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# SOUTH CAROLINA STATE REGISTER

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of the  
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This issue contains notices, proposed regulations, emergency regulations, final form regulations, and other documents filed in the Office of the Legislative Council, pursuant to Article 1, Chapter 23, Title 1, Code of Laws of South Carolina, 1976.

# ***SOUTH CAROLINA STATE REGISTER***

An official state publication, the *South Carolina State Register* is a temporary update to South Carolina's official compilation of agency regulations--the *South Carolina Code of Regulations*. Changes in regulations, whether by adoption, amendment, repeal or emergency action must be published in the *State Register* pursuant to the provisions of the Administrative Procedures Act. The *State Register* also publishes the Governor's Executive Orders, notices or public hearings and meetings, and other documents issued by state agencies considered to be in the public interest. All documents published in the *State Register* are drafted by state agencies and are published as submitted. Publication of any material in the *State Register* is the official notice of such information.

## **STYLE AND FORMAT**

Documents are arranged within each issue of the *State Register* according to the type of document filed:

**Notices** are documents considered by the agency to have general public interest.

**Notices of Drafting Regulations** give interested persons the opportunity to comment during the initial drafting period before regulations are submitted as proposed.

**Proposed Regulations** are those regulations pending permanent adoption by an agency.

**Pending Regulations Submitted to the General Assembly** are regulations adopted by the agency pending approval by the General Assembly.

**Final Regulations** have been permanently adopted by the agency and approved by the General Assembly.

**Emergency Regulations** have been adopted on an emergency basis by the agency.

**Executive Orders** are actions issued and taken by the Governor.

## **2009 PUBLICATION SCHEDULE**

Documents will be accepted for filing on any normal business day from 8:30 A.M. until 5:00 P.M. All documents must be submitted in the format prescribed in the *Standards Manual for Drafting and Filing Regulations*.

To be included for publication in the next issue of the *State Register*, documents will be accepted no later than 5:00 P.M. on any closing date. The modification or withdrawal of documents filed for publication must be made **by 5:00 P.M.** on the closing date for that issue.

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
Submission Deadline	1/9	2/13	3/13	4/10	5/8	6/12	7/10	8/14	9/11	10/9	11/13	12/11
Publishing Date	1/23	2/27	3/27	4/24	5/22	6/26	7/24	8/28	9/25	10/23	11/27	12/25

## REPRODUCING OFFICIAL DOCUMENTS

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## ADOPTION, AMENDMENT AND REPEAL OF REGULATIONS

To adopt, amend or repeal a regulation, an agency must publish in the *State Register* a Notice of Drafting; a Notice of the Proposed Regulation that contains an estimate of the proposed action's economic impact; and, a notice that gives the public an opportunity to comment on the proposal. If requested by twenty-five persons, a public hearing must be held at least thirty days after the date of publication of the notice in the *State Register*.

After the date of hearing, the regulation must be submitted to the General Assembly for approval. The General Assembly has one hundred twenty days to consider the regulation. If no legislation is introduced to disapprove or enacted to approve before the expiration of the one-hundred-twenty-day review period, the regulation is approved on the one hundred twentieth day and is effective upon publication in the *State Register*.

## EMERGENCY REGULATIONS

An emergency regulation may be promulgated by an agency if the agency finds imminent peril to public health, safety or welfare. Emergency regulations are effective upon filing for a ninety-day period. If the original filing began and expired during the legislative interim, the regulation can be renewed once.

## REGULATIONS PROMULGATED TO COMPLY WITH FEDERAL LAW

Regulations promulgated to comply with federal law are exempt from General Assembly review. Following the notice of proposed regulation and hearing, regulations are submitted to the *State Register* and are effective upon publication.

## EFFECTIVE DATE OF REGULATIONS

**Final Regulations** take effect on the date of publication in the *State Register* unless otherwise noted within the text of the regulation.

**Emergency Regulations** take effect upon filing with the Legislative Council and remain effective for ninety days. If the original ninety-day period begins and expires during legislative interim, the regulation may be refiled for one additional ninety-day period.

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 The history, status, and full text of these regulations are available on the  
 South Carolina General Assembly Home Page: <http://www.scstatehouse.gov/regnsrch.htm>

DOC. NO.	RAT. NO.	FINAL ISSUE	SUBJECT	EXP. DATE	AGENCY
4043			Amend and Add Regulations to Chapter 67 to Reflect Changes in Title 42 Necessitated by the Approval of Act 111 on June 25, 2007	1/13/10	Workers' Compensation Commission
4054			Registration of Immigration Assistance Services	2/22/10	LLR
4055			Illegal Aliens and Private Employment	2/22/10	LLR
4058			Insurance Holding Company Systems	3/08/10	Department of Insurance
4059			South Carolina Reinsurance Facility Recoupment	3/08/10	Department of Insurance
4060			Life Insurance Disclosure	3/08/10	Department of Insurance
4061			Valuation of Investments	3/08/10	Department of Insurance
4068			Funeral Service Practice Act	3/30/10	Board of Funeral Service
4066			Long Term Care Insurance	4/21/10	Department of Insurance
4067			Law Enforcement Officer and E-911 Officer Training & Certification	4/28/10	S.C. Criminal Justice Academy
4072			Central Fill Pharmacies	5/04/10	Board of Pharmacy
4063			Workers' Compensation Insurance and Use of Leased Vehicles	5/12/10	Public Service Commission
4075			Requirements of Licensure in the Field of Cosmetology	5/12/10	Board of Cosmetology
<b>Committee Requested Withdrawal</b>					
4022			Riverbanks Parks Commission	Tolled	Riverbanks Parks Commission
<b>Resolution Introduced to Disapprove</b>					
4014			Environmental Protection Fees	Tolled	Department of Health and Envir Control
4015			Environmental Protection Fees	Tolled	Department of Health and Envir Control

## 2 COMMITTEE LIST OF REGULATIONS SUBMITTED TO GENERAL ASSEMBLY

In order by General Assembly review expiration date  
 The history, status, and full text of these regulations are available on the  
 South Carolina General Assembly Home Page: <http://www.scstatehouse.gov/regnsrch.htm>

DOC. No.	SUBJECT	HOUSE COMMITTEE	SENATE COMMITTEE
4043	Amend and Add Regulations to Chapter 67 to Reflect Changes in Title 42 Necessitated by the Approval of Act 111 on June 25, 2007	Labor, Commerce and Industry	Judiciary
4054	Registration of Immigration Assistance Services	Labor, Commerce and Industry	Labor, Commerce and Industry
4055	Illegal Aliens and Private Employment	Judiciary	Labor, Commerce and Industry
4058	Insurance Holding Company Systems	Labor, Commerce and Industry	Banking and Insurance
4059	South Carolina Reinsurance Facility Recoupment	Labor, Commerce and Industry	Banking and Insurance
4060	Life Insurance Disclosure	Labor, Commerce and Industry	Banking and Insurance
4061	Valuation of Investments	Labor, Commerce and Industry	Banking and Insurance
4068	Funeral Service Practice Act	Labor, Commerce and Industry	Judiciary
4066	Long Term Care Insurance	Labor, Commerce and Industry	
4067	Law Enforcement Officer and E-911 Officer Training & Certification	Judiciary	
4072	Central Fill Pharmacies	Medical, Military, Pub & Mun Affairs	
4063	Workers' Compensation Insurance and Use of Leased Vehicles		
4075	Requirements of Licensure in the Field of Cosmetology		
<b>Committee Requested Withdrawal</b>			
4022	Riverbanks Parks Commission	Agriculture and Natural Resources	Fish, Game and Forestry
<b>Resolution Introduced to Disapprove</b>			
4014	Environmental Protection Fees	Agriculture and Natural Resources	Medical Affairs
4015	Environmental Protection Fees	Agriculture and Natural Resources	Medical Affairs

**STATE BUDGET AND CONTROL BOARD  
OFFICE OF HUMAN RESOURCES**

**NOTICE**

Act 29 of 2009 authorizes the State Budget and Control Board, Office of Human Resources to amend human resource regulations as it determines efficient to implement and transition to the South Carolina Enterprise Informational System. Further, Act 29 provides that any such changes must be published in the State Register. Accordingly, the State Budget and Control Board, Office of Human Resources has submitted for publication the following amendments to Chapter 19, South Carolina Code of Regulations.

2009 Amendments to the State Human Resources Regulations

**19-705 CLASSIFIED EMPLOYEE PAY PLAN**

**19-705.05 B. 3. b. SALARY DECREASES**

Involuntary Reason – A covered employee who is involuntarily assigned lower level responsibilities or moved to a position in his current pay band with lower level responsibilities than his current position, shall not have his salary reduced for a period of one year from the date of the action unless an exception is approved by the Budget and Control Board. After the expiration of the one-year period, with the approval of the agency head or his designee, the employee's salary may be reduced no more than 15% or to the midpoint of the pay band, whichever is lower. An employee exempt from the State Employee Grievance Procedure Act, who is involuntarily assigned lower level responsibilities, may have his salary reduced no more than 15% or to the midpoint of the pay band, whichever is lower, immediately following the assignment of lower level responsibilities.

If the employee's salary is allowed to remain above the maximum of the pay band, the employee shall not be eligible for pay increases unless:

**19-705.05 C. 1. c. SALARY DECREASES**

Involuntary or Non-Disciplinary Reason – When a covered employee is demoted due to involuntary or non-disciplinary reasons or when an occupied position is reclassified to a class in a lower pay band for these reasons, the employee's salary shall not be reduced for a period of one year from the date of the demotion or downward reclassification unless an exception is approved by the Budget and Control Board. After the expiration of the one-year period, with the approval of the agency head or his designee, the employee's salary may be reduced no more than 15% or to the midpoint of the pay band, whichever is lower. An employee exempt from the State Employee Grievance Procedure Act, who is involuntarily demoted or downwardly reclassified may have his salary reduced no more than 15% or to the midpoint of the pay band, whichever is lower, immediately following the demotion or downward reclassification.

If the employee's salary is allowed to remain above the maximum of the lower pay band, the employee shall not be eligible for pay increases unless:

**19-706 ESTABLISHMENT OF UNCLASSIFIED POSITIONS AND THE UNCLASSIFIED EMPLOYEE PAY PLAN**

**19-706.04 B. 3. c. (3) HIRING SALARIES, SALARY INCREASES, AND SALARY DECREASES FOR EMPLOYEES IN UNCLASSIFIED POSITIONS**

Involuntary or Non-Disciplinary Reason - When a covered employee is demoted due to involuntary or non-disciplinary reasons or when an occupied position is reevaluated to a lower State salary range for these reasons, the employee's salary shall not be reduced for a period of one year from the date of the demotion or downward reevaluation unless an exception is approved by the Budget and Control Board. After the expiration of the one-year period, with the approval of the agency head or his designee, the employee's salary may be reduced no more than 15% or to the midpoint of the State salary range, whichever is lower. An employee exempt from the State Employee Grievance Procedure Act, who is involuntarily demoted or

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whose position is downwardly reevaluated may have his salary reduced no more than 15% or to the midpoint of the pay State salary range, whichever is lower, immediately following the demotion or downward reevaluation.

If the employee's salary is allowed to remain above the maximum of the lower State salary range for the position, the employee shall not be eligible for pay increases unless:

**19-706.04 D. 3. c. (3) (b) ii. HIRING SALARIES, SALARY INCREASES, AND SALARY DECREASES FOR EMPLOYEES IN UNCLASSIFIED POSITIONS**

A covered employee, who is involuntarily demoted or assigned lower level responsibilities, shall not have his salary reduced for a period of one year from the date of the action unless an exception is approved by the Budget and Control Board. After the expiration of the one-year period, with the approval of the agency head or his designee, the employee's salary may not be reduced by more than 15%. An employee exempt from the State Employee Grievance Procedure Act, who is demoted or involuntarily assigned lower level responsibilities, shall not have his salary reduced by more than 15% immediately following the demotion or assignment of lower level responsibilities.

For a decrease of more than 15%, the agency must submit written justification to OHR for approval.

### DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

#### PUBLIC NOTICE

#### NOTICE TO AMEND SOUTH CAROLINA AIR QUALITY IMPLEMENTATION PLAN

#### ATTAINMENT PLAN FOR THE RFATS MPO, S. C. 8-HOUR OZONE NAAQS NONATTAINMENT AREA

South Carolina Air Quality Implementation Plan:

The Department of Health and Environmental Control (Department) proposes to amend the South Carolina Air Quality Implementation Plan, also known as the State Implementation Plan, or SIP. Interested persons are invited to present their views in writing to Andrew O. Hollis; Division of Air Planning, Development and Outreach; Bureau of Air Quality; 2600 Bull Street; Columbia, SC 29201. Comments may also be submitted via email to [hollisao@dhec.sc.gov](mailto:hollisao@dhec.sc.gov). To be considered, comments must be received no later than 5:00 p.m. on Monday, October 26, 2009, the close of the drafting comment period. The Department is also providing the public with the opportunity to request a public hearing on the issue. As such, a public hearing has been planned for Monday, November 2, 2009, 10:00 AM, in the Wallace Room (3141), 2600 Bull Street, Columbia, South Carolina. The public is invited to attend. However, pursuant to 40 CFR 51.102, if no request for a public hearing is received by the close of the comment period (October 26, 2009), the hearing will be cancelled. If a public hearing has been cancelled, the Department will notify the public at least one week prior to the scheduled hearing via the "Scheduled Public Hearings" link on the Regulation Development webpage at <http://www.scdhec.gov/environment/baq/regulatory.aspx>. Interested parties are also encouraged to contact Andrew Hollis at (803)-898-4196 for more information or to determine whether a public hearing has been cancelled.

Synopsis:

In a *Federal Register* (FR) notice published on July 18, 1997 (62 FR 38856), the United States Environmental Protection Agency (EPA) promulgated amendments to the National Ambient Air Quality Standards (NAAQS) for ozone. Based on its review of available scientific evidence linking exposures to ambient ozone to adverse health and welfare effects at levels allowed by the 1-hour ozone standards, the EPA replaced the 1-hour

primary standard with an 8-hour standard at a level of 0.08 ppm based on the 3-year average of the annual fourth-highest daily maximum 8-hour average ozone concentrations measured at each monitor within an area. The 1-hour secondary standard was also replaced by an 8-hour secondary standard identical to the new primary standard.

