

# South Carolina Department of Natural Resources



**DNR**

Alvin A. Taylor  
Director

July 10, 2014

Ms. Cynthia K. Dohner, Regional Director  
United States Department of the Interior  
Fish and Wildlife Service  
1875 Century Boulevard  
Atlanta, Georgia 30345

RE: FWS/R4/BA/DCR

Dear Ms. Dohner:

We have received your letter dated June 17, 2014, and reviewed the attached Report of Findings for the 2014 Civil Rights Desk Audit Review of the SCDNR.

We noted one mistake with the report. On page 2, the second bullet states that all of the SCDNR Board members are Caucasian males. However, we do have one Caucasian female. An additional copy of the original documentation submitted is attached for your review.

We concur with the recommendations as we believe they will further enhance the accessibility and participation for persons of all backgrounds to experience our programs, activities, services and facilities. We will take the necessary steps to incorporate these recommendations when and where possible.

As stewards of the state's natural resources, it is our duty and goal to serve the entire population of this great state regardless of race, color, national origin, age, disability or sex, and we take pride in doing so.

We would like to commend the compliance review team for their professionalism and continued guidance and support, not just during this review but year round. They have become a valuable resource for our staff, and we deeply appreciate all that they do.

If you have questions or need additional information, please do not hesitate to contact Angie Cassella, SCDNR Internal Auditor, at (803) 734-3948 or [cassellaa@dnr.sc.gov](mailto:cassellaa@dnr.sc.gov).

Sincerely,

Alvin A. Taylor  
Director

CC: Angie Cassella  
Breck Carmichael

## Angie Cassella

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**From:** Angie Cassella  
**Sent:** Wednesday, October 02, 2013 11:22 AM  
**To:** Sandy Rucker  
**Subject:** RE: USFWS - civil rights review of our agency

thanks!

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**From:** Sandy Rucker  
**Sent:** Wednesday, October 02, 2013 11:22 AM  
**To:** Angie Cassella  
**Subject:** RE: USFWS - civil rights review of our agency

John P. Evans, Chairman, Male/Caucasian  
Cary L. Chastain, Vice Chairman, Male/Caucasian  
Caroline C. Rhodes, Female/Caucasian  
Michael E. Hutchins, Male/Caucasian  
Larry L. Yonce, Male/Caucasian  
Norman F. Pulliam, Male/Caucasian  
Robert R. (Randy) Lowe, Male/Caucasian  
D. Glenn McFadden, Male/Caucasian

Sandy Rucker  
SC Department of Natural Resources  
P. O. Box 167  
Columbia, SC 29202  
telephone: 803-734-9102  
fax: 803-734-4300  
email: [ruckers@dnr.sc.gov](mailto:ruckers@dnr.sc.gov)

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**From:** Angie Cassella  
**Sent:** Wednesday, October 02, 2013 11:12 AM  
**To:** Sandy Rucker  
**Subject:** USFWS - civil rights review of our agency

Sandy,

Attached is the notice we received from the USFWS about our upcoming civil rights review.

Included in this document is a list of 19 items they would like to preview before their on-site visit.

I need your assistance with Item #2 as it relates to the SCDNR Board.

Call me if you have questions.

Thanks,  
Angie

**Angie Williams Cassella**, *Senior Auditor*

SC Department of Natural Resources  
Office of Internal Audit, Room 333  
1000 Assembly Street  
Columbia, SC 29201  
phone (803) 734-3948



## United States Department of the Interior

### FISH AND WILDLIFE SERVICE

1875 Century Boulevard  
Atlanta, Georgia 30345

In Reply Refer To:  
FWS/R4/BA/DCR

**JUN 17 2014**

**RECEIVED**

**JUN 26 2014**

Mr. Alvin A. Taylor, Director  
Department of Natural Resources  
Post Office Box 167  
Columbia, South Carolina 29202

Director  
SC Dept. of Natural Resources

Dear Mr. Taylor: *Alvin*

As required by federal civil rights laws and regulations, the Fish and Wildlife Service (Service) conducted a civil rights desk audit compliance review of the South Carolina Department of Natural Resources (SCDNR). Federal civil rights laws and regulations require Department of Interior bureaus, including the Service, to conduct periodic reviews of their recipients of federal funds to ensure maximum success and visibility of recipient's civil rights programs, and to ensure equal access to recipient programs on the basis of race, color, national origin, age, disability, and sex (in educational programs).

Legal and regulatory authorities include: Title VI of the Civil Rights Act of 1964; Section 504 of the Rehabilitation Act of 1973; Title II of the Americans with Disabilities Act of 1990; Title IX of the Education Amendments of 1972; the Age Discrimination Act of 1975; Department of Interior implementing Regulations at 43 CFR Part 17 and 41; and Presidential Executive Orders 12898 and 13166, both of which are linked directly to Title VI. These authorities are referred to in this document as "the Acts."

