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**DEPARTMENT OF NATURAL RESOURCES**

CHAPTER 123

Statutory Authority: 1976 Code Section 50-13-2011

123-209. Term and Conditions for the Public’s Use of Lakes and Ponds Owned by the Department of Natural Resources

123-210. Term and Conditions for the Public’s Use of Lakes and Ponds Leased by the Department of Natural Resources

**Synopsis:**

The Department of Natural Resources (the department) proposes to establish Regulation 123-209 setting the terms and conditions for the public use of lakes and ponds owned the department for the purpose of providing public fishing and Regulation 123-210 setting terms and conditions for the public’s use of lakes and ponds leased by the department for the purpose of providing public fishing.

The Notice of Drafting regarding these regulations was published on December 28, 2012 in the *State Register*.

**Instructions:**

Print Regulation 123-209 and 123-210 as shown below.

**Text:**

123-209. Term and Conditions for the Public’s Use of Lakes and Ponds Owned by the Department of Natural Resources.

 A. Under the statutory authority provided to the Department of Natural Resources (the department) through 1976 Code Section 50-13-2011, the department may establish terms and conditions under which the public may use the lakes and ponds it owns pursuant to the provisions of Article 3, Chapter 23, Title 1 (the Administrative Procedures Act).

 B. Pursuant to the conditions provided in 1976 Code Section 50-11-2200 prohibiting certain acts and conduct on department owned lands, regulations defining the terms and conditions for public use of lakes and ponds owned by the department are as follows:

 a. Draper WMA State Lakes in York County

 i. Lakes open for fishing from one-half hour before official sunrise to one-half hour after official sunset, every day except Tuesday. The ponds are closed to fishing on Tuesdays.

 ii. Fishing is allowed with only rod and reels or poles. The statewide limit on the number of these devices applies.

 iii. No minnows allowed for bait.

 iv. Combined daily fish limits from all ponds are 3 largemouth bass 14 inches or longer, 15 bream, and 3 catfish. Statewide limits apply for all other fish species.

 v. Trails are for walking or fishing access only; no ATVs, motorized vehicles, or horses allowed on these trails.

 vi. Pets must be on leashes or under the control of their owner at all times.

 vii. No boats are allowed in ponds.

 viii. The possession or consumption of alcoholic beverages is prohibited on department lake properties, except as by special permit of the department.

 b. Lake Cherokee in Cherokee County

 i. The lake is open to fishing 24 hours a day. The lake is open for other allowed purposes from one-half hour before official sunrise until one-half hour after official sunset.

 ii. Fishing is allowed with only rod and reels or poles. The statewide limit on the number of these devices applies.

 iii. Daily fish limits are 20 bream, 3 largemouth bass 15 inches or longer, and 3 catfish. Statewide limits apply for all other fish species.

 iv. Vehicles are restricted to roads and designated access areas only.

 v. Trails are for walking or fishing access only; no ATVs, motorized vehicles, or horses allowed on these trails.

 vi. Pets must be on leashes or under the control of their owner at all times.

 vii. Boats are allowed, but may only be propelled by paddle or electric trolling motors.

 viii. The possession or consumption of alcoholic beverages is prohibited on department lake properties, except as by special permit of the department.

 c. Lake Edgar Brown in Barnwell County

 i. The lake is open to fishing 24 hours a day. The lake is open for other allowed purposes from one-half hour before official sunrise until one-half hour after official sunset.

 ii. Fishing is allowed with only rod and reels or poles. The statewide limit on the number of these devices applies.

 iii. Daily fish limits are 20 bream, 3 catfish, and 3 largemouth bass 16 inches or longer. Statewide limits apply for all other fish species.

 iv. Vehicles are restricted to roads and designated access areas only. No motorized vehicles of any type allowed on dikes.

 v. Trails are for walking or fishing access only; no ATVs, motorized vehicles, or horses allowed on these trails.

 vi. Pets must be on leashes or under the control of their owner at all times.

 vii. Motor powered boats are allowed. Only outboard motors rated at 10 horsepower or less are allowed north of Wellington Road.

 viii. The possession or consumption of alcoholic beverages is prohibited on department lake properties, except as by special permit of the department.

 d. Lake George Warren in Hampton County

 i. The lake is open to fishing 24 hours a day. The lake is open for other allowed purposes from one-half hour before official sunrise until one-half hour after official sunset.

 ii. Fishing is allowed with only rod and reels or poles. The statewide limit on the number of these devices applies.