Because of monitor readings in North Carolina indicating violation of the 1997 ozone standard, on April 30, 2004 (69 FR 23858), the EPA designated and classified that portion of York County, South Carolina within the Rock Hill Fort Mill Area Transportation Study (RFATS) Metropolitan Planning Organization (MPO) as a moderate nonattainment area for the 8-hour ozone NAAQS as part of the Charlotte-Gastonia-Rock Hill nonattainment area. As a result of this designation, the Department was required to amend the SIP, in accordance with the requirements of Title I, Part D - Plan Requirements for Nonattainment Areas, Subpart 1, Section 172, and Subpart 2, Section 182 of the *Clean Air Act* (CAA), as amended (42 U.S.C. 7401, *et seq.*).

On August 31, 2007, the Department submitted its required attainment plan for the RFATS MPO 8-hour ozone NAAQS nonattainment area. On November 17, 2008, the EPA sent letters to North Carolina and South Carolina, explaining its intention to propose disapproval of the attainment demonstrations for the Charlotte-Gastonia-Rock Hill area for the 1997 8-hour ozone standard by January 9, 2009 because they believed that the area was unlikely to attain the 1997 ozone standard by June 15, 2010, or meet the requirements for a one-year extension of the attainment date. As a result, the Department withdrew its attainment demonstration on December 22, 2008 and committed to re-submit an amended attainment demonstration by November 30, 2009. Therefore, in a *Federal Register* notice published on May 8, 2009 (74 FR 21550), the EPA made a finding of failure to submit State Implementation Plan revisions required for the 1997 8-hour ozone NAAQS to South Carolina and North Carolina for the Charlotte-Gastonia-Rock Hill nonattainment area.

Therefore, the Department proposes to submit an amended attainment demonstration for the RFATS MPO 8-hour ozone NAAQS non-attainment area which will include updated modeling analyses to address the EPA's concerns.

## DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

### NOTICE

#### NOTICE OF CANCELLATION AND RESCHEDULING OF PUBLIC HEARING

The Department of Health and Environmental Control issued a Notice of Proposed Regulation to revise Regulation 61-62.1, *Definitions and General Requirements*, and the South Carolina State Implementation Plan (SIP), in the State Register on August 28, 2009, identified as Document 4085. The Notice published in the State Register would amend Regulation 61-62.1 to make the necessary revisions to comply with the new Federal emissions reporting requirements promulgated by the United States Environmental Protection Agency (EPA) referred to as the Air Emissions Reporting Requirements (AERR) which was published in the *Federal Register* on December 17, 2008 [73 FR 76540] as well as state level reporting requirements to facilitate the collection of more detailed process level emissions inventory data (to include hazardous air pollutants (HAP) data). The aforementioned Notice scheduled a Staff Informational Forum that will be conducted on September 28, 2009, a write-in comment period that closes September 28, 2009, and a Public Hearing scheduled before the DHEC Board of Health and Environmental Control on November 12, 2009. Due to scheduling conflicts, the Public Hearing originally scheduled for November 12, 2009, on Document 4085, was rescheduled as follows:

The Public Hearing to be conducted by the Board for this proposed regulation has been rescheduled for November 18, 2009. The hearing will be held at the regularly scheduled Board meeting on November 18, 2009, in the Board Room of the Commissioner's Suite, Third Floor, Aycock Building of the Department of Health and Environmental Control, 2600 Bull St., Columbia, SC. The Board meeting commences at 10:00 a.m.

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at which time the Board will consider items on its agenda in the order presented. The order of presentation for public hearing on November 18, 2009, will be noticed in the Board's agenda to be published by the Department 24 hours in advance of the meeting. Interested persons are invited to make oral or written comments on the proposed regulation at the public hearing. Persons desiring to make oral comments at the hearing are asked to limit their statements to five minutes and, as a courtesy, are asked to provide written copies of their presentations for the record. Any comments made at the public hearing will be given consideration in formulating the final version of the regulations.

### DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

#### NOTICE

In accordance with Section 44-7-200(C), Code of Laws of South Carolina, the public is hereby notified that a Certificate of Need application has been accepted for filing and publication September 25, 2009, for the following project(s). After the application is deemed complete, affected persons will be notified that the review cycle has begun. For further information, please contact Mrs. Sarah "Sallie" C. Harrell, Division of Planning and Certification of Need, 2600 Bull St., Columbia, SC 29201 at (803) 545-4200.

#### Affecting Charleston County

Purchase and installation of a second (2<sup>nd</sup>) da Vinci surgical system with High Definition Vision  
Trident Medical Center  
Charleston, South Carolina  
Project Cost: \$2,107,226

#### Affecting Lancaster County

Addition of fourteen (14) psychiatric beds and four (4) nursing home beds that will not participate in the Medicaid Title XIX Program, for a total of 199 general acute care beds, fourteen (14) psychiatric beds and eighteen (18) nursing home beds; the facility will surrender the current license for the existing eighteen (18) Substance Abuse beds at the time of proposed project licensure  
Springs Memorial Hospital  
Lancaster, South Carolina  
Project Cost: \$582,053

#### Affecting Pickens County

Construction for the addition of twenty six (26) skilled nursing beds that will not participate in the Medicaid (Title XIX) program resulting in a total bed capacity of forty four (44) nursing home beds; the existing eighteen (18) beds are restricted to residents of the community only  
Presbyterian Home of South Carolina-Foothills  
Easley, South Carolina  
Project Cost: \$2,806,332

In accordance with S.C. DHEC Regulation 61-15, the public and affected persons are hereby notified that the review cycle has begun for the following project(s) and a proposed decision will be made within 60 days beginning September 25, 2009. "Affected persons" have 30 days from the above date to submit comments or requests for a public hearing to Mr. Les W. Shelton, Division of Planning and Certification of Need, 2600 Bull Street, Columbia, S.C. 29201. For further information call (803) 545-4200.

## Affecting Aiken County

Establishment of a home health agency restricted to serve Aiken County  
 United Home Care, Inc. d/b/a United Home Care of Aiken County  
 North Augusta, South Carolina  
 Project Cost: \$46,150

## Affecting Charleston County

Acquisition of the DISC Radiologists' Magnetic Resonance Imaging (MRI) unit by Carolina Family Care (CFC), a wholly owned subsidiary of University Medical Associates (UMA), in order to provide MRI services on a 1.0T MRI unit approved in NA-06-13 which is located at 1341 Old Georgetown Road, Suite C, Mt. Pleasant, South Carolina  
 Carolina Family Care, Inc.  
 Mount Pleasant, South Carolina  
 Project Cost: \$869,495

Renovation of existing space for the addition of a second (2nd) angiography lab  
 Medical University of SC Medical Center  
 Charleston, South Carolina  
 Project Cost: \$3,165,100

**DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL**

**NOTICE**

## Development of Registration Permits:

The South Carolina Department of Health and Environmental Control (Department) proposes to develop a registration permit for temporary crushing and screening operations. Registration Permits, as provided under S.C. Regulation 61-62.1, Section II (I) are applicable to similar sources, and any registration permit developed will specify compliance with all requirements applicable to the construction or operation of that specific category of stationary sources and will identify criteria by which sources may qualify for the registration permit. Because the registration permit contains the same emission limits and monitoring requirements as a construction and operating permit may contain, a source that qualifies may elect to apply to the Department for coverage under a registration permit in lieu of a construction and operating permit as provided in Regulation 61-62.1, Section II (A) and (F). Interested persons are invited to present their views in writing to Tracey Stewart, Manager, General Permit and Support Section; Engineering Services Division; Bureau of Air Quality; 2600 Bull Street; Columbia, SC 29201. To be considered, written comments must be received no later than 5:00 p.m. on Monday, October 26, 2009, the close of the comment period.

## Specific Category:

Temporary Crushing and Screening Operations

## Synopsis:

The Department is considering the development and implementation of a registration permit for Temporary Crushing and Screening Operations with uncontrolled potential to emit less than the threshold for major source groups, and where equipment similarities and simplicity remove the need for in-depth site-specific review.

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Temporary Crushing and Screening Operations may consist of nonmetallic mineral crushers, size separating screens, and/or material conveyors. Examples operations may include concrete structure crushing and screening and asphalt pavement crushing and screening.

### DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

#### PUBLIC NOTICE

Section IV of R.61-98, the State Underground Petroleum Environmental Response Bank (SUPERB) Site Rehabilitation and Fund Access Regulation, requires that the Department of Health and Environmental Control evaluate and certify site rehabilitation contractors to perform site rehabilitation of releases from underground storage tanks under the State Underground Petroleum Environmental Response Bank (SUPERB) Act.

Class I Contractors perform work involving the collection and interpretation of investigative data; the evaluation of risk; and/or the design and implementation of corrective action plans. Class I applicants must satisfy registration requirements for a Professional Engineer or Geologist in South Carolina. Class II Contractors perform work involving routine investigative activities (e.g., soil or ground water sampling, well installation, aquifer testing) where said activities do not require interpretation of the data and are performed in accordance with established regulatory or industry standards.

Pursuant to Section IV.B.1., the Department is required to place a list of those contractors requesting certification on public notice and accept comments from the public for a period of thirty (30) days. If you wish to provide comments regarding the companies and/or individuals listed below, please submit your comments in writing, no later than October 26, 2009 to:

Contractor Certification Program  
South Carolina Department of Health and Environmental Control  
Bureau of Land and Waste Management - Underground Storage Tank Program  
Attn: Michelle Dennison  
2600 Bull Street  
Columbia, SC 29201

The following companies and/or individuals have applied for certification as Underground Storage Tank Site Rehabilitation Contractors:

Class I  
Hazmat Emergency Response & Remediation, Inc. (HERRA)  
Attn: Marc Cox  
PO Box 381  
Tabor City, NC 28463

## DEPARTMENT OF LABOR, LICENSING AND REGULATION

## NOTICE

## NOTICE OF PUBLIC HEARING

## OCCUPATIONAL SAFETY AND HEALTH STANDARDS

The South Carolina Department of Labor, Licensing, and Regulation (LLR) does hereby give notice under Section 41-15-220, S.C. Code of Laws, 1976, as amended, that a public hearing will be held on October 29, 2009 at 10:00 a.m. at the S.C. Department of LLR, 2nd floor, room 202-02, 110 Centerview Drive, Columbia, S.C., at which time interested persons will be given the opportunity to appear and present views on the occupational safety and health standards being considered for adoption, which are as follows:

In Subarticle 6 (General Industry):

Revisions to 1910.102 Acetylene.

Any omissions or corrections to the occupational safety and health standards being considered for adoption published in the FEDERAL REGISTER prior to this hearing may be presented at this hearing. These revisions are necessary to comply with federal law and copies of them can be obtained or reviewed at the S.C. Department of LLR during normal business hours by contacting the Occupational Safety and Health Administration office at (803) 896-7682.

Persons desiring to speak at the hearing shall file with the Director of LLR a notice of intention to appear and the approximate amount of time required for her/his presentation on the particular matter no later than October 19, 2009. Any person who wishes to express her/his views, but is unable or does not desire to appear and testify at the hearing, should submit those views to the undersigned in writing on or before October 19, 2009.

Adrienne Riggins Youmans  
Director  
SC Department of LLR  
Post Office Box 11329  
Columbia, SC 29211-1329

## **10 DRAFTING NOTICES**

### **BOARD OF ACCOUNTANCY**

#### **CHAPTER 1**

Statutory Authority: 1976 Code Sections 40-1-70 and 40-2-70

#### **Notice of Drafting:**

The South Carolina Board of Accountancy proposes to amend Regulations 1-5, 1-8, and 1-10 in conformance with the Board of Accountancy Practice Act. Interested persons may submit comments to Doris Cubitt, Administrator, Board of Accountancy, care of South Carolina Department of Labor, Licensing, and Regulation, Post Office Box 11329, Columbia, South Carolina 29211-1329.

#### **Synopsis:**

The South Carolina Board of Accountancy proposes to amend current Regulations 1-5, 1-8, and 1-10 to reflect changes in current accountancy practice and regulation.

### **BOARD OF ARCHITECTURAL EXAMINERS**

#### **CHAPTER 11**

Statutory Authority: 1976 Code Sections 40-1-70 and 40-3-60

#### **Notice of Drafting:**

The South Carolina Board of Architectural Examiners proposes to amend Regulations 11-3, 11-6, 11-7, 11-8, 11-8.1, 11-10, 11-11, 11-12, 11-13, and 11-14 in conformance with the Board of Architectural Examiners Practice Act. Interested persons may submit comments to Jan B. Simpson, Administrator, Board of Architectural Examiners, care of South Carolina Department of Labor, Licensing, and Regulation, Post Office Box 11329, Columbia, South Carolina 29211-1329.

#### **Synopsis:**

The South Carolina Board of Architectural Examiners proposes to amend current Regulations 11-3, 11-6, 11-7, 11-8, 11-8.1, 11-10, 11-11, 11-12, 11-13, and 11-14 to reflect changes in current architectural practice and regulation, including increased use of electronic documents in professional practice.

### **DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL**

#### **CHAPTER 61**

Statutory Authority: 1976 Code Sections 48-1-10 et seq.

#### **Notice of Drafting:**

The Department is proposing to amend South Carolina Air Pollution Control Regulation 61-62, Air Pollution Control Regulations and Standards, and the State Implementation Plan (SIP). Specifically, the Department proposes to amend R.61-62.96, Nitrogen Oxides (NO<sub>x</sub>) and Sulfur Dioxide (SO<sub>2</sub>) Budget Trading Program General Provisions. The proposed amendments are necessary to meet requirements of the United States Environmental Protection Agency (EPA). Interested persons are invited to present their views in writing to Alan Hancock, Regulatory Development Section, Bureau of Air Quality, 2600 Bull Street, Columbia, SC 29201. Comments may also be submitted by email to hancocam@dhec.sc.gov. To be considered, comments must be received by October 26, 2009, the close of the drafting comment period.