The civil rights review covered the following general areas: equal access for various racial/ethnic groups; access for women in educational programs; program and facility access for persons with disabilities; public notifications of civil rights requirements; contracting and subcontracting policies; environmental justice provisions; and access for persons with Limited English Proficiency.

We wish to recognize and thank Angie Cassella and Breck Carmichael for coordinating and compiling the documents that we requested for the review.

Overall, our review determined that there were no major findings of noncompliance with civil rights accessibility regulations. SCDNR provided a detailed Self-evaluation and Transition Plan that adequately addressed its facility deficiencies, with a goal of making facilities accessible within one year. The compliance review team was impressed with the SCDNR's commitment in the administration and management of its programs and facilities to ensure access to all of its participants, including those with disabilities.

Mr. Alvin A. Taylor

Page 2

Our Report of Findings is enclosed. Even though there were no major findings, we provided some recommendations that could further enhance SCDNR's accessibility and participation for persons of all background to experience its programs, activities, services and facilities.

Please provide our office with your response to the Report of Findings and recommended actions that were noted by **October 1, 2014**. If you have any questions, please contact Kary Allen, Division of Diversity and Civil Rights, at (404)679-4197.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Cynthia K. Dohner", with a long, sweeping horizontal line extending to the right.

Cynthia K. Dohner  
Regional Director

Enclosure



South Carolina Department of Natural Resources  
2014 Civil Rights Desk Audit Review  
Report of Findings

During the week of May 19, 2014, the Fish and Wildlife Service (FWS) Southeast Region conducted a civil rights desk audit compliance review of the South Carolina Department of Natural Resources (SCDNR). The compliance review team consisted of Kary Allen, Shari Brewer and Greg McGinty from the Office of Diversity and Civil Rights. The review examined the following overall program areas:

- A. Equal access for various racial/ethnic groups
- B. Equal access for women in educational programs, especially hunter education and aquatic education;
- C. Program and facility access for persons with disabilities
- D. Public notifications of civil rights requirements
- E. Contracting and subcontracting policies
- F. Environmental Justice provisions, regarding the prohibition of adverse environmental impacts on minority and low income communities
- G. Equal program access for persons with Limited English Proficiency.

**A. Equal Access for Various Racial/Ethnic Groups**

Title VI law and regulations do not provide for specific minority goals or percentage targets. Title VI addresses evidence of inclusion of all racial/ethnic groups, and provides for outreach to multicultural community groups, especially when evidence for adequate inclusion is lacking. The Title VI Regulations require the collection of racial/ethnic participation data, to measure inclusion of different groups.

COMMENTS:

- The SCDNR offers excellent education programs and recreational opportunities to the public, especially ones funded through its SFR and WR grant programs. The SCDNR indicated that it does not collect racial or gender statistics of recipients of education classes, however SCDNR provided statewide school enrollment racial data for the schools where they provided education programs. The agency does a very good job of reaching schools with high African American and Hispanic student populations such as Beaufort and Jasper. The agency conducts programs specifically targeted towards minorities including its Minorities in Marine and Environmental Science (MIMES) program, the South Carolina Oyster Restoration & Enhancement (SCORE) Program and outreach to Title One schools. The Reel Art program, funded through the Sport Fish Restoration Program, is reaching schools with African American and Hispanic student populations. The agency conducted a workshop on its Boating Infrastructure Grant program (BIG) to ensure that all interested parties have an opportunity to gain the resources necessary to participate in this federally funded grant program.

- The agency established partnerships with minority groups such as the Gullah-Geechee Sea Island Coalition, the Beaufort Marine Institute, and the Make a Wish Foundation.
- The SCDNR provided a list of its natural resources board members. The board consists of eight members, all of whom are Caucasian males.
- The SCDNR provided a list of members who serve on its advisory boards. Information was provided on six advisory committees consisting of a total of 65 members, all of which are Caucasian males.
- The SCDNR provided data on the race/ethnicity of its instructors and education staff. There is little diversity among instructors, with only one Hispanic instructor identified. However, Hispanics are showing an interest in the agency's programs. For example, the hunter education participant list that was provided includes 64 Hispanic female and 386 Hispanic male students. (According to 2012 U.S. Census Bureau data, 5.3% of the population of South Carolina is Hispanic).
- A list of agency mentors was provided, which consisted of very little diversity (one African American mentor and one Hispanic mentor identified).
- Most agency programs are free of charge and advertised through a variety of sources such as websites, social media, email messages and outreach to South Carolina's public school system, thus making its programs accessible to a wide range of audiences.
- The agency includes a clause in its contracts/sub-recipient agreements encouraging partnerships with small and minority owned businesses and individuals.

#### RECOMMENDATIONS:

- Seek to include women and minority representation on your agency's advisory boards in order to better serve the diverse population of South Carolina and to encourage the participation of minorities and women in recreational opportunities such as fishing, hunting and boating.
- Seek out partnerships with Hispanic/Latino organizations and communities, especially in counties with higher Hispanic populations such as Beaufort, Jasper and Saluda (each have a Hispanic population of greater than 10%).
- Ensure that your recruitment and outreach efforts are reaching South Carolina's minority populations, especially Hispanic communities and colleges with a high enrollment of Hispanic students.