 iii. Daily fish limits are 20 bream, 3 catfish, and 3 largemouth bass. Statewide limits apply for all other fish species.

 iv. Vehicles are restricted to roads and designated access areas only.

 v. Trails are for walking or fishing access only; no ATVs, motorized vehicles, or horses allowed on these trails.

 vi. Pets must be on leashes or under the control of their owner at all times.

 vii. Boats are allowed, but may only be propelled by paddle, electric trolling motors or outboard motors rated at 10 horsepower or less.

 viii. The possession or consumption of alcoholic beverages is prohibited on department lake properties, except as by special permit of the department.

 e. Lake John D. Long in Union County

 i. The lake is open from one-half hour before official sunrise until one-half hour after official sunset.

 ii. Fishing is allowed with only rod and reels or poles. The statewide limit on the number of these devices applies.

 iii. Daily fish limits are 10 bream, 3 catfish, and 3 largemouth bass. Statewide limits apply for all other fish species.

 iv. Vehicles are restricted to roads and designated access areas only.

 v. Trails are for walking or fishing access only; no ATVs, motorized vehicles, or horses allowed on these trails.

 vi. Pets must be on leashes or under the control of their owner at all times.

 vii. No minnows allowed for bait.

 viii. Boats are allowed, but may only be propelled by paddle or electric trolling motors.

 ix. The possession or consumption of alcoholic beverages is prohibited on department lake properties, except as by special permit of the department.

 x. Lake Long will be closed at all times for renovation and restocking from July 1, 2013 through June 30, 2015. Lake Long will reopen on July 1, 2015.

 f. Mountain Lakes in Chester County

 i. The lakes are open on Tuesday, Thursday, Saturday, and Sunday from one-half hour before official sunrise to one-half hour after official sunset.

 ii. Fishing is allowed with only rod and reels or poles. The statewide limit on the number of these devices applies.

 iii. Daily fish limits are 10 bream, 3 catfish, and 1 largemouth bass 16 inches or longer. Statewide limits apply for all other fish species.

 iv. Vehicles are restricted to roads and designated access areas only.

 v. Trails are for walking or fishing access only; no ATVs, motorized vehicles, or horses allowed on these trails.

 vi. Pets must be on leashes or under the control of their owner at all times.

 vii. No minnows allowed for bait.

 viii. Boats are allowed, but may only be propelled by paddle or electric trolling motors.

 ix. The possession or consumption of alcoholic beverages is prohibited on department lake properties, except as by special permit of the department.

 g. Lake Paul Wallace in Marlboro County

 i. The lake is open to fishing 24 hours a day. The lake is open for other allowed purposes from one-half hour before official sunrise until one-half hour after official sunset.

 ii. Fishing is allowed with only rod and reels or poles. The statewide limit on the number of these devices applies.

 iii. Daily limits are 20 bream and 3 catfish. No harvesting of largemouth bass (Catch and Release only). Statewide limits apply for all other fish species.

 iv. No minnows allowed for bait.

 v. Vehicles are restricted to roads and designated access areas only.

 vi. Trails are for walking or fishing access only, no ATVs, motorized vehicles, or horses allowed on these trails.

 vii. Pets must be on leashes or under the control of their owner at all times.

 viii. The possession or consumption of alcoholic beverages is prohibited on department lake properties, except as by special permit of the department.

 ix. Lake may be closed for special use activities by special permit of the department.

 x. Lake Wallace Fishing Side (East of the earthen dike that separates the two lake portions)

 1. Boats are allowed, but may only be propelled by paddle, electric trolling motors or outboard motors rated at 10 horsepower or less.

 xi. Lake Wallace Boating Side (West of the earthen dike which separates the two lake portions)

 1. Boats and water skiing are allowed and must follow a counter-clockwise route of travel.

 2. Jet Ski or personal watercraft are allowed but not within 200 feet of boats.

 3. All other South Carolina watercraft rules and regulations apply.

 h. Lake Thicketty in Cherokee County

 i. The lake is open to fishing 24 hours a day. The lake is open for other allowed purposes from one-half hour before official sunrise until one-half hour after official sunset.

 ii. Fishing is allowed with only rod and reels or poles. The statewide limit on the number of these devices applies.

 iii. Daily fish limits are 20 bream, 3 largemouth bass and 3 catfish. Statewide limits apply for all other fish species.

 iv. Vehicles are restricted to roads and designated access areas only.

 v. Trails are for walking or fishing access only, no ATVs, motorized vehicles, or horses allowed on these trails.

