CHAPTER 123

Department of Natural Resources

(Statutory Authority: 1976 Code §§ 50–1–200, 50–1–210, 50–11–310, 50–11–335, 50–11–350, 50–11–390, 50–11–500, 50–11–520, 50–11–530, 50–11–2200 and 50–11–2210.)

ARTICLE 1
BOATING DIVISION

(Statutory Authority: 1976 Code §§ 50-21-610, 50-21-710)

123–1. Federal Boat Safety Act of 1971; Inland Navigation Rule Act; International Navigation Rules Act of 1977 Adopted.

(Statutory Authority: 1976 Code §§ 1-23-120, 50-21-610)

Those portions of the Federal Boat Safety Act of 1971 (86 STAT. 213; 46 USC 1451, et seq. as amended) concerning boat construction, associated equipment, performance and operation, safety, standard numbering and registration and the Federal Rules and Regulations adopted pursuant thereto and those portions of the Inland Navigation Rules Act (94 STAT. 3415; 33 USC 2001 et seq. as amended); and the International Navigation Rules Act of 1977 (91 STAT. 308; 33 USCS 1601 et seq. as amended), concerning required equipment, vessel operation and safety and the Federal Rules and Regulations adopted pursuant thereto are hereby declared to be the law of this State.

123–2. Accident Reports.

The operator of every vessel involved in a boating accident shall file a report in writing whenever the accident results in loss of life, loss of consciousness, medical treatment or disability in excess of 24 hours, or property damage in excess of two hundred (200.00) dollars.

Reports in death and injury cases shall be submitted within forty-eight (48) hours; reports in other cases are required within five (5) days.

In the case of a reportable accident the operator of any vessel involved shall file the report with the S.C. Wildlife and Marine Resources Department, Division of Boating.

Those having to file accident reports may obtain forms from Division of Boating, S.C.W.M.R.D.

123–3. Lights.

Every vessel at anchor, whether occupied or not, shall display anchor lights between official sunset and sunrise. Except, that anchor lights do not have to be displayed on a vessel anchored in a "special anchorage area" designated as such by the U. S. Army Corps of Engineers, the U. S. Coast Guard or the S. C. Wildlife and Marine Resources Department.

123–4. Rule and Regulation Adopting Certain Federal Rules and Regulations.

All aids to navigation and regulatory markers erected by the Corps of Engineers on the Atlantic Intra-coastal Waterway pursuant to Federal Law are hereby declared to be S.C.W.M.R.D. aids to navigation and regulatory markers pursuant to § 50-21-710 of the 1976 Code, and are hereby declared to be the law of this State.

123–5. Renewal of Certificates of Numbers.

Certificates of Number are void after the dates of expiration thereon.

A number not renewed as prescribed by § 50-21-370 of the 1976 Code, may be renewed after the expiration date of the Certificate of Number if the renewal application is received within one year from the date of expiration as shown on the Certificate of Number.

Each renewal Certificate of Number shall be valid for a period ending three years from the date of expiration of the certificate renewed.

A renewal application received more than a year after the date of expiration of the Certificate of Number shall be treated in the same manner as an application for an original number.

123–6. How Vessel to be Numbered.

1. No person may use a vessel unless it has a number issued on a certificate of number and the number displayed must:

(1) Be painted on or permanently attached to each side of the forward half of the vessel except as allowed by paragraph 2 or required by paragraph 3 of this rule;

(2) Be in plain vertical block characters of not less than 3 inches in height;

(3) Contrast with the color of the background and be distinctly visible and legible;

(4) Have spaces or hyphens that are equal to the width of a letter other than "I" or a number other than "1" between the letter and number groupings (Example: DC 5678 EF or DC-5678-EF, and

(5) Read from left to right.

2. When a vessel is used by a manufacturer or by a dealer for testing or demonstrating, the number may be painted on or attached to removable plates that are temporarily but firmly attached to each side of the forward half of the vessel.

3. On vessels so configured that a number on the hull or superstructure would not be easily visible, the number shall be painted on or attached to a backing plate that is attached to the forward half of the vessel so that the number is visible from each side of the vessel.

123–7. Vessel Registration.

1. In order to operate on waters of this state a vessel shall be registered and numbered in the owner's name within thirty (30) days from the date it was purchased.

2. In order to operate a vessel on the waters of this State during such thirty (30) day period the operator shall have in his possession the Bill of Sale or the Certificate of Title for the vessel.

123–9. Display of Decals Bearing Title Number.

1. A decal issued by the S.C.W.M.R.D., Division of Administrative Services, when the outboard motor is titled pursuant to Title 50, Chapter 23, of the 1976 Code, bearing the title number of the outboard motor, shall be affixed to the starboard side of the outboard motor cover.

2. A decal issued by the South Carolina Wildlife and Marine Resources Department, Division of Administrative Services, when the watercraft is titled pursuant to Title 50, Chapter 23, of the 1976 Code, bearing the title number of the unregistered watercraft, shall be affixed to the right starboard outboard side of the transom within six inches of the top of the transom right above the waterline, or if there is no transom then affixed to the starboard outboard side of hull, aft, within one foot of the stern and within six inches of the top of the hull side, gunwale or hull/deck joint, whichever is lowest. On catamarans and pontoon boats with replaceable