**Synopsis:**

On March 10, 2005, the EPA finalized the “Rule to Reduce Interstate Transport of Fine Particulate Matter and Ozone (Clean Air Interstate Rule),” (also referred to as the CAIR).

The CAIR was published in the *Federal Register* on May 12, 2005 [70 FR 25162]. This rule affects 28 states and the District of Columbia. In the CAIR, the EPA found that South Carolina is one of the 28 states that contribute significantly to nonattainment of the National Ambient Air Quality Standards (NAAQS) for fine particles (PM<sub>2.5</sub>) and/or 8-hour ozone in downwind States. The EPA required these states to revise their SIPs to reduce emissions of SO<sub>2</sub> and/or NO<sub>x</sub>. Sulfur dioxide is a precursor to PM<sub>2.5</sub> formation, and NO<sub>x</sub> is a precursor to both PM<sub>2.5</sub> and ozone formation. The EPA has determined that electric generating units (EGUs) in South Carolina contribute to nonattainment of PM<sub>2.5</sub> and 8-hour ozone in downwind states.

On August 14, 2007, the Department submitted to the EPA its revision to the SIP and R. 61-62.96, Nitrogen Oxides (NO<sub>x</sub>) and Sulfur Dioxide (SO<sub>2</sub>) Budget Trading Program General Provisions.

Based upon EPA recommendation, the Department requested on September 19, 2007 that EPA act only on a portion of the August 14, 2007, submittal. This request for abbreviated SIP approval included a list of additional changes that the Department would make to R. 61-62.96 and the SIP in order to address EPA comments.

On October 9, 2007, the EPA published a direct final rule [72 FR 57209] approving the abbreviated CAIR SIP for South Carolina, effective December 10, 2007.

Via a letter dated February 20, 2008, the EPA required certain additional changes to R. 61-62.96 to receive full SIP approval. The Department revised R.61-62.96 and the SIP in order to address the comments contained in the September letter, effective October 24, 2008.

On July 11, 2008, the U.S. Court of Appeals for the D.C. Circuit (Court of Appeals) vacated the CAIR. Following petitions filed by parties in the litigation the Court of Appeals issued a subsequent opinion on December 23, 2008, wherein it remanded the CAIR to the EPA without vacatur. The CAIR is now in effect while the EPA develops a replacement rule.

The Department now proposes to amend R. 61-62.96, Nitrogen Oxides (NO<sub>x</sub>) and Sulfur Dioxide (SO<sub>2</sub>) Budget Trading Program and the SIP to address the outstanding requests made by EPA in order to obtain full SIP approval. These proposed revisions will address the requirements of the CAIR NO<sub>x</sub> Annual Allowance Allocations, the requirements of recordation of the CAIR NO<sub>x</sub> Annual Allowance Allocations, the definition of “fossil-fuel-fired,” the definition of “Non-EGU Applicability,” the timing requirements of the CAIR NO<sub>x</sub> Ozone Season Allocations, the requirements of the CAIR NO<sub>x</sub> Ozone Seasons Allowance Allocations, and the requirements of recordation of the CAIR NO<sub>x</sub> Ozone Season Allowances.

The Department also proposes to make typographical corrections and clarifications to R.61-62.96, as necessary.

The proposed amendments in this Notice will not be more stringent than the current Federal requirements and thus do not require legislative review.

## 12 DRAFTING NOTICES

### DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL CHAPTER 61

Statutory Authority: 1976 Code Section 44-1-180

#### **Notice of Drafting:**

The Department of Health and Environmental Control proposes to promulgate a new regulation, R. 61-37.1, Plan Review Fees for Retail Food Establishments. Interested persons may submit comments to Ms. Sandra D. Craig, Director, Division of Food Protection, Bureau of Environmental Health, S.C. Department of Health and Environmental Control, 2600 Bull Street, Columbia, S.C. 29201-1708. Comments submitted must be received by 5:00 p.m. on October 26, 2009, the close of the drafting comment period.

#### **Synopsis:**

Proposed R. 61-37.1, Plan Review Fees for Retail Food Establishments, would set fees charged for review and approval of construction plans and specifications for retail food establishments regulated by the Department. This service is essential to insure that facilities are built, or remodeled, in compliance with R.61-25, Retail Food Establishments; ensuring that a facility meets the requirements of the regulation provides the facility with better opportunities for success. Dwindling resources and budget reductions have negatively impacted the Department's ability to provide this service in a timely and efficient manner, which, in turn, negatively impacts growth and development in South Carolina's food service industry; the implementation of this fee regulation will help offset that situation and will allow the Department to provide the service more quickly and efficiently.

This proposed regulation will require legislative review.

### DEPARTMENT OF LABOR, LICENSING AND REGULATION OFFICE OF STATE FIRE MARSHAL CHAPTER 71

Statutory Authority: 1976 Code Sections 23-9-60 and 41-3-40

#### **Notice of Drafting:**

The Department of Labor, Licensing and Regulation, Office of State Fire Marshal proposes to amend Regulations 71-8303.4, 71-8303.5, 71-8303.8, 71-8303.10, 71-8303.12, and 71-8303.13 regarding Portable Fire Extinguishers and Fixed Fire Extinguishing Systems by updating the language and clarifying requirements with current industry standards. Interested persons may submit comments to John Reich, State Fire Marshal, Division of Fire and Life Safety, care of South Carolina Department of Labor, Licensing, and Regulation, 141 Monticello Trail, Columbia, SC 29203, by FAX at 803-896-9806, or by email to reichj@llr.sc.gov.

#### **Synopsis:**

The Department of Labor, Licensing and Regulation, Office of State Fire Marshal proposes to amend current Regulations 71-8303.4, 71-8303.5, 71-8303.8, 71-8303.10, 71-8303.12, and 71-8303.13 to reflect comments received after they became effective.

**MANUFACTURED HOUSING BOARD**

**CHAPTER 79**

Statutory Authority: 1976 Code Sections 40-1-70 and 40-29-10

**Notice of Drafting:**

The South Carolina Manufactured Housing Board proposes to amend Regulations 79-2, 79-3, 79-19 and 79-26 in conformance with the Manufactured Housing Board Practice Act. Interested persons may submit comments to Michael Anderson, Administrator, Manufactured Housing Board, care of South Carolina Department of Labor, Licensing, and Regulation, Post Office Box 11329, Columbia, South Carolina 29211-1329.

**Synopsis:**

The South Carolina Manufactured Housing Board proposes to amend current Regulations 79-2, 79-3, 79-19 and 79-26 to conform to the Manufactured Housing Practice Act requirements for apprentice salespersons.

## 14 PROPOSED REGULATIONS

Document No. 4091

### DEPARTMENT OF AGRICULTURE

#### CHAPTER 5

Statutory Authority: 1976 Code Section 46-21-20

5-460. Seeds

#### **Preamble:**

The Department of Agriculture proposes these amendments to clarify and to provide a more efficient process for regulating and testing seed products, as authorized by S.C. Code, Title 46 Chapter 21. The proposed regulations will be amended to properly reflect the listing and tolerance of noxious weeds, as well as other seed standards used by the Department related to the uniform quality of agricultural, vegetable and flower seed products sold in South Carolina and purchased by South Carolina consumers. Finally, the Department of Agriculture has recommended a new, more up to date fee schedule to cover the cost of testing for seed quality, as well as a clear explanation of services. This is an effort to decrease the spending of state appropriated money, and charging businesses and out of state users who request these testing services. Consumers and Farmers will not be charged for general seed testing. All users will be subject to charges for special testing requests. The Notice of Drafting for the proposed amendments was published in the State Register on July 24, 2009.

#### **Notice of Public Hearing and Opportunity for Public Comment:**

Should a hearing be requested pursuant to Section 1-23-110(A)(3) of the S.C. Code, as amended, such hearing will be held on October 28, 2009, at 10:00 a.m. at the Ramage Conference Center, 1001 Bluff Road, Columbia, SC 29201. Persons desiring to make oral comment at the hearing are asked to provide written copies of their presentation for the record. If no request for a hearing is received by October 26, 2009, the hearing will be canceled.

In addition, written comments may also be submitted. All written comments and requests for a public hearing should be directed to Ms. Beth Crocker, General Counsel, S.C. Department of Agriculture, P.O. Box 11280, Columbia, SC 29211-1280 no later than October 30, 2009.

#### **Preliminary Fiscal Impact Statement:**

No additional state funding is requested to implement these proposed regulations.

#### **Statement of Need and Reasonableness:**

DESCRIPTION OF REGULATION: Seeds.

Purpose: to update seed standards, including flower seeds, and to provide a more efficient process for regulating and testing all seed products sold in South Carolina.

Legal Authority: The legal authority for Regulations 5-460 et seq. is Section 46-21-20, S.C. Code of Laws.

Plan for Implementation: The proposed regulations will take effect upon publication in the *State Register* and may be implemented by providing copies of the regulation upon request.

**DETERMINATION OF NEED AND REASONABLENESS OF THE PROPOSED REGULATION BASED ON ALL FACTORS HEREIN AND EXPECTED BENEFITS:**

The proposed regulations will provide clarification and efficiency of procedures, standards and terminology used by the Department in carrying out its responsibilities, quality analysis and enforcement of seed product regulation throughout the State.

**DETERMINATION OF COSTS AND BENEFITS:**

There will be a benefit to citizens, farmers and consumers using commercially sold seed products because these regulations will help to clarify and improve the agricultural, vegetable and flower standards commonly used and expected by seed purchasers with regard to the germination rate and purity of seed products commercially sold. Regular testing and seed sampling of commercial varieties will provide consumer protection and greater consumer confidence in commercially available seed products by ensuring seed quality, germination and purity.

**UNCERTAINTIES OF ESTIMATES:**

None.

**EFFECT ON ENVIRONMENT AND PUBLIC HEALTH:**

The proposed regulations help to clarify and improve the standards used by this Department to ensure that high quality, uniform seed products are offered for sale to all citizens and farmers of South Carolina. These proposed regulations also help to recognize new flower seed standards, cut back on the number of months between seed testing periods for grass seeds and other seed varieties, as well as providing greater consumer protection through seed sampling, testing and enforcement of seed germination, purity and other label warranties.

**DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE REGULATION IS NOT IMPLEMENTED:**

There will be no detrimental effect upon the environment or the public health if these regulations are not implemented.

**Statement of Rationale:**

These proposed amendments are primarily based upon the recommended model language as put forth by the American Seed Control Officials, which is a national organization made up of members who are dedicated to the improvement of the seed industry.

**Text:**

The full text of this regulation is available on the South Carolina General Assembly Home Page: <http://www.scstatehouse.gov/regnsrch.htm>. Full text may also be obtained from the promulgating agency.

## 16 PROPOSED REGULATIONS

Document No. 4090  
**DEPARTMENT OF NATURAL RESOURCES**  
CHAPTER 123

Statutory Authority: 1976 Code Sections 50-1-200, 50-1-220, 50-11-10, 50-11-96, 50-11-105, 50-11-310, 50-11-335, 50-11-350, 50-11-390, 50-11-520, 50-11-530, 50-11-854, 50-11-2200 and 50-11-2210

123-40. Wildlife Management Area Regulations

123-51. Turkey Hunting Rules and Seasons

### **Preamble:**

The South Carolina Department of Natural Resources is proposing to amend the existing regulations that set seasons, bag limits and methods of hunting and taking of wildlife. The following is a section by section summary of the proposed changes and additions:

123-40:

(B) Game Zone 2 – changes the season and limits for deer for Keowee WMA and changes the deer limit for Fants Grove WMA.

(C) Crackerneck WMA and Ecological Reserve – clarifies the Dec. 25 closure for deer, small game and raccoon hunts.

(G) Francis Marion National Forest – clarifies Tibwin Special Use Area as a special hunt area for youth. Sets the current deer seasons for Hellhole, Waterhorn, Wambaw, Northampton and Santee WMAs.

(H) Moultrie – clarifies the hunting from roads restriction.

(J) Webb WMA – deletes the check requirement for hogs and changes the bag limit for the first firearms draw deer hunt of each season.

(O) Lewis Ocean Bay WMA – establishes a sign in and sign out procedure for hunters.

(P) Pee Dee Station Site WMA – clarifies the scouting days and adds additional hunt days for archery and muzzleloader hunts.

(T) Woodbury WMA – adds additional hunting days for hogs, raccoons and fox.

(W) Marsh WMA – adds additional hunting days for hog still hunts, adds special hog hunts with dogs and adds additional hunt days for raccoon.

(BB) Great Pee Dee River WMA – establishes a sign in and sign out procedure for hunters and deletes the data card requirement. Adds additional hunting days for hogs, gray squirrels and raccoon.

(EE) St. Helena Sound Heritage Preserve WMA – clarifies hunt permit and camping requirements.

(GG) McBee WMA – adds no fox squirrel hunting.

(JJ) Longleaf Pine WMA – adds additional archery and gun deer hunt days.

(UU) Wee Tee WMA – adds additional hunting days for deer. Adds still hog hunts and special hog hunts with dogs.

(VV) Bonneau Ferry WMA – adds additional archery deer hunt days and adds a special hog hunt with dogs.

(YY) Botany Bay Plantation WMA – establishes a day use permit requirement for visitation and expands the hours the property is open. Adds an additional week of archery deer hunting.

(AAA) Belfast WMA – New WMA. Establishes seasons, methods, bag limits and use restrictions.

10.10 reduces the period when impoundments are closed to public access on five Cat.I waterfowl areas.

10.16 adds a no hunting waterfowl from boardwalk restriction.

123-51 establishes a turkey season on a new WMA and establishes a sign in requirement on 3 WMAs.

