Program. The Advisory Committee approved conservation district commissioner appointments and reappointments, which will come before the Board at the March 2021 meeting.

X. Items for Board Information

A. Climate Update

Hope Mizzell, Land, Water and Conservation Division, provided an overview of recent winter weather. Dr. Mizzell provided rainfall totals, precipitation percentiles, streamflow, lake levels, ground-water monitoring wells around the state, precipitation forecast and temperature forecast.

B. Sunday Hunting on Wildlife Management Areas

Emily Cope, Deputy Director for Wildlife and Freshwater Fisheries, informed the Board that there has been some interest in opening WMA's to Sunday Hunting. Mrs. Cope noted that Sunday hunting is allowed on private lands but, historically, has not been allowed on WMA's. Mrs. Cope reported that the department has been working on an agreement with Clemson University to conduct a public input process and compile a report that will be used for recommendations for the Board's approval.

C. Deweese Island Update

Shannon Bobertz, General Counsel, gave the Board a brief update on the progress with Deweese Island Conservation Easement. Mrs. Bobertz reviewed changes made since the last discussion. There has been a Community Residence Board that would assist with enforcing the short-term rental rules. There will be a maximum of six residences at any given time that could be rented on the island. There can be no more than 56 days per calendar year that a residence can be rented. In lieu of doing a 14-day minimum stay they would like to have two seven-day rentals. The community will be holding a straw poll regarding the rentals and will hopefully provide the results prior to the March 18, 2021 Board meeting.

XI. Director's Briefings

Director Boyles reminded the Board that their Statement of Economic Interest form is due to the Ethics Commission by March 30, 2021.

Director Boyles participated in the inaugural Lunch and Learn series presented by Van Whitehead, Deputy General Counsel, on preparing contracts and agreements.

Director Boyles met with staff, Board members and Senator Campsen about the request for a public hearing on draft Tegu regulations.

Director Boyles participated in discussions of the Southeast Aquatic Resources Partnership about its future and governance.

Director Boyles and Chairman Pulliam represented DNR at the House Ways and Means Law Enforcement and Criminal Justice Subcommittee meeting for the DNR budget hearing.

Director Boyles reported that 57 – 74% of staff are reporting to their work site, 21 – 34% of staff are telecommuting and to date 87 staff have tested positive for COVID-19

XII. Legislative Report

Kevin Ryan, Director of Government Affairs, reported on the budget process, flounder, idle speed distance in wake zones, Boater Education and DHEC restructuring.

XIII. Environmental Report

Lorianne Riggan, Director, Office of Environmental Programs, reviewed the Horry County rezoning request for a parcel adjacent to Lewis Ocean Bay Heritage Preserve.

XIV. Deputy Directors' Reports

A. Land, Water and Conservation
No further report.

B. Wildlife and Freshwater Fisheries

Mrs. Cope reported on potential flooding at Samworth WMA. She stated that water is not yet over top of the dikes, but staff are anticipating it to overtop later today or tomorrow.

C. Law Enforcement

LTC Jamie Landrum reported that officers are currently on standby for flooding of the Waccamaw River. Law enforcement have talked with the Coast Guard about temporary wake zones, if necessary. Three officers along with SLED are stationed at the State House throughout the day today. LTC Landrum reported on vaccine runs and statehouse details.

D. Marine Resources

No further report.

E. Administration

Angie Cassella, Deputy Director for Administration, reported on the status of the new Horry County Office and the enterprise Sales System.

XV. Items for Board Action

A. Proposed Regulations for Nonnative Wildlife

Mrs. Cope reviewed the efforts in trying to develop regulations that would impact black and white tegu in South Carolina. There was a public meeting held on February 4, 2021 where information was gathered, and comments were heard. Mrs. Cope reminded the Board of the restrictions these regulations place on black and white tegu in South Carolina. *Mr. Hutchins made a motion that based on the public hearing and documents submitted, that the DNR Board find need and reasonableness of Proposed Regulation for Nonnative wildlife Regulation 123-152, Document number 5027, and grant approval for submission to the General Assembly for review. Mr. Lee seconded the motion and the motion carried unanimously.*

B. Emergency Regulation for Turkey Hunting at Santee Coastal Reserve

Billy Dukes, Wildlife and Freshwater Fisheries Division, briefly reviewed the Proposed Emergency Regulations for turkey hunting at Santee Coastal Reserve. *Mr. Lee made a motion that upon the recommendation of DNR staff, the DNR Board approve the Emergency Regulation 123-51 for turkey hunting at Santee Coastal Reserve, as presented. Mr. Swygert seconded the motion and the motion carried unanimously.*

C. License Agreement for Temporary Monitoring for SC DOT, Henderson Heritage Preserve, Jackson Tract

Mrs. Riffin briefly reviewed the license agreement. *Mr. Oxner made a motion that upon the recommendation of the Heritage Trust Advisory Board, the DNR Board approve the proposed license agreement with the SC DOT for temporary monitoring at the Jackson Tract of the Henderson Heritage Preserve as presented. Mr. Swygert seconded the motion and the motion carried unanimously.*

XVI. Executive Session

Mr. Hutchins made a motion that the DNR Board go into executive session pursuant to SC Code Section 30-4-70(A)(1) and (A)(2) to discuss appointments to advisory committees related to Items for Board Action (D) and to discuss contractual matters

related to Items for Board Action (E and F). Mr. Lee seconded the motion and the motion carried unanimously.

XVII. Open Session

Mr. Hutchins made a motion that the DNR Board return to open session, noting that no action was taken during executive session. Mr. Rasor seconded the motion and the motion carried unanimously.

XVIII. Item for Board Action

D. Wildlife and Freshwater Fisheries Advisory Committee Appointments

Mr. Hutchins made a motion that upon the recommendation of staff, the DNR Board appoint Mr. William McKelvey Baughman of Summerville, SC and Mr. Woodrow Wilson Watford, III of Cameron, SC to each serve a four-year term on the Wildlife and Freshwater Fisheries Advisory Committee with their initial terms being March 1, 2021 – February 28, 2025. Mr. Swygert seconded the motion and the motion carried unanimously.

E. Potential Property Acquisition in Aiken County

Mr. Rasor made a motion that upon the recommendation of the Heritage Trust Advisory Board, the DNR Board grant preliminary approval to investigate a potential property acquisition of approximately 31 acres adjoining Henderson Heritage Preserve/WMA in Aiken County that would be dedicated as a heritage preserve and placed into the corpus of the SC Heritage Trust, and the expenditure of up to \$20,000 in Heritage Trust funds to conduct due diligence activities. Mr. Lee seconded the motion and the motion carried unanimously.

F. Potential Land Trade in Oconee County

Mr. Rasor made a motion that upon the recommendation of the Heritage Trust Advisory Board, the DNR Board grant preliminary approval to investigate a potential land trade of approximately 1.3 acres of SC DNR land for approximately 1.3 acres of privately owned land adjoining Stumphouse Mountain Heritage Preserve/WMA in Oconee County, and the expenditure of up to \$20,000 in Heritage Trust funds for due diligence activities. The 1.3 acres property obtained by SC DNR would be dedicated as a heritage preserve and placed into the corpus of the SC Heritage Trust. Mr. Oxner seconded the motion and the motion carried unanimously.

XIX. Time and Location of Next Board Meeting

The next meeting is scheduled for March 18, 2021.

XX. Adjournment

Dr. Hartley made a motion that the meeting be adjourned. Mr. Oxner seconded the motion and the motion carried unanimously.