 vi. Pets must be on leashes or under the control of their owner at all times.

 vii. Boats are allowed, but may only be propelled by paddle, electric trolling motors or outboard motors rated at 10 horsepower or less.

 viii. The possession or consumption of alcoholic beverages is prohibited on department lake properties, except as by special permit of the department.

 i. Webb Center Lakes in Hampton County

 i. The lakes are open for fishing Monday through Saturday from one-half hour before official sunrise until one-half hour after official sunset except for Monday afternoons, Tuesday mornings, Friday afternoon, and Saturday morning during scheduled deer hunts (October 1 – January 1).

 ii. Fishing is allowed with only rod and reels or poles. The state wide limit on the number of these devices applies.

 iii. Daily fish limits are 30 bream and 10 largemouth bass. Statewide limits apply for all other fish species.

 iv. Vehicles are restricted to roads and designated access areas only.

 v. Trails are for walking or fishing access only, no ATVs, motorized vehicles, or horses allowed on these trails.

 vi. Pets must be on leashes or under the control of their owner at all times.

 vii. No minnows allowed for bait.

 viii. Boats are allowed, but may only be propelled by paddle or electric trolling motors.

 ix. The possession or consumption of alcoholic beverages is prohibited on department lake properties, except as by special permit of the department.

123-210. Term and Conditions for the Public’s Use of Lakes and Ponds Leased by the Department of Natural Resources.

 A. Under the statutory authority provided to the Department of Natural Resources (the department) through 1976 Code Section 50-13-2011 the department may establish terms and conditions under which the public may use the lakes and ponds it leases pursuant to the provisions of Article 3, Chapter 23, Title 1 (the Administrative Procedures Act).

 B. Regulations defining the terms and conditions for public use of lakes and ponds leased by the department are as follows:

 a. Lake Ashwood in Lee County

 i. A valid South Carolina fishing license is required for all persons 16 years of age or older.

 ii. The lake is open from one-half hour before official sunrise until one-half hour after official sunset seven days a week.

 iii. Fishing is allowed with only rod and reels or poles. The statewide limit on the number of these devices applies.

 iv. Daily fish limits are 20 bream, 3 catfish, and 3 largemouth bass. Statewide limits apply for all other fish species.

 v. Vehicles are restricted to roads and designated access areas only.

 vi. Trails are for walking or fishing access only; no ATVs, motorized vehicles, or horses allowed on these trails.

 vii. Pets must be on leashes or under the control of their owner at all times.

 viii. Boats are allowed, but may only be propelled by paddle, electric trolling motors or outboard motors rated at 10 horsepower or less.

 ix. All boats must meet U.S. Coast Guard requirements for operation and equipment.

 x. The possession or consumption of alcoholic beverages is prohibited on department lake properties, except as by special permit of the department.

 xi. The following activities are prohibited:

 1. Snagging of fish or the use of any nongame fish device

 2. Swimming

 3. Loitering

 4. Hunting

 5. Camping

 6. Trapping

 7. Loud noise or loud music

 8. Fireworks

 9. Fires (allowed in grill or designated areas only)

 10. Possession or discharging of firearms.

 b. Dargan’s Pond in Darlington County

 i. A valid South Carolina fishing license is required for all persons 16 years of age or older.

 ii. The lake is open on Wednesday and Saturday only (March 1 – September 30), from one-half hour before official sunrise to one-half hour after official sunset.

 iii. Fishing is allowed with only rod and reels or poles. The statewide limit on the number of these devices applies.

 iv. Daily fish limits are 20 bream, 3 catfish, and 3 largemouth bass 16 inches or longer. Fishermen are allowed to keep 2 bass under the 16” minimum. Statewide limits apply for all other fish species.

 v. Vehicles and pedestrians are restricted to roads and designated access areas only.

 vi. Trails are for walking or fishing access only; no ATVs, motorized vehicles, or horses allowed on these trails.

 vii. Pets must be on leashes or under the control of their owner at all times.

 viii. Boats are allowed, but may only be propelled by paddle or electric trolling motors.

 ix. All boats must meet U.S. Coast Guard requirements for operation and equipment.

 x. The possession or consumption of alcoholic beverages is prohibited on department lake properties, except as by special permit of the department.

 xi. The following activities are prohibited:

 1. Snagging of fish or the use of any nongame fish device

 2. Swimming

 3. Loitering

 4. Hunting

 5. Camping

 6. Trapping

 7. Loud noise or loud music

 8. Fireworks

 9. Fires (allowed in designated areas only)

 10. Possession or discharging of firearms.

 c. Lake Edwin Johnson in Spartanburg County

 i. A valid South Carolina fishing license is required for all persons 16 years of age or older.