#### **B. Equal Access for Women in Educational Programs**

Title IX of the Education Amendments of 1972 prohibits exclusion from participation in, denial of the benefits of, or discrimination on the basis of sex in any education program or activity

funded with federal financial assistance.

COMMENTS:

- Females are represented on SCDNR's instructor staff and mentors. Women represent 13% of hunter education instructors, 10% of boating instructors; 12% of fishing instructors and 15% of the agency's mentors.
- Continue to promote and offer instructor and mentorship opportunities to women in order to increase the participation of women in agency programs such as fishing, boating and hunting.

RECOMMENDATIONS: None

**C. Equal Program and Facility Access for Persons with Disabilities**

Section 504 of the 1973 Rehabilitation Act protects the rights of individuals with disabilities to participate in, and have access to, program benefits and services. Facilities constructed with federal funds should be in compliance with the Architectural Barriers Act (ABA) standards. The ABA Accessibility Guidelines can be obtained at the U.S. Access Board website at [www.access-board.gov](http://www.access-board.gov).

COMMENTS:

- The SCDNR offers youth with special needs recreational hunting opportunities through its mobility impaired hunts and currently has an active partnership with the South Carolina Disabled Sportsman's Association.
- The SCDNR has active partnerships with disability organizations such as the South Carolina Disabled Sportsman's Association, the Make a Wish Foundation and the Wounded Warriors Program.
- The SCDNR encourages the participation of individuals living with disabilities in its programs by providing free fishing and hunting licenses.
- The SCDNR provided a very thorough and detailed Self-evaluation and Transition Plan with clearly defined goals and timelines.

RECOMMENDATIONS: None

**D. External Civil Rights Notification/Grievance Procedures**

The civil rights laws and regulations require that recipient programs and facilities provide the public notification of their civil rights and provide a contact with the Federal funding agency (the Service) for anyone who wants to file a civil rights complaint. Federally assisted complaints of discrimination are processed and investigated by the Department of the Interior (DOI). Recipients shall describe procedures used to handle complaints of alleged discrimination and the

name of the person(s) assigned responsibility for these complaints.

COMMENTS

- The SCDNR provides an anti-discrimination clause on its hunting, fishing, boating and other federally funded project publications as well contact information for individuals wishing to file a complaint.

RECOMMENDATIONS: None

**E. Contracting and Subcontracting Policies**

Contract or agreements subject to Title VI and its regulations between the Recipient's and the Recipient's sub-grantees, contractors, subcontractors, successors, transferees and assignees shall contain language ensuring current and future compliance with Title VI of the Civil Rights Act of 1964, which prohibits discrimination in programs and activities that receive federal funding.

COMMENTS:

- Examples of agency contracts and sub-recipient agreements were provided. The documents contain language stating that contractor shall comply with all applicable laws, rules and regulations including specific civil rights anti-discrimination language.

RECOMMENDATIONS: None

**F. Environmental justice, regarding the prohibition of adverse environmental impacts on minority and low income communities**

Presidential Executive Order 12898 states that environmental policies and practices of government entities must not have an adverse impact against minority or low income communities. Federal agencies and their recipients shall have plans/procedures that describe waste disposal policies, including emissions of toxic wastes into the air, land, or water from agency's facilities, and the impact of such policies on minority and low income neighborhoods.

COMMENTS:

- The SCDNR has office waste disposed of by local jurisdiction municipalities, which are regulated by the South Carolina Department of Health and Environmental Control. The SCDNR was an active partner in the South Carolina Environmental Justice Action Committee assessment, which met to ensure that policies of state agencies do not result in undue negative impacts upon minority and low income neighborhoods.

RECOMMENDATIONS: None

**G. Equal Program Access for Persons with Limited English Proficiency (LEP)**

Presidential Executive Order 13166 requires Federal agencies and their recipients to take reasonable steps to ensure meaningful access to their programs and activities to persons with



LEP. Self-assessment should be conducted to determine what types of contact the recipient has with the LEP population and develop language access policy directives and procedures. LEP planning tools and other information and resources on the LEP program are available at [www.lep.gov](http://www.lep.gov).

COMMENTS:

- Hunter Education materials are offered in Spanish as well as English.
- Aquatic education programs were conducted at Beaufort Middle School where a Spanish interpreter and sign language services were provided. More than 30 LEP students participated in the program.

RECOMMENDATIONS: None

We request that you acknowledge receipt of the report and address any recommendations and/or required actions noted. Please respond by the date indicated on the cover memorandum.

We extend a sincere thank you for your cooperation with this civil rights review. We are available to provide support to your office to ensure that your programs and facilities are accessible to all individuals.