### **Notice of Public Hearing and Opportunity for Public Comment:**

Should a hearing be requested pursuant to Section 1-23-110(A)(3) of the 1976 Code, as amended, such hearing will be conducted in conjunction with the DNR Board Meeting at Duke Energy's Lee Steam Station Site in Anderson County on November 12, 2009. Written comments may be directed to Breck Carmichael, Wildlife & Freshwater Fisheries Division, Department of Natural Resources, Post Office Box 167, Columbia, SC 29202.

**Preliminary Fiscal Impact Statement:**

This amendment of Regulations 123-40 and 123-51 will result in increased public hunting opportunities which should generate additional State revenue through license sales. In addition, the local economy should benefit from sales of hunting supplies, food and overnight accommodations. Sales taxes on these items will also directly benefit government.

**Statement of Need and Reasonableness:**

The statement of need and reasonableness was determined based on staff analysis pursuant to S.C. Code Sections 1-23-115(C) (1) through (3) and (9) through (11).

**DESCRIPTION OF THE REGULATION:**

**Purpose:** These regulations amend Chapter 123-40 and 123-51 in order to set seasons, bag limits and methods of hunting and taking of wildlife on existing and additional Wildlife Management Areas.

**Legal Authority:** Under Sections 50-11-2200 and 50-11-2210 of the S.C. Code of Laws, the Department of Natural Resources has jurisdiction over all Wildlife Management Areas to establish open and closed seasons, bag limits, and methods of taking wildlife; special use restrictions related to hunting and methods for taking wildlife on Department-owned Wildlife Management Areas. Under Section 50-11-96 of the S.C. Code of Laws, the Department of Natural Resources is authorized to promulgate regulations to implement and regulate the provisions of this section.

**Plan for Implementation:** Once the regulation has been approved by the General Assembly, the Department will incorporate all regulations in the annual Rules and Regulations Brochure. The public will be notified through this publication and through news releases and other Department media outlets and publications.

**DETERMINATION OF NEED AND REASONABLENESS OF THE REGULATION BASED ON ALL FACTORS HEREIN AND EXPECTED BENEFITS:**

Periodically additional lands are made available to the public through the Wildlife Management Area Program. Since existing regulations only apply to specific wildlife management areas, new regulations must be filed to establish seasons, bag limits and methods of hunting and taking of wildlife on these new WMAs as well as expanding use opportunities on existing WMAs.

**DETERMINATION OF COSTS AND BENEFITS:**

Implementation of the proposed regulation will not require any additional costs to the state or to the sporting community. There are no significant new costs imposed by the addition of new WMAs since the funding of leasing WMAs is provided through the existing WMA permit program. Clarification of existing regulations under appropriate authority will improve enforcement ability and therefore reduce staff time in handling prosecution of offenses. This amendment of Regulations 123-40 and 123-51 will result in increased public hunting opportunities that should generate additional State revenue through license sales. In addition, the local economy should benefit from sales of hunting supplies, food and overnight accommodations. Sales taxes on these items will also directly benefit government.

**UNCERTAINTIES OF ESTIMATES:**

Staff does not anticipate any increased costs with the promulgation of this regulation. Accordingly, no costs estimates and the uncertainties associated with them are provided.

## **18 PROPOSED REGULATIONS**

### **EFFECT ON ENVIRONMENT AND PUBLIC HEALTH:**

The promulgation of this regulation will not have any impacts on public health. Environmental impacts will be positive since the proposed regulation will result in additional opportunity for outdoor recreation for South Carolina's sportsmen therefore and increased awareness and commitment for natural resources.

### **DETRIMENTAL EFFECT ON THE ENVIRONMENT AND PUBLIC HEALTH IF THE REGULATION IS NOT IMPLEMENTED:**

No detrimental impact on public health or the environment will occur if this proposed regulation is not implemented. Failure to implement this regulation will prevent positive benefits to public.

### **Statement of Rationale:**

Rationale for the formulation of these regulations is based on over 60 years of experience by SCDNR in establishing public hunting areas. New areas are evaluated on location, size, current wildlife presence, access and recreation use potential. Contractual agreements with the landowners provides guidelines for the use and management of the property. Wildlife Management Area agreements are on file with the Wildlife Management Section of the Department of Natural Resources, Room 267, Dennis Building, 1000 Assembly Street, Columbia.

### **Text:**

The full text of this regulation is available on the South Carolina General Assembly Home Page: <http://www.scstatehouse.gov/regnsrch.htm>. Full text may also be obtained from the promulgating agency.

Filed: August 31, 2009 11:30am

Document No. 4093  
**DEPARTMENT OF NATURAL RESOURCES**  
CHAPTER 123

Statutory Authority: 1976 Code Sections 50-1-200, 50-1-220, 50-11-10 and 50-11-2200

123-40. Dove Management Area Regulations

**Emergency Situation:**

These emergency regulations establish the dove seasons and dove limits statewide and establish seasons, limits and special restrictions for dove hunting on Dove Management Areas. Because the dove season begins September 5 it is necessary to file these regulations as emergency.

**Text:**

WILDLIFE MANAGEMENT AREA PUBLIC DOVE FIELDS 2009-10

Dove Management Area Regulations: The following fields are open on a first-come basis, unless otherwise stated below. The number of hunters may be restricted on some fields. A Wildlife Management Area permit is required for all fields. Fields are open only as shown below. Please consider the other hunters as well as the landowners whose cooperation makes these fields possible. Signs will be placed along roads directing hunters to the fields. All federal and state laws apply. Fields are open only on days and times indicated. Fields denoted by an asterisk (\*) require hunters to sign in (not before 12:00 noon) and sign out on ALL hunts. No species other than mourning doves and Eurasian collared doves may be hunted during scheduled dove hunts. Please remove all litter, including spent shell hulls, from fields when leaving! Migratory Bird Permit Required.

Season Dates:

September 5 - October 10 (Sept. 5 - 7 Afternoons only): November 21 - November 28: December 21 - January 15

Bag Limit: Mourning Doves: 15 doves per day. No limit on Eurasian collared doves.

The following special regulations apply to all Wildlife Management Area Public Dove Fields: Hunters are limited to 50 shells per hunt. No entry onto fields before 12:00 noon. No shooting after 6:00 p.m. during the first segment of the season (September 5 – October 10).

**ABBEVILLE**

U.S. Forest Service, Parson Mountain WMA

5 mi. east of Abbeville on SC-72, ¼ mile south on Bass Rd., 60 acres. Special Youth Hunt on Sept. 5 (see Youth Hunt List for details).

1<sup>st</sup> season – Saturdays only beginning Sept. 19, Afternoons only. 2<sup>nd</sup> and 3<sup>rd</sup> season – Open Mon. – Sat., Afternoons only.

**AIKEN**

US Dept of Energy, Crackerneck WMA

From SC 125/CR62 (Silverton Rd) in Jackson, take Silverton 0.4 mi. to Main St., left on Main for 0.4 mi., then right on Brown Rd. for 2.1 mi. Turn left on gravel road, at end of pavement go 0.2 mi. to check station, 40 acres. 1<sup>st</sup> season – Sept. 9 & 23; Afternoons only

2<sup>nd</sup> & 3<sup>rd</sup> season – Fridays, Saturdays & Thanksgiving Day only.

## **20 EMERGENCY REGULATIONS**

### **ANDERSON**

Evans Property - US 178 at Lebanon, 25 acres

Saturdays only, Afternoons only, Dove Hunting only. Opening day participants selected by drawing. Apply by Aug. 14 at Clemson DNR office.

1<sup>st</sup> season, Saturdays – Afternoons only, Beginning Sept. 12. Open 2<sup>nd</sup> & 3<sup>rd</sup> seasons – Saturday Afternoons only.

Clemson University - Fant's Grove WMA

From US 76/ SC 28 south of Clemson Take SC 187 to Fant's Grove Rd. 1.5 miles W, 45 acres. 1<sup>st</sup> season, Saturdays – Afternoons only.

FIELD CLOSED OCT. 3<sup>rd</sup>, Open 2<sup>nd</sup> & 3<sup>rd</sup> seasons – Saturday Afternoons only.

### **\*BERKELEY**

U.S. Army Corps of Engineers - Canal WMA (Above Powerhouse) From St. Stephen Take SC 45 west for 1.5 miles or continue to County Rd 35. Go Left about .3 miles, 60 acres. Sept. 5, 19; Oct. 3; Nov. 21; Afternoons only. Dove & Pigeon Hunting only.

U.S. Army Corps of Engineers - Canal WMA (Below Powerhouse) From St. Stephen Take SC 45 E for 2.5 miles Turn Left on Paved Road, 40 acres. Sept. 5, 19; Oct. 3; Nov. 21; Afternoons only. Dove & Pigeon Hunting only.

### **CHARLESTON**

Botany Bay Plantation WMA

Located on Edisto Island south of Charleston. To reach WMA take Hwy 174 from US17 towards Edisto Beach. Turn left onto Botany Bay Rd, 8.5 mi. south of the McKinley Washington Bridge (just beyond the Edisto Serpentarium). Proceed down Botany Bay Rd. approx. 2 mi. until just before it ends, the entrance to the WMA is on the left. The dove fields are located approx. 2 mi. from the entrance. – Sept. 9 & 16; Nov. 21, Dec. 30; Jan. 13. Afternoons only.

### **CHEROKEE**

Gaffney Board of Public Works

From the intersection of I-85 (Exit 95) & Pleasant School Rd (Sec Hwy 82) go 1.2 mi. north on Pleasant School Rd around Lake Whelchel and field is on left (west) side of road, 20 acres. Saturdays only, Afternoons only. Dove Hunting only.

### **CHESTERFIELD**

SC Forestry Commission – Sand Hills State Forest

Wilkes Chapel Field. From Sand Hills State Forest Headquarters on US 1, Go south on Flory Pond Rd for 1.3 miles, Right on Sec Rd 29 for .2 miles, Field on Right, 54 acres. 1st season –Saturdays only, Afternoons only - 2nd & 3rd seasons - Open Mon. – Sat., Afternoons only.

SC Forestry Commission – Sand Hills State Forest

Davis Field, From the intersection of US 1 and SC 102 in Patrick: Go southeast on SC 102 approx. 1 mi. Bear left on SR 80 and proceed approx. 1.5 mi. Left on Campbell Lake Rd. Continue 0.2 mi. then left on Griggs Loop Rd. Field entrance 0.1 mi. on the right. 30 acres.

1<sup>st</sup> season – Sept. 5 and Wednesdays only, Afternoons only beginning Sept. 16. 2<sup>nd</sup> & 3<sup>rd</sup> seasons – Open Mon. – Sat., Afternoons only.

### **\*CLARENDON**

Santee Cooper – Santee Dam WMA

From the south end of SC 260 follow gravel road at Base of dam for approx. 5 mi., 137 acres. Sept. 5, 19; Oct. 3; Nov. 28, Jan. 2. Afternoons only. Dove Hunting only.

SC Forestry Commission Oak Lea WMA. From Summerton take SC 26 west for 2 mi. Go north on SC 41 for approx 5 mi. Field on right. 135 ac.

Sept. 5, 19, Oct. 3; Jan. 2, 9. Afternoons only. Dove Hunting only.

**\*COLLETON**

DNR - Bear Island WMA

From US 17 E of Green Pond, go SE on Rd 26 13 mi., turn left at sign marking entrance, 100 acres Sept. 9, 16 & 30; Nov. 28. Afternoons only.

DNR - Donnelley WMA

From US 17 E of Green Pond, Go southeast on Sec Rd 26 4 miles, Turn Right at Donnelley WMA Sign, Field 2 miles on Right, 100 acres.

Sept. 9, 16 & 30; Nov. 28; Dec. 30; Jan.13. Afternoons only. (843) 844-8957 On site lottery for 120 hunters on Sept. 9.

**DARLINGTON**

DeWitt Property From I-20 (Exit 137) go South on SC 340 (towards Timmonsville) 2.1 miles to Meander Rd. Right on Meander. Go 1.7 miles to Lake Swamp Rd. Right on Lake Swamp Rd. Go 0.5 miles to Oak Stump Rd. Bear left on Oak Stump. Field 1 mile on left. 50 acres. Wed. Afternoons only, Dove Hunting only.

**EDGEFIELD/ MCCORMICK**

U.S. Forest Service - Forks WMA-Seymour Fields

From Clarks Hill: Hwy 28 (Fury's Ferry Rd) south 5.5 mi. to S-33-112; travel east for 1.5 mi. Entrance is on right (south) side of road immediately after crossing into Edgefield County. 9 acres. 1<sup>st</sup> season – Saturdays only, Afternoons only. 2nd & 3rd seasons - Open Mon. - Sat., Afternoons.

**GEORGETOWN**

DNR Samworth WMA

15 mi. North of Georgetown off US Hwy 701 North. Cross the Black River. Turn right at Cooter's Store. Travel approx. 6 mi. to Samworth Loop Rd. Turn right onto gravel road and follow signs to Samworth WMA, 60 acres - Saturdays, Afternoons only, Dove Hunting only.

**\*HAMPTON**

DNR - Webb Wildlife Center

2.5 miles west of Garnett on Augusta Stage Coach Rd., 35 acres - Sept. 9, 23; Oct. 3; Nov. 25, Dec. 23 Afternoons only.

**LAURENS**

DNR - Gray Court Tract

From the intersection of SC Hwy 101 and SC Hwy 14 in Gray Court, go 0.9 mi. south on SC Hwy 14 then left on Dove Rd for 0.3 mi., field is on right (south) side of road, 12 acres. 1<sup>st</sup> season – Saturdays only, Afternoons only - 2nd & 3rd seasons - Open Mon. – Sat., Afternoons only.

**LEE**

Atkinson Property

From I-20, Go 2.7 miles southeast on SC 341 to Wisacky, Go 0.9 miles west on Cooper's Mill Rd. To Mt. Zion AME Church. Go 3.7 miles south on Dog Island Rd. Field on both sides of road. From US 401, Go 1.1 miles northwest on Dog Island Rd., 70 acres. Wednesdays only, Afternoons only. Dove Hunting only.

## 22 EMERGENCY REGULATIONS

### LEXINGTON

#### Hallman Field

From I-20 take 178 East for 2.4 mi. to Truex Rd. Turn left on Truex and go 1.2 mi. to Rish Rd. Turn right on Rish and go 0.1 mi. to parking area on left Saturdays only, Afternoons only – Dove Hunting only.

### MARLBORO

#### DNR - Lake Wallace WMA

northwest of Lake Wallace on Sec Rd 47 Bennettsville, Beauty Spot Rd., from Hwy 9 (west of Bennettsville) turn left on Beauty Spot Rd, go 1.9 mi. Field on right. 50 acres. Saturdays, Afternoons only. Dove Hunting only.

### MCCORMICK

#### U.S. Army Corps of Engineers - Clarks Hill WMA

Bordeaux Work Center Field – From intersection of Hwys 28 & 378 in McCormick: Hwy 378 west 5.5 mi. to Hwy 7. Right onto Hwy 7; go 3 mi. to S-33-135 (Willington Academy Dr) Left onto S-33-135; go 1.5 mi. to S-33-110 (McIntosh Rd) Left onto S-33-110; go 1.5 mi. to field entrance on the left. 40 acres. Sept. 5 & 16; Nov. 25, Jan. 6 only, Afternoons only. Dove Hunting only.

#### U.S. Army Corps of Engineers – Key Bridge WMA

Parksville Field – ¼ mi. north of Parksville on Hwy 28. 22 acres. 1<sup>st</sup> season – Saturdays only, Afternoons only. 2<sup>nd</sup> & 3<sup>rd</sup> seasons – Open Mon. - Sat., Afternoons only.

#### U.S. Forest Service - Key Bridge WMA

Cunningham Fields – From intersection of Hwys 28 & 283 in Plum Branch; Hwy 283 E for 5 mi. to F688. Right onto F688; travel south for ¾ mi. until road forks. From the fork, one field is 0.3 mi. further down F688 and another is 0.6 mi. down F688B. 40 acres. 1<sup>st</sup> season – Saturdays only, Afternoons only. 2<sup>nd</sup> & 3<sup>rd</sup> seasons - Open Mon. - Sat., Afternoons only.

### MCCORMICK

#### US Army Corp of Engineers, Key Bridge WMA

Plum Branch Saddle Club Fields – 2 mi. west of Plum Branch on S-33-57. 30 acres. 1<sup>st</sup> season – Saturdays only, Afternoons only. 2<sup>nd</sup> & 3<sup>rd</sup> seasons – Open Mon. - Sat., Afternoons only.

#### U.S Forest Service, Clarks Hill WMA, McCombs Tract

11 mi. south of Abbeville or 10 mi. north of McCormick on SC-28, 1.5 mi. west on SR-19. One field on SR-19 and one field on F579. 60 acres.

1<sup>st</sup> season – Saturdays only, Afternoons only. 2<sup>nd</sup> and 3<sup>rd</sup> season – Open Mon. - Sat., Afternoons only.

#### US Forest Service – Forks WMA – Seymour Fields

From Clarks Hill: Hwy 28 (Fury's Ferry Rd) south 5.5 mi. to S-33-112 (Hopeland Church Rd) Left onto S-33-112; travel east for ¾ mi. to F660E. Right only F660E; travel south for 0.2 mi. Field entrance is on left (east) side of F660E. 18 acres. 1<sup>st</sup> season – Saturdays only, Afternoons only  
2<sup>nd</sup> and 3<sup>rd</sup> season – Open Mon. - Sat., Afternoons only.

### NEWBERRY

#### SCDOT McCullough Field

From I-26 North on Hwy 121 towards Whitmire 9.2 mi. Right on McCullough Rd., 0.7 mi. Field on right. Saturdays only Beginning Sept. 12, Afternoons only, Dove Hunting only.

### OCONEE

#### S.C. Forestry Commission - Piedmont Forestry Center

From SC 130 north of Salem Turn Left on SC 11 & follow signs to nursery, 18 acres. Saturdays only, Afternoons only. Dove hunting only. 3<sup>rd</sup> season – Closed.

**U.S. Forest Service – Long Creek Tract**

In order to hunt, adults must have 1 or 2 youth age 17 or younger. Disability hunters must contact the U.S. Forest Service Andrew Pickens office for permit requirements and access. From Westminster take Hwy 76 to Long Creek, take a left on Orchard Rd, proceed  $\frac{3}{4}$  mi. to field on right. 20 acres. 1<sup>st</sup> season – Saturdays only beginning Sept. 26, afternoons only. 2<sup>nd</sup> season – Open November 21 only – Afternoons only. 3<sup>rd</sup> season – Closed.

**U.S. Forest Service - Ross Mtn. Field**

About 7 miles north of Walhalla on SC 28, Turn on Tunneltown Rd., Turn on Ross Mtn. Rd, Field on Both Sides of road, 35 acres.

1<sup>st</sup> Season, Saturdays - Afternoons only, Open 1<sup>st</sup>, 2<sup>nd</sup> & 3<sup>rd</sup> seasons – Saturday Afternoons only.

**\*ORANGEBURG**

**Santee Cooper - Santee Cooper WMA**

From Santee, Take Highway 6 east approximately 12 miles to Eutaw Springs. Left on FredCon Rd. for 0.3 miles. Left on Ferguson Landing Road for 0.3 miles Left at Santee Cooper WMA sign. Field is 0.3 miles from entrance. 50 acres. Entire WMA under Dove Area Regulations.

Sept. 19; Oct. 3; Nov. 25; Jan. 2. Afternoons only. Dove Hunting only.

**PICKENS**

**DNR Property**

South of Pickens off Sec Rd 304 near SC Highway Dept. Bldg., 40 acres. Open 1<sup>st</sup>, 2<sup>nd</sup> & 3<sup>rd</sup> seasons. Saturdays only, Afternoons only. Dove Hunting only.

**Clemson University - Gravely WMA - Causey Tract**

From SC 11 Go south on Sec Rd 112 at Cendy's Store, Turn east on Sec Rd 114 & Go 0.5 miles; 25 acres. Open 1<sup>st</sup>, 2<sup>nd</sup> & 3<sup>rd</sup> seasons. Saturdays only, Afternoons only.

**Porter Field**

183 from Pickens, Go 5 miles to Mtn. View Church Rd. Right 1/10 miles, Field on Right. Saturdays - Afternoons only, Beginning Sept. 12

3<sup>rd</sup> Season – Closed. Dove Hunting only.

**SPARTANBURG**

**Santee Cooper**

From intersection of US 176 & West Main St. (Sec. Hwy 227) approx. 2.5 miles W. of Pacolet, go 0.1 mile east on West Main St. and turn left on Goldmine Rd. (Sec. Hwy 108) for 4.3 mi. then turn right on Hatchet Dr. Field at end of road. 15 acres. 1<sup>st</sup> season – Saturdays only, Afternoons only. 2<sup>nd</sup> & 3<sup>rd</sup> seasons – Open Mon. – Sat., Afternoons only.

**Spartanburg Co Parks & Rec. Dept. – Inman Tract**

From the intersection of SC Hwy 292 and New Cut Rd (Sec Hwy 52) near Inman take New Cut Rd to the northwest for 4.8 mi. and field is on the left (southwest) side of the road. 20 acres. Saturdays only, Afternoons only, Dove Hunting only.

**SUMTER**

**S.C. Forestry Commission - Manchester State Forest**

**Directions from Wedgefield**

Bland Field 1 – Take Hwy 261 North 0.7 mi. to Bland entrance sign, turn right and follow dirt road to field. 50 ac. Sept. 5 is Youth Hunt only – Pre-registration required.

## **24 EMERGENCY REGULATIONS**

Bland Field 2 – Take SC 763 (Wedgfield Rd) 1.8 mi. then left on Knott Rd & follow dirt road 0.4 mi. to field. 50 acres.

Bird Haven Field – Takes SC 763 (Wedgfield Rd) 4 mi. to stop sign. Left on St. Paul Ch. Rd., go 1 mi. to field on right. 25 acres.

Tuomey Field – Take SC 763 (Wedgfield Rd) 4 mi. to stop sign. Right on St. Paul Ch. Rd., go 3 mi. to field on right. 50 acres.

1st season – Sat. Afternoons only (Designated Fields). 2nd & 3rd seasons - Open Mon. - Sat. (Designated Fields and the general forest).

### **UNION**

#### **DNR Thurmond Tract**

From the intersection of SC Hwy 9 and SC Hwy 49 at Lockhart go 4.3 mi. north on SC Hwy 9 and the field is on the left (south) side of road. 15 acres. 1<sup>st</sup> season – Saturdays only, Afternoons only. 2<sup>nd</sup> & 3<sup>rd</sup> seasons open Mon. – Sat., Afternoons only.

#### **Sedalia (U.S. Forest Service)**

From the intersection of SC 49 and Old Buncombe Rd (Sec Hwy 18) near Cross Keys, go 3.6 mi. east on Old Buncombe Rd and turn left on Sedalia Fire Tower Rd (Sec. Hwy 80) for 0.2 mi. and field is on left (northwest) side of road. 15 acres. 1st season – Saturdays – Afternoons only, Beginning Sept. 12. 2nd & 3rd seasons - Open Mon. - Sat., Afternoons only.

### **YORK**

#### **DNR - Draper Tract**

3.5 miles E of McConnell on SC 322, Turn Right on Sec Rd 165 (Brattonville Rd), Go .5 miles, Turn Right, Two 30 acres Fields.

1st season – Saturdays only, Afternoons only. 2nd & 3rd seasons Open Mon. - Sat., Afternoons only. Opening day participants selected by drawing. Apply in writing by Aug 14 to DNR, 124 Wildlife Dr, Union, SC 29379. Limited space available.

#### **York County – Worth Mountain WMA**

From Hickory Grove at the intersection of SC Hwy 97 and SC Hwy 211, take Hwy 211 South approx. 4 miles and turn left on Scenic View Rd, go .75 miles and field is on right. 40 acres planted. 1<sup>st</sup> season – Saturdays only, Afternoons only. 2<sup>nd</sup> & 3<sup>rd</sup> seasons Open Mon. - Sat., Afternoons only.

### **SPECIAL YOUTH DOVE HUNTS:**

Eligibility for these hunts requires adults 21 years or older to bring 1 or 2 youths 17 years of age and younger. The following regulations also apply on Special Youth Dove Hunts: (1) Adults accompanying youth are NOT allowed to shoot at any time during Special Youth Dove Hunts. (2) Adults must remain in the field and closely supervise participating youth at all times. (3) In parties of one adult and 2 youths, only one youth hunter may be handling a loaded firearm at any given time. (4) Bag limit is 15 birds per youth participant. Birds harvested by individual hunters must be kept separate and in no instance may an individual hunter harvest more than 15 birds.

#### **ABBEVILLE YOUTH HUNT**

U.S. Forest Service – Parson Mountain WMA

September 5 - Participants selected by drawing. Apply in writing or call by August 14 to SCDNR, 2751 Hwy 72 East, Abbeville, SC 29620. Limited space available.

#### **CHARLESTON YOUTH HUNT**

Botany Bay Plantation WMA

September 5 – No preregistration required.

NEWBERRY YOUTH HUNT

SCDOT – McCullough Field

September 5 - Limited Space Available. Participants selected by drawing. Apply in writing or call by Aug. 14 to DNR, PO Box 167, Columbia, SC 29202.

OCONEE YOUTH HUNTS

U.S. Forest Service – Long Creek Tract

September 5 - Participants selected by drawing. Apply by Aug. 14 to DNR, 311 Natural Resources Dr, Clemson, SC 29631 - Limited Space Available.

ORANGEBURG YOUTH HUNT

Santee Cooper – Santee Cooper WMA

September 5 - Limited Space Available. Participants selected by drawing. Apply in writing or call by Aug. 14 to DNR, PO Box 167, Columbia, SC 29202.

PICKENS YOUTH HUNT

Porter Field -- September 5 - Participants selected by drawing. Apply by Aug. 14 to DNR, 311 Natural Resources Dr. Clemson, SC 29631. Limited Space Available.

SUMTER YOUTH HUNT

Manchester State Forest near Wedgefield Bland Tract – Field 1.

September 5 - Limited Space Available. Participants selected by drawing. Apply in writing or call by Aug. 14 to DNR, PO Box 167, Columbia, SC 29202.

UNION YOUTH HUNT

U.S. Forest Service near Sedalia

September 5 - Limited space available. Participants selected by drawing. Apply in writing or call by Aug. 14 to DNR, 124 Wildlife Dr, Union, SC 29379.

YORK YOUTH HUNT

DNR Draper WMA

September 5 - Participants selected by drawing. Apply in writing or call by Aug 14 to DNR, 124 Wildlife Dr, Union, SC 29379. Limited Space Available.

**Statement of Need and Reasonableness:**

Since existing regulations only apply to specific wildlife management areas, new regulations must be filed to establish seasons, bag limits and methods of hunting and taking of wildlife on new WMAs as well as expanding use opportunities on existing WMAs. Since the availability of specific fields changes each year and season dates change as allowed by Federal Regulation it is necessary to file Dove Field regulations annually. Because these hunts begin on September 5, it is necessary to file these regulations as emergency so they take effect immediately.

**Fiscal Impact Statement:**

This amendment of Regulation 123-40 will result in increased public hunting opportunities which should generate additional State revenue through license sales. In addition, the local economy should benefit from sales of hunting supplies, food and overnight accommodations. Sales taxes on these items will also directly benefit government.

## 26 EMERGENCY REGULATIONS

Filed: August 31, 2009 11:30am

Document No. 4092

### DEPARTMENT OF NATURAL RESOURCES

#### CHAPTER 123

Statutory Authority: 1976 Code Sections 50-1-220, 50-11-2200 and 50-11-2210

#### 123-40. Hunt Units and Wildlife Management Area Regulations

##### **Emergency Situation:**

This amended regulation sets seasons, bag limits and methods of hunting and taking of wildlife on Wildlife Management Areas. Amendments are needed to allow a special deer herd reduction hunt on Croft State Natural Area. Because the hunts begin on September 23 it is necessary to file these regulations as emergency so they take effect immediately.

##### **Text:**

#### 123-40. Hunt Units and Wildlife Management Area Regulations.

##### 1.2 (X) Croft State Natural Area WMA

Archery-Crossbow Deer Hunts	Sept. 23-24	3 Deer Per Day, either-sex
	October 7-8	Max.1 antlered buck per day
	October 21-22	

##### Hunt Procedure/ Special Rules and Regulations

1. All hunters are required to check-in and obtain a daily permit at the checkpoint at the Maintenance Shop near the main gate on or prior to each day of the hunt period. The checkpoint will be open on the day of the hunt approximately 2 hours before official sunrise and the day before each hunt period from 3:00 pm to 8:00 pm.

2. All hunters must leave their hunt area immediately after dark and must report to the checkpoint to checkout no later than one hour after official sunset. Failure to checkout in a timely manner will result in a citation. Those persons needing to return to the hunt area to look for a wounded deer or to retrieve a dead deer must notify PRT or DNR personnel at that time.

3. Scouting is allowed during normal park hours and days prior to each hunt period. Daily admission fees apply, except days of applicant's hunt.

4. Parking is allowed only on park property inside the property boundaries and along roads inside the interior portion of the park. The daily hunt permit must be displayed on the dash of all vehicles parked on state park property. A parking area will be provided near the old ammo dump just off Dairy Ridge Road but parking is not allowed along Dairy Ridge Road. Do not park where a gate is being blocked. The bridge on Dairy Ridge Road is out and the check station cannot be accessed from S.C. Hwy 295.

5. Portable stands may be placed one day prior to your scheduled hunt and must be removed no later than one day following each hunt period. Screw-in steps must be removed and no permanent spikes or nails are allowed.

6. Only Archery equipment including crossbows is permitted. Hunters are allowed to carry only one type of equipment at a time.

7. Hunters must wear either a hat, coat or vest of international orange during all hunts except while occupying an elevated stand more than six feet above the surface level.

8. Hunters may use boats with electric trolling motors only to enhance hunter access. Running lights and all other safety equipment are required.

9. The use of a trail dog on a leash will be allowed for the recovery of wounded deer from 11:00 am to 3:00 pm and after dark. You must notify PRT or DNR before a dog is utilized.

10. Hunters will not be allowed to use ATV's.

11. Camping is available at Croft State Natural Area.

12. The daily bag limit is 3 deer per day including no more than one antlered buck.

13. Field dressing of deer is allowed in the woods but entrails should not be left closer than 200 yards from any road, trail or facility. Hunters should not attempt to dig in the ground to bury entrails because of safety concerns regarding buried ordnance (See safety requirements sheet). Field dressing of deer will not be allowed at the check station near the Maintenance Shop.

14. All harvested deer must be promptly brought to the deer check station at the Shop near the main gate.

15. Firearms or alcoholic beverages are not allowed within the park.

16. Hunters who harvest antlerless deer (including does and button bucks) will be pre-selected to attend the following year's hunt if one is conducted.

17. All State Parks, Recreation and Tourism (PRT) and all Wildlife Management Area (WMA) rules and regulations apply.

**Statement of Need and Reasonableness:**

Periodically additional lands are made available to the public through the Wildlife Management Area Program. Since existing regulations only apply to specific wildlife management areas, new regulations must be filed to establish seasons, bag limits and methods of hunting and taking of wildlife on these new WMAs as well as expanding use opportunities on existing WMAs. Amendments are needed to allow a special deer herd reduction hunt on Croft State Park. Because the hunts begin on September 23 it is necessary to file these regulations as emergency so they take effect immediately.

**Fiscal Impact Statement:**

This amendment of Regulation 123.40 will result in increased public hunting opportunities which should generate additional State revenue through license sales. In addition, the local economy should benefit from sales of hunting supplies, food and overnight accommodations. Sales taxes on these items will also directly benefit government.

**Filed: August 31, 2009 11:30am**

Document No. 4094

**DEPARTMENT OF NATURAL RESOURCES**

**CHAPTER 123**

Statutory Authority: 1976 Code Sections 50-1-200, 50-1-220, 50-11-10, 50-11-96, 50-11-105, 50-11-310, 50-11-335, 50-11-350, 50-11-390, 50-11-520, 50-11-530, 50-11-854, 50-11-2200 and 50-11-2210

123-40. Wildlife Management Area Regulations

123-52. Either-sex Days for Private Lands in Game Zone 1-6

**Emergency Situation:**

These emergency regulations amend and supersede South Carolina Department of Natural Resources Regulation Numbers 123-40 and 123-52. These regulations set open and closed seasons, bag limits and methods of taking wildlife; define special use restrictions related to hunting and methods for taking wildlife on Wildlife Management Areas. Because the hunting seasons on many of these areas begin September 1 it is necessary to file these regulations as emergency.

## 28 EMERGENCY REGULATIONS

### Text:

123-40. Wildlife Management Area Regulations.

1.1 The following regulations amend South Carolina Department of Natural Resources regulation Numbers 123-40 and 123-52.

1.2. The regulations governing hunting including prescribed schedules and seasons, methods of hunting and taking wildlife, and bag limits for Wildlife Management Areas and special restrictions for use of WMA lands are as follows:

### (B) Game Zone 2

**John C. Calhoun, Cokesbury, Clarks Hill, Parsons Mountain, Key Bridge, Forks, Ninety-six, Goldmine, Murray, Enoree, Fairforest, Keowee, Fant's Grove, Carlisle, Broad River, Dutchman, Wateree and Worth Mountain WMA's.**

Primitive Weapons Hunts (No dogs)	Oct. 1 - Oct. 10	2 Deer, buck only for muzzleloaders except either-sex on days specified in Reg. 4.2. Archery, either-sex.
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#### Keowee WMA

Archery Hunts For Deer (No dogs)	Oct. 15 - Dec. 22	Total 3 deer, 2 per day, either-sex, not to include more than 1 buck.
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#### Fants Grove WMA

Archery Only (No dogs)	Oct. 15 - Dec. 7	Total of 3 deer, 2 per day, either-sex, not to include more than 1 buck.
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### (C) Crackerneck WMA and Ecological Reserve

Deer

Still Gun Hunts (No buckshot)	3 <sup>rd</sup> Fri. in Oct. - Jan. 1 Fri., Sat. and Thanksgiving Day only except closed Dec. 25	5 deer total, 2 per day, buck only except on either-sex days Fri. and Sat. only from the 1 <sup>st</sup> Fri. of gun hunts before Thanksgiving and the 1 <sup>st</sup> Fri. and Sat. after Thanksgiving weekend. Total not to include more than 3 bucks.
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Raccoon & Opossum	3 <sup>rd</sup> Sat. night in Oct. - Jan. 1, Sat. nights only, except closed Dec. 25; 1 <sup>st</sup> Fri. night in Jan. to to last Fri. or Sat. night in Feb., Fri. and Sat. nights only.	3 raccoons per party per night. No limit on Opossums.
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Hog Hunts with dogs. (Pistols only)	1 <sup>st</sup> Fri. after Jan. 1 - last Fri. in Feb. Fridays only.	No limit.
Small Game (except no open season on bobcats, foxes, otters and fox squirrels).	3 <sup>rd</sup> Fri. in Oct. – last Fri. or Sat. in Feb. Fri., Sat. and Thanksgiving Day only except closed Dec. 25.	Game Zone 3 bag limits.

**(G) Francis Marion National Forest**

During still gun hunts for deer there shall be no hunting or shooting from, on or across any road open to vehicle traffic. No buckshot on still gun hunts. During deer hunts when dogs are used buckshot only is permitted. On either-sex deer hunts with dogs, all deer must be checked in by one hour after legal sunset. On all still gun and muzzleloader either-sex hunts for all units, all does must be tagged with an individual antlerless deer tag except when harvested on county-wide either-sex days. Individual antlerless deer tags are valid on days not designated as either-sex after Sept. 15 for still hunting only. Tibwin Special Use Area (in Wambaw) is closed to hunting except for Special hunts. On youth deer hunts, only youths 17 and younger may carry a gun and must be accompanied by an adult 21 years old or older.

Total of 8 deer for all gun and muzzleloader hunts on the Francis Marion.

**Hellhole WMA**

Deer

Archery	Aug. 15 through Sept. 30	2 deer per day, either-sex. Sept. 15 – 30. Hogs - no limit.
Still Gun Hunts	Oct. 1 – Jan. 1 except during Scheduled dog drive hunts.	2 deer per day, either-sex. Hogs no limit.
Dog Hunts (Shotguns only, no still gun hunting)	1 <sup>st</sup> Sat. in Dec. 2 <sup>nd</sup> Fri. in Dec.	2 deer per day, buck only. 2 deer per day, either-sex. Hogs no limit.
Youth only deer hunt with dogs	Sat. following the two-day Wambaw buck only hunt in Nov.	2 deer per day, either-sex. Hogs no limit.

Requirements for youth same as statewide youth deer hunt day.

On the either-sex deer hunt with dogs (except youth only hunts) all deer must be checked in a Hellhole Check Station.

**Waterhorn WMA**

Deer

Archery	Sept. 24 – Oct. 15	2 deer per day, either-sex.
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### 30 EMERGENCY REGULATIONS

		Hogs no limit.
Muzzleloader	Open last full week in Oct. and lasting for 14 days.	2 deer per day, either-sex. Hogs no limit.
Still Gun Hunts	3 <sup>rd</sup> Fri. & Sat. in Aug. 1 <sup>st</sup> & 2 <sup>nd</sup> Fri. & Sat. in Sept. 2 <sup>nd</sup> Fri. & Sat. in Nov.	2 deer per day, buck only. Hogs no limit.
	1 <sup>st</sup> full week in Dec. Dec. 26 – Jan. 1	2 deer per day, either-sex. Hogs no limit.
Hog Hunts with dogs	Every other Sat. in Feb. beginning with the 1 <sup>st</sup> Sat. & including the 2 <sup>nd</sup> Sat. in Mar.	No limit.

#### Wambaw WMA

##### Deer

Still Gun Hunts	Aug. 15 - Jan. 1 except during scheduled dog drive hunts.	2 deer per day, buck only, Except either-sex Sept. 15 – Jan. 1. Hogs no limit.
Dog Hunts (Shotguns only)	Fri. in Sept. before the last Sat. Northampton dog hunt & Wed. Thurs. before the 3 <sup>rd</sup> Sat. in Nov. & 2 <sup>nd</sup> Sat. in Dec. & 2 hunting days After Dec. 25.	2 deer per day, buck only. Hogs no limit.
	1 <sup>st</sup> Sat. in Nov.	2 deer per day, either-sex. Hogs no limit.
Youth only deer hunt with dogs	4 <sup>th</sup> Sat. in Oct.	2 deer per day, either-sex. Hogs no limit.

Requirements for youth same as statewide youth deer hunt day.

On either-sex deer hunts with dogs (except youth only hunts) all deer must be checked in at Awendaw check station on Hwy 17 or Honey Hill Lookout Tower.

Still gun hunts only East of Hwy 17. Rifles allowed.

#### Northampton WMA

##### Deer

Still Gun Hunts	Aug. 15 through Jan. 1 except during scheduled dog drive hunts.	2 deer per day, buck only, except either-sex Sept. 15 – Jan. 1. Hogs no limit.
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Dog Hunts (Shotguns only)	Last Sat. in Sept. & Wed. & Thur. before the 2 <sup>nd</sup> Sat. in Oct. & Fri. before the 4 <sup>th</sup> Sat. in Nov. & 3 <sup>rd</sup> hunting day after Dec. 25.	2 deer per day, buck only. Hogs no limit.
	3 <sup>rd</sup> Sat. Oct.	2 deer per day, either-sex. Hogs no limit.
Youth only deer hunt with dogs	Sat. of statewide youth deer hunt day in Jan.	2 deer per day, either-sex. Hogs no limit.

Requirements for youth same as statewide youth deer hunt day.

On either-sex deer hunts with dogs (except youth only hunts) all deer must be checked in at P&C Grocery or Anglers in Jamestown.

**Santee WMA**

Deer

Still Gun Hunts	Aug. 15 - Jan. 1 except during scheduled dog drive hunts.	2 deer per day, buck only, except either-sex Sept. 15 – Jan. 1. Hogs no limit.
Dog Drive Hunts (Shotguns only)	Last Fri. & Sat. in Aug. & Wed. & Thur. before the 4 <sup>th</sup> Sat. in Oct. & 1 <sup>st</sup> Fri. in Dec.	2 deer per day, buck only. Hogs no limit.
	Sat. prior to Northampton buck only Hunt in Sept.	2 deer per day, either-sex. Hogs no limit.
Youth only deer hunt with dogs	1 <sup>st</sup> Sat. in Oct.	2 deer per day, either-sex. Hogs no limit.

Requirements for youth same as statewide youth deer hunt day.

On either-sex deer hunts with dogs (except youth only hunts) all deer must be checked in at Bonneau Ferry Entrance or M & B Alvin Community Mart.

**(H) Moultrie**

Deer

Total of 8 deer per season.

There shall be no hunting or shooting within fifty (50) feet of the center of any road during gun hunts for deer except for SCDNR draw youth hunts.

**(I) Santee Cooper WMA**

Data cards required for hunter access. Completed data cards must be returned daily upon leaving Santee Cooper WMA.

## 32 EMERGENCY REGULATIONS

Deer Total 8 deer per season for all hunts combined, no more than 2 bucks.

Quality Deer Management Area – Only antlerless deer, spike bucks (2 points) and bucks with a minimum 4 points on one side or a 12-inch minimum antler spread. A point must be at least one inch long measured from the nearest edge of main beam to the top of the point. Campground is open during scheduled deer hunts only.

Archery	First full week in Oct. (Mon. – Sat.)	2 deer per day, either-sex, no more than 1 buck per day.
Archery and Muzzle Loader	Second full week in Oct.(Mon. - Sat.), First full week in Nov.(Mon. - Sat.), Second full week in Dec. (Mon. – Sat.)	2 deer per day, either-sex, no more than 1 buck per day.
Small Game	1 <sup>st</sup> Mon. after the closing of the last deer hunt through Mar. 1, except raccoon hunting each Fri. and Sat.	Game Zone 6 Bag limits, except Quail- 8 per day.

### (J) Webb WMA

Deer Hunts (No dogs)	No open season except hunters selected by computer drawing.	2 deer, either-sex, but only 1 buck with a minimum 4 points on one side or a 12-inch minimum antler spread except 1 <sup>st</sup> firearms draw hunt of each Season is designated as an antlerless only hunt and no antlered bucks may be harvested.
Quail Hunts Quail hunters must pick-up and return data cards at kiosk.	2 <sup>nd</sup> and 4 <sup>th</sup> Wed. in Jan. 2 <sup>nd</sup> and 4 <sup>th</sup> Sat. in Jan. 1 <sup>st</sup> and 3 <sup>rd</sup> Sat. in Feb. 1 <sup>st</sup> and 3 <sup>rd</sup> Wed. in Feb.	8 quail per day.
Still Hog Hunts (no dogs) Archery, crossbows, centerfire rifles, muzzleloading rifles, centerfire handguns and shotguns with slugs only.	3 <sup>rd</sup> Thurs. – Sat. in March 2 <sup>nd</sup> Thurs. – Sat. in May 1 <sup>st</sup> Thurs. – Sat. in Sept.	No limit.

Hog hunters are required to wear hat, coat or vest of solid international orange color while hunting. Hunters must sign register upon entering and leaving the Webb WMA. No hogs may be taken alive from Webb WMA. Hog hunters are permitted to camp at Bluff Lake on Webb WMA on nights prior to scheduled hog hunts only.

### (L) Santee Delta WMA

Deer and hog hunters must sign in and out and complete a data card on harvested animals at the check Station on the East Side of the Delta.

Special hog hunt Shotgun with slug or muzzleloader, no buckshot, hunting from elevated stands only.	3 <sup>rd</sup> Wed., Thurs., Fri. in March. (impoundments only)	Hogs only, no limit, no live to be removed from WMA.
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Special hog hunt with dogs	3 <sup>rd</sup> and 4 <sup>th</sup> Sat. in March. (impoundments only)	Hogs only, no limit, handguns only, limit 4 bay or catch dogs per party. No live hogs removed from WMA.
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**(O) Lewis Ocean Bay WMA**

Deer	Total of 5 deer for all hunts combined.
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Still hunting only, no deer dogs, no buckshot, no hunting or shooting from or on any roads open to vehicular traffic. Hunting from horseback is prohibited. All deer hunters must sign in and sign out daily and record harvest at the kiosk.

**(P) Pee Dee Station Site WMA**

All visitors to Pee Dee Station Site WMA are required to sign in upon entry to the WMA and sign out upon exit from the WMA and provide any additional information requested. Sign in sheets are located at the informational kiosk. Hogs may be taken only during deer hunts or scheduled hog hunts. No ATVs allowed.

Deer	Total of 3 for all hunt periods combined.
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Still hunting only, no deer dogs, no buckshot, no hunting or shooting from or on any roads open to vehicular traffic. The scouting seasons are 2-day periods on Saturday and Sunday immediately preceding hunt periods.

Archery	1 <sup>st</sup> Mon. - Sat. in Oct.	1 deer per day, either sex
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Archery and Muzzleloader	3rd. Mon. - Sat. in Oct. 1st. - Mon. - Sat. in Nov.	1 deer per day, either sex
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Special Hog Still Hunt (no dogs) Archery, crossbows and muzzleloading rifles only.	Mar. 1 - 3 <sup>rd</sup> Sat. in Mar.	Hogs only, no limit, no bay or catch dogs.
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Raccoon	Sept. 15 – Mar. 1 (nights only)	3 per party per night.
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**(R) Santee Coastal Reserve WMA**

Deer hunters must sign in and sign out and complete a data card on harvested animals.

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### (S) Other Small WMAs

#### Aiken, Lexington and Richland Counties

##### Deer

Still Gun Hunts  
and Archery  
(No dogs)

No hunting before  
Sept. 1 or after Jan. 1.

Game Zone 3 bag limits.  
Buck only, except on Game  
Zone 3 either-sex days as  
specified in Reg. 4.2.  
Individual antlerless deer tags  
are valid on other “unnamed”  
WMAs starting Sept. 15. Tags  
do not alter daily or season bag  
limits.

#### Chesterfield, Kershaw, Dillon & Marlboro Counties

##### Deer

Still Gun Hunts  
and Archery  
(No Dogs)

Sept. 15 - Jan. 1

Total 10 deer for all gun  
hunts, 2 per day, buck only,  
except on Game Zone 4 either-  
sex days as specified in Reg.  
4.2. Individual antlerless deer  
tags are valid on other  
“unnamed” WMAs starting  
Sept. 15. Tags do not alter daily or  
season bag limits. Limit of 10 may  
not include more than 5 bucks. Male  
deer required 2 inches of visible  
antler above the hairline to be legal.  
Male fawns (button bucks) are  
considered antlerless deer, legal only  
during either-sex hunts; however,  
they apply toward the buck limit.

#### Darlington, Lee & Sumter Counties

##### Deer

Archery

Sept. 1 - Jan. 1

Total 5 deer per season, buck  
only, except on Game Zone 5  
either-sex days as specified in  
Reg. 4.2. Individual antlerless deer  
tags are valid on other “unnamed”  
WMAs starting Sept. 15. Tags do not  
alter daily or season bag limits.

Still Gun Hunts (No dogs) No buckshot.	Sept. 15 - Jan. 1	Total 5 deer per season, buck only, except on Game Zone 5 either-sex days as specified in Reg. 4.2. Individual antlerless deer tags are valid on other “unnamed” WMAs starting Sept. 15. Tags do not alter daily or season bag limits.
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**(T) Woodbury WMA**

All visitors to Woodbury WMA are required to sign in upon entry to the WMA and sign out upon exit from the WMA and provide any additional information requested. Sign in sheets are located at the informational kiosk. Hogs may be taken only during deer hunts or scheduled hog hunts. No ATVs allowed.

Special Hog Still Hunt (No dogs) Archery, crossbows, centerfire rifles, muzzleloading rifles, centerfire handguns and shotguns with slugs only.	Mar. 1 – 3 <sup>rd</sup> Sat. in Mar. May 2 – last Sat. in Aug. (Thur. - Sat. only).	Hogs no limit.
Special Hog Hunt With dogs	2 <sup>nd</sup> Mon. in Jan. - 4 <sup>th</sup> Sat. in Jan.	Hogs only, no limit. Limit of 4 bay or catch dogs per party, all hogs taken must be killed where taken. Handguns only.
Raccoons	Sept. 15 – Mar. 1	3 per party per night.
Fox	Fri. after Thanksgiving – Mar. 1 Night only.	Game Zone bag limits.

**(W) Marsh WMA**

All visitors to Marsh WMA are required to sign in upon entry to the WMA and sign out upon exit from the WMA and provide any additional information requested. Sign in sheets are located at the informational kiosk. Hogs may be taken only during deer hunts or scheduled hog hunts. No ATVs allowed.

Special Hunt Area for Youth and Mobility Impaired Hunters.	No open season except for hunters selected by drawing.	1 deer per day, either-sex. Small Game, Game Zone 4 limits.
Special Hog Still Hunt (no dogs) Archery, crossbows, centerfire rifles, muzzleloading rifles, centerfire handguns and shotguns with slugs only.	Mar. 1st – 3rd Sat. in Mar. May 2 <sup>nd</sup> – last Sat. in Aug., Thurs. - Sat. only.	Hogs Only, no limit, no bay or catch dogs.

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Special Hog Hunt With Dogs	2 <sup>nd</sup> Mon. in Jan. – 4 <sup>th</sup> Sat. in Jan.	Hogs only, no limit. Limit of 4 bay or catch dogs per party, no live hogs removed from WMA. Handguns only.
Raccoon Small Game Seasons Open only for rabbit, squirrel, opossum, quail, and woodcock only No open season on fox squirrels.	Sept. 15 – Mar. 1 nights only Thanksgiving - Mar. 1 Wed. - Sat. only Woodcock – Wed. – Sat. only during Federal season.	3 per party per night. Game Zone 4 bag limits. Woodcock – Fed. limits.

#### (X) Hamilton Ridge WMA

##### Deer

Muzzleloader and archery (No dogs)	1 <sup>st</sup> full week in Nov.	2 deer per hunt period, either-sex, only 1 buck. Hogs no limit.
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Quail Hunts Quail hunters must pick-up and return data cards at kiosk.	2 <sup>nd</sup> and 4 <sup>th</sup> Wed. in Jan. 2 <sup>nd</sup> and 4 <sup>th</sup> Sat. in Jan. 1 <sup>st</sup> and 3 <sup>rd</sup> Sat. in Feb. 1 <sup>st</sup> and 3 <sup>rd</sup> Wed. in Feb.	8 quail per day.
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Special Hog Still Hunt (no dogs) Archery, crossbows, Centerfire rifles, muzzleloading rifles, centerfire handguns and shotguns with slugs only.	3 <sup>rd</sup> Thurs. – Sat. in March 2 <sup>nd</sup> Thurs. – Sat. in May 1 <sup>st</sup> Thurs. – Sat. in Sept.	No limit.
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#### (AA) Little Pee Dee River Complex WMA

Raccoon	Wed. – Sat. nights beginning Sat. after Thanksgiving – the last Wed. or Sat. in Feb.	3 per party per night.
Special Hog Still Hunt (no dogs) Archery, crossbows, centerfire rifles, muzzleloading rifles, centerfire handguns and shotguns with slugs only.	March 6 - 3 <sup>rd</sup> Sat. in March	Hogs only, no limit, no bay or catch dogs.

#### (BB) Great Pee Dee River WMA

All visitors to Great Pee Dee River Heritage Preserve WMA are required to sign in upon entry to the WMA and sign out upon exit from the WMA and provide any additional information requested. Sign in sheets are located at the informational kiosk. Hogs may be taken only during deer hunts or scheduled hog hunts. No ATVs allowed.

Deer Hunts

Total 3 deer for all hunts.

For big game hunting, access is restricted from two hours before sunrise to two hours after official sunset. Still hunting only, no deer dogs, no buckshot, no hunting from motor vehicles or boats, no hog dogs. Hogs may be taken only during deer hunts or special hog hunts. Firearms must be unloaded and cased and not readily accessible when not in legal use.

Special Hog Still Hunt (no dogs) Archery, crossbows, centerfire rifles, muzzleloading rifles, centerfire handguns and shotguns with slugs only.	1 <sup>st</sup> Mon. in Feb. – last Sat. in Feb.	Hogs only, no limit.
Gray Squirrels	Mon. following the last Sat. of Deer Season – last Sat. in Jan. No open season on fox squirrels.	Game Zone 5 bag limits.
Raccoon	Sept. 15 – Mar. 1, Nights only.	3 per party per night.

**(CC) Hickory Top WMA**

Data cards required for hunter access. Completed data cards must be returned daily upon leaving Hickory Top WMA.

**(DD) Palachucola WMA**

Deer Hunts

Deer hunting or shooting will not be allowed from or on roads open to vehicle traffic. All deer hunters are required to sign-in and sign-out daily.

Archery (No Dogs)	Sixteen hunting days beginning the last Wed. in Sept.	3 deer, either-sex, except only 1 buck with a minimum 4 points on one side or a minimum 12-inch antler spread.
Muzzleloader and Archery (No dogs)	3 <sup>rd</sup> Thurs. – Sat. in Dec.	3 deer, either-sex, except only 1 buck with a minimum 4 points on one side or a minimum 12-inch antler spread.
Quail Hunts Quail hunters must pick-up and return data cards at kiosk.	2 <sup>nd</sup> and 4 <sup>th</sup> Wed. in Jan. 2 <sup>nd</sup> and 4 <sup>th</sup> Sat. in Jan. 1 <sup>st</sup> and 3 <sup>rd</sup> Sat. in Feb. 1 <sup>st</sup> and 3 <sup>rd</sup> Wed. in Feb.	8 quail per day.

No small game hunting during scheduled deer hunts.

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Still Hog Hunts (no dogs)	3 <sup>rd</sup> Thurs. – Sat. in March	No limit.
Archery, crossbows, centerfire rifles, muzzleloading rifles, centerfire handguns and shotguns with slugs only.	2 <sup>nd</sup> Thurs. – Sat. in May 1 <sup>st</sup> Thurs. – Sat. in Sept.	

#### (EE) St. Helena Sound Heritage Preserve WMA

Deer: Hunting by permit only obtained at McKenzie Field Station. Camping by special permit only and on Otter Island only.

Raccoon	Sat. during Jan. & Feb.	Game Zone 6 limits.
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#### (FF) Waccamaw River Heritage Preserve WMA

Deer		Total 2 deer per season. Hogs no limit.
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Hog hunt with dogs	1 <sup>st</sup> & 2 <sup>nd</sup> Sat. in March	No limit, sidearms only, no more than 4 bay or catch dogs per party, no live hogs removed from WMA.
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#### (GG) McBee WMA

Other Small Game No small game hunting during scheduled deer hunting periods. No open season for fox squirrels.	No hunting before Mon. following the 2 <sup>nd</sup> Sat. in Jan. or after Mar. 1; otherwise Game Zone 4 seasons.	Game Zone 4 limits.
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#### (HH) Canal WMA

Hunters must pick up and return data cards at access points. Shotguns must be plugged so as not to hold more than 3 shells.

Quail	1 <sup>st</sup> Wed. after opening day of quail season and every other Wed. and Sat. thereafter until Mar. 1.	Total 8 per day.
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#### (JJ) Longleaf Pine WMA

Deer		Total 2 deer for all hunts combined.
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Still hunting only, no deer dogs, no buckshot, no hunting from vehicles or from or on any roads open to vehicular traffic. Individual antlerless deer tags valid on days not designated as either-sex after Sept. 15.

Archery	Sept. 1 – 14	2 deer per day, buck only.
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### (VV) Bonneau Ferry WMA

No camping is allowed. No person hunting on Bonneau Ferry WMA may possess, consume, or be under the influence of intoxicants including beer, wine, liquor or illegal drugs. All terrain vehicles are prohibited. Hunting access by boat is prohibited. Adult/youth fishing only. For fishing, youth must be accompanied by no more than two adults 18 years old or older. For hunting, Adult/youth Side A is open only to youth 17 years old or younger who must be accompanied by only one adult 21 years of age or older. Youth hunters must carry a firearm and hunt. Adults with youth hunters may also carry a firearm and hunt. For deer and small game hunting Sides A and B will alternate each year. All hunters must sign in and sign out upon entering or leaving Bonneau Ferry WMA. All deer must be checked out at the main entrance. Bonneau Ferry WMA is closed to public access one hour after sunset until one hour before sunrise except, for special hunts regulated by DNR. Hunters may not enter WMA prior to 5:00 AM on designated hunts. All impoundments and adjacent posted buffers are closed to all public access Nov. 1 – Mar. 1 except for special draw deer hunts and waterfowl hunts regulated by DNR during the regular waterfowl season. No fox or bobcat hunting. Hogs may be harvested during any scheduled hunt.

Deer  
Limit 2 deer per day, total 8 deer per season for all hunts, no more than 2 antlered deer total. Hogs no limit.

#### Side B

Archery	Sept. 1 – Sept. 14	Buck only.
	Sept. 15 – Sept. 20	Either-sex
	2 <sup>nd</sup> Mon. in Nov. until Nov. 30	Either-sex.

#### Side A (Adult/Youth Only)

Draw deer hunts are for two and one half days (afternoon on the first day and 2 full days). Hunt periods begin in September and continue until early December. Hunters are required to have permit in possession and must sign in and sign out (Name, permit # and deer killed each day). Area is closed to the general public access during scheduled deer, turkey and waterfowl hunts.

Quail (Side B)	Open every other Sat. beginning	Limit 8 per day.
Shotguns must be plugged to hold no more than 3 shells.	Feb. 1 through Mar. 1.	
Hunters must pick up, accurately fill out and return data card at the main entrance.		

Hog hunters are required to wear hat, coat or vest of solid international orange color while hunting. Hunters must sign in and sign out and record harvested hogs at the kiosk at the main entrance. Hunts from legal sunrise to legal sunset. Both Sides (A & B) are open to hog hunting with no youth restrictions.

Special Hog Hunt	March 5, 6, 20	Hogs only, no limit. Limit of 4
With dogs	May 7, 8	bay or catch dogs per party,
One shotgun per party (buckshot only) and centerfire handguns.		hogs may not be transported alive.

**(YY) Botany Bay Plantation WMA**

All hunters, fishermen, and visitors must obtain and complete a day use pass upon entering the area and follow all instructions on the pass. Botany Bay Plantation WMA is, open to public access during daylight hours (1/2 hour before sunrise to 1/2 hour after sunset) except during special hunts and events regulated by DNR. Area is closed to general public access during special scheduled hunts. Hunting in designated areas only. Hunting access by boat is prohibited. Fishing in the Jason’s Lake complex and all other ponds is adult/youth catch and release only on designated days. For adult/youth fishing, youth must be accompanied by no more than two adults 18 years old or older. Adult may also fish.

Deer

Archery	1 <sup>st</sup> Mon. after Sept. 15 until the 1 <sup>st</sup> Sat. in Oct.; Mon. – Sat. during the week of Thanksgiving; Mon. – Sat. during the week of Christmas.	Total 3 deer, either-sex but only 1 buck with a minimum 4 points on one side or a 12” minimum antler spread.
Still Gun Hunts (No dogs, no buckshot)	No open season except for hunters selected by computer drawing.	Total 3 deer, either-sex but only 1 buck with a minimum 4 points on one side or a 12” minimum antler spread.

Draw deer hunts are for two and one half days (afternoon on the first day and 2 full days). Hunt periods begin in September and continue into December. Hunters are required to have permit in possession and must sign in and sign out (Name, permit # and deer killed each day) at the designated check station. All harvested deer must be checked in at the designated check station.

Small Game No open season for fox squirrels or foxes. Dogs allowed during gun seasons only.	Jan. 2 – Mar. 1 Wed. and Sat. Only	Game Zone 6 bag limits, except quail 8/day.
Raccoons and Opossum	Jan. 2 – Mar. 1 (Wed. & Fri. only)	Game Zone 6 bag limits.

**(ZZ) Old Island Heritage Preserve WMA**

Deer

Archery	Sept. 15 – Jan. 1	Total 2 deer per season. 1 deer per day, either-sex.
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**(AAA) Belfast WMA**

All terrain vehicles are prohibited except those permitted by SCDNR for special management activities. Fishing is not allowed except through permitted special events. All hunters must sign in and sign out daily upon leaving Belfast WMA. All harvested deer and turkeys must be checked in at the Belfast Check Station. Belfast WMA is open to public access during daylight hours (1/2 hour before sunrise to 1/2 hour after sunset) except during special hunts and events regulated by DNR. Hunters may not enter the WMA prior to 5:00 AM

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on designated hunts. Public visitation is not allowed during scheduled deer or turkey hunts. Data cards required for hunter access. Completed data cards must be returned daily upon leaving Belfast WMA. Hunters are required to have a data card in possession while on the property during scheduled hunts.

Deer		Total 3 deer per hunt period, 2 per day, not to include more than 1 buck with a minimum of 4 points on one side or a minimum 12-inch antler spread.
Archery	1 <sup>st</sup> Mon. – Sat. after Sept. 15	2 per day. Either-sex. No more than 1 buck with a minimum 4 points on one side or a 12” minimum antler spread.
Archery & Muzzleloader	1 <sup>st</sup> Sat. in Oct.	2 per day. Either-sex. No more than 1 buck with a minimum 4 points on one side or a 12” minimum antler spread.
Still Gun Hunts (dogs, no buckshot)	No open season except for hunters selected by computer drawing.	2 per day. Either-sex. No more than 1 buck with a minimum 4 points on one side or a 12” minimum antler spread.
Small Game (No open season for fox squirrels, fox or bobcats)	Dec. 10 – March 1 Except no small game hunting during special deer hunts.	Game Zone 2 bag limits.

2.6 On all WMA lands, baiting or hunting over a baited area is prohibited. As used in this section, "bait" or "baiting" means the placing, depositing, exposing, distributing, or scattering of shelled, shucked, or unshucked corn, wheat, or other grain or other food stuffs to constitute an attraction, lure, or enticement to, on, or over any area. "Baited area" means an area where bait is directly or indirectly placed, deposited, exposed, distributed, or scattered and the area remains a baited area for ten (10) days following the complete removal of all bait. Salt/minerals are not considered bait.

2.7 On WMA lands construction or use of tree stands is prohibited if the tree stand is constructed by driving nails or other devices into trees or if wire is wrapped around trees. Other tree stands and temporary screw-in type climbing devices are permitted provided they are not permanently affixed or embedded in the tree. All stands must be removed by the end of the deer hunting season.

2.11 While participating in a hunt on WMA's, no person may possess, consume or be under the influence of intoxicants, including beer, wine, liquor or drugs.

3.1 On WMA lands hunters may use any shotgun, rifle, bow and arrow, crossbow or hand gun except that specific weapons may be prohibited on certain hunts. Small game hunters may possess or use shotguns with shot no larger than No. 2 or .22 rimfire or smaller rifles/handguns or primitive muzzle-loading rifles of .40 caliber or smaller. Small game hunters may not possess or use buckshot, slugs or shot larger than No. 2. Blow guns, dart guns or drugged arrows are not permitted. Small game hunters using archery equipment must use small game tips on the arrows (judo points, bludgeon points, etc.).

3.2 For Special Primitive Weapons Seasons, primitive weapons include bow and arrow, crossbow and muzzle-loading shotguns (20 gauge or larger) and rifles (.36 caliber or larger) with open or peep sights or scopes, which use black powder or a black powder substitute that does not contain nitro-cellulose or nitro-glycerin components as the propellant charge. There are no restrictions on ignition systems (e.g. flintstone, percussion cap, shotgun primer, disk, electronic, etc.). During primitive weapons season, no revolving rifles are permitted.

4.2 Deer either-sex days for gun hunts are as follows:

Game Zone 1: The first three Saturdays in November.

Game Zones 2 - 6: Every Saturday from October 1 to the Saturday after Thanksgiving day inclusive; Saturdays in December beginning 23 days after Thanksgiving day; and the last day of the open season.

In Game Zones 1 and 2 hunters using archery equipment may take either-sex during any open season for deer.

On special mobility impaired and youth and deer hunts sanctioned by the department and during the statewide youth deer hunt day, participants may take antlerless deer, 2 per day.

#### DOGS

5.2 On all WMA lands in Game Zones 1 and 2, beagles may not be used for rabbit hunting during still gun hunts for deer or bear. Beagles may be used from the close of the season for deer until the close of the rabbit season. Beagles may be trained for rabbit hunting from September 1 through September 30 (no guns).

5.4 The Department may permit deer hunting with dogs on WMA areas not located in Game Zones 1 and 2. For the purposes of tracking a wounded deer, a hunter may use one dog which is kept on a leash.

7.1 On all WMA lands during any gun and muzzleloader hunting seasons for deer, bear and hogs, all hunters including small game hunters must wear either a hat, coat, or vest of solid visible international orange, except hunters for dove, turkey and duck are exempt from this requirement while hunting for those species.

10.8 During the period 01 Nov.-01 Mar. except for special hunts designated by the Department, Sandy Beach Waterfowl Area is closed to public access and impoundments on Bonneau Ferry WMA are closed to public access.

10.9 Broad River Waterfowl Management Area is closed to public access during the period 01 Nov. - 01 Feb. except for special hunts designated by the Department.

10.10 Impoundments on Bear Island, Donnelly, Samworth, Santee Coastal Reserve and Santee Delta WMAs are closed to all public access during the period Nov. 1 - Feb. 8 except during special hunts designated by the Department. All public access during the period Feb. 1 - Oct. 14 is limited to designated areas. On Bear Island WMA, Mathews' Canal is closed to all hunting from Nov. 1 - Feb. 15 beyond a point 0.8 mile from the confluence of Mathews' Canal with the South Edisto River.

10.14 The Francis Marion National Forest and Crackerneck WMA, are open during special small game seasons within the regular migratory bird seasons; Fant's Grove WMA is open AM only on Wednesdays and Saturdays during the regular migratory bird seasons; Palachucola WMA, Tillman Sand Ridge WMA, Hamilton Ridge WMA and Webb WMA are open AM only for waterfowl hunting during special small game seasons within the regular migratory bird seasons.

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10.16 Category II Designated Waterfowl Areas include Biedler Impoundment, Carr Creek (bounded by Samworth WMA), Little Carr Creek (bounded by Samworth WMA), Lake Cunningham, Russell Creek, Monticello Reservoir, Parr Reservoir, Duncan Creek, Dunaway, Dungannon, Enoree River, Moultrie, Hatchery, Hickory Top, Hickory Top Greentree Reservoir, Lancaster Reservoir, Turtle Island, Little Pee Dee River Complex (including Ervin Dargan, Horace Tilghman), Great Pee Dee River, Potato Creek Hatchery, Sampson Island Unit (Bear Island), Tyger River, Marsh, Wee Tee, Woodbury, Ditch Pond, Waccamaw River Heritage Preserve and 40 Acre Rock Waterfowl Management Areas. Hunting on Category II Designated Waterfowl Areas is in accordance with scheduled dates and times.

#### DESIGNATED WATERFOWL AREAS

Area	Open dates inclusive	Bag Limits
Waccamaw River HP during the regular season.	Wed. and Sat. AM only	Federal Limits
40 Acre Rock regular season.	Sat. AM only during	Federal Limits
Dungannon regular season. No hunting from the Boardwalk.	Wed. AM only during	Federal Limits

10.21 On Enoree River, Dunaway, Duncan Creek, Russell Creek and Tyger River Waterfowl Areas data cards are required for hunter access during scheduled waterfowl hunts. Completed data cards must be returned daily upon leaving each of these areas.

10.22 Woodbury Waterfowl Management Area includes all SCDNR-owned property south of US Hwy 378 and bounded on the west by the Great Pee Dee River and Bluff Road and to the east by the Little Pee Dee River except no waterfowl hunting allowed in the area known as Hass Pond that is bounded on all sides by Hass Pond Road.

123-52. Either-sex days for Private Lands in Game Zones 1-6.

Game Zone 1: The first three Saturdays in November.

Game Zone 2-6: Every Saturday from October 1 to the Saturday after Thanksgiving Day inclusive; Saturdays in December beginning 23 days after Thanksgiving Day; and the last day of the open season.

The daily bag limit on either-sex days is 2 antlerless deer.

In Game Zones 1 and 2 hunters using archery equipment may take either-sex during any open season for deer.

On special mobility impaired and youth and deer hunts sanctioned by the department and during the statewide youth deer hunt day, participants may take antlerless deer, 2 per day.

#### Statement of Need and Reasonableness:

Periodically additional lands are made available to the public through the Wildlife Management Area Program. Since existing regulations only apply to specific wildlife management areas, new regulations must be filed to establish seasons, bag limits and methods of hunting and taking of wildlife on these new WMAs as well as expanding use opportunities on existing WMAs. Amendments are needed to allow additional opportunity. Because some hunts begin on September 1, it is necessary to file these regulations as emergency so they take effect immediately.

**Fiscal Impact Statement:**

This amendment of Regulation 123-40 and 123-52 will result in increased public hunting opportunities that should generate additional State revenue through license sales. In addition, the local economy should benefit from sales of hunting supplies, food and overnight accommodations. Sales taxes on these items will also directly benefit government.