 ii. The lake is open one-half hour before official sunrise until one-half hour after official sunset seven days a week.

 iii. Fishing is allowed with only rod and reels or poles. The statewide limit on the number of these devices applies.

 iv. Daily fish limits are 10 bream, 3 catfish, and 3 largemouth bass 15 inches or longer. Statewide limits apply for all other fish species.

 v. Vehicles are restricted to roads and designated access areas only.

 vi. Trails are for walking or fishing access only; no ATVs, motorized vehicles, or horses allowed on these trails.

 vii. Pets must be on leashes or under the control of their owner at all times.

 viii. No minnows allowed for bait.

 ix. Boats are allowed, but may only be propelled by paddle or electric trolling motors.

 x. All boats must meet U.S. Coast Guard requirements for operation and equipment.

 xi. The possession or consumption of alcoholic beverages is prohibited on department lake properties, except as by special permit of the department.

 xii. The following activities are prohibited:

 1. Snagging of fish or the use of any nongame fish device

 2. Swimming

 3. Loitering

 4. Hunting

 5. Camping

 6. Trapping

 7. Loud noise or loud music

 8. Fireworks

 9. Fires (allowed in grill or designated areas only)

 10. Possession or discharging of firearms.

 d. Jonesville Reservoir in Union County

 i. A valid South Carolina fishing license is required for all persons 16 years of age or older.

 ii. The lake is open on Monday, Wednesday, and Saturday only, from one-half hour before official sunrise to one-half hour after official sunset.

 iii. Fishing is allowed with only rod and reels or poles. The statewide limit on the number of these devices applies.

 iv. Daily fish limits are 10 bream, 3 catfish, and 3 largemouth bass. Statewide limits apply for all other fish species.

 v. Vehicles are restricted to roads and designated access areas only.

 vi. Trails are for walking or fishing access only; no ATVs, motorized vehicles, or horses allowed on these trails.

 vii. Pets must be on leashes or under the control of their owner at all times.

 viii. No minnows allowed for bait.

 ix. Boats are allowed, but may only be propelled by paddle or electric trolling motors.

 x. All boats must meet U.S. Coast Guard requirements for operation and equipment.

 xi. The possession or consumption of alcoholic beverages is prohibited on department lake properties, except as by special permit of the department.

 xii. The following activities are prohibited:

 1. Snagging of fish or the use of any nongame fish device

 2. Swimming

 3. Loitering

 4. Hunting

 5. Camping

 6. Trapping

 7. Loud noise or loud music

 8. Fireworks

 9. Fires (allowed in grill or designated areas only)

 10. Possession or discharging of firearms.

 e. Lancaster Reservoir in Lancaster County

 i. A valid South Carolina fishing license is required for all persons 16 years of age or older.

 ii. The lake is open on Thursday and Saturday from one-half hour before official sunrise to one-half hour after official sunset.

 iii. Fishing is allowed with only rod and reels or poles. The statewide limit on the number of these devices applies.

 iv. Daily fish limits are 20 bream, 3 catfish, 2 largemouth bass 16 inches or longer, and 30 crappie. Statewide limits apply for all other fish species.

 v. Vehicles are restricted to roads and designated access areas only.

 vi. Trails are for walking or fishing access only; no ATVs, motorized vehicles, or horses allowed on these trails.

 vii. Pets must be on leashes or under the control of their owner at all times.

 viii. No minnows allowed for bait.

 ix. Boats are allowed, but may only be propelled by paddle or electric trolling motors.

 x. All boats must meet U.S. Coast Guard requirements for operation and equipment.

 xi. The possession or consumption of alcoholic beverages is prohibited on department lake properties, except as by special permit of the department.

xii. The following activities are prohibited:

 1. Snagging of fish or the use of any nongame fish device

 2. Swimming

 3. Loitering

 4. Hunting (except in the designated waterfowl area)

 5. Camping

 6. Trapping

 7. Loud noise or loud music

 8. Fireworks

 9. Fires (allowed in designated areas only)

 10. Possession or discharging of firearms.

 f. Lake Oliphant in Chester County

 i. A valid South Carolina fishing license is required for all persons 16 years of age or older.

 ii. The lake is open on Monday, Wednesday, and Saturday, from one-half hour before sunrise to one-half hour after official sunset.

 iii. Fishing is allowed with only rod and reels or poles. The statewide limit on the number of these devices applies.

 iv. Daily fish limits are 20 bream, 3 largemouth bass 14inches or longer, and 3 catfish per day. Statewide limits apply for all other fish species.

 v. Vehicles are restricted to roads and designated access areas only.

 vi. Trails are for walking or fishing access only; no ATVs, motorized vehicles, or horses allowed on these trails.

 vii. Pets must be on leashes or under the control of their owner at all times.

 viii. No minnows allowed for bait.

 ix. Boats are allowed, but may only be propelled by paddle or electric trolling motors.

 x. All boats must meet U.S. Coast Guard requirements for operation and equipment.

 xi. The possession or consumption of alcoholic beverages is prohibited on department lake properties, except as by special permit of the department.

xii. The following activities are prohibited:

 1. Snagging of fish or the use of any nongame fish device

 2. Swimming

 3. Loitering

 4. Hunting

 5. Camping

 6. Trapping

 7. Loud noise or loud music

 8. Fireworks

 9. Fires (allowed in grill or designated areas only)

 10. Possession or discharging of firearms.

 g. Star Fort Pond in Greenwood County

 i. A valid South Carolina fishing license is required for all persons 16 years of age or older.

 ii. The lake is open to fishing (April 1 – November 1) on Wednesday, Friday, and Saturday, from one-half hour before official sunrise to one-half hour after official sunset.

 iii. Fishing is allowed with only rod and reels or poles. The statewide limit on the number of these devices applies.

 iv. Daily fish limits are 10 bream, 3 catfish, and 3 largemouth bass 12 inches or longer. Statewide limits apply for all other fish species.

 v. Vehicles are restricted to roads and designated access areas only.

 vi. Trails are for walking or fishing access only; no ATVs, motorized vehicles, or horses allowed on these trails.

 vii. Pets must be on leashes or under the control of their owner at all times.

 viii. No minnows allowed for bait.

 ix. Boats are allowed, but may only be propelled by paddle or electric trolling motors.

 x. All boats must meet U.S. Coast Guard requirements for operation and equipment.

 xi. The possession or consumption of alcoholic beverages is prohibited on department lake properties, except as by special permit of the department.

xii. The following activities are prohibited:

 1. Snagging of fish or the use of any nongame fish device

 2. Swimming

 3. Loitering

 4. Hunting

 5. Camping

 6. Trapping

 7. Loud noise or loud music

 8. Fireworks

 9. Fires (allowed in designated areas only)

 10. Possession or discharging of firearms.

 h. Sunrise Lake in Lancaster County

 i. A valid South Carolina fishing license is required for all persons 16 years of age or older.

 ii. The lake is open to fishing on Monday, Wednesday, and Saturday, from one-half hour before official sunrise to one-half hour after official sunset.

 iii. Fishing is allowed with only rod and reels or poles. The statewide limit on the number of these devices applies.

 iv. Daily fish limits are 20 bream, 3 catfish, and 2 largemouth bass 16 inches or longer. Statewide limits apply for all other fish species.

 v. Vehicles are restricted to roads and designated access areas only.

 vi. Trails are for walking or fishing access only; no ATVs, motorized vehicles, or horses allowed on these trails.

 vii. Pets must be on leashes or under the control of their owner at all times.

 viii. No minnows allowed for bait.

 ix. Boats are allowed, but may only be propelled by paddle or electric trolling motors.

 x. All boats must meet U.S. Coast Guard requirements for operation and equipment.

 xi. Entry to this property is allowed from Boyd Faile Road only.

 xii. The possession or consumption of alcoholic beverages is prohibited on department lake properties, except as by special permit of the department.

 xiii. The following activities are prohibited:

 1. Snagging of fish or the use of any nongame fish device

 2. Swimming

 3. Loitering

 4. Hunting

 5. Camping

 6. Trapping

 7. Loud noise or loud music

 8. Fireworks

 9. Fires (allowed in designated areas only)

 10. Possession or discharging of firearms.

**Fiscal Impact Statement:**

Establishment of these regulations will not result in any additional costs to the State. The State and local communities will continue to benefit economically from the activities of the public accessing and utilizing the lakes and ponds for recreational fishing and outdoor recreation.

**Statement of Rationale:**

Regulation 123-209 is added to establish the terms and conditions to provide for the public’s use of lakes and ponds owned by the department for the purpose of providing public fishing.

Regulation 123-210 is added to establish the terms and conditions to provide for the public’s use of lakes and ponds leased by the department for the purpose of providing public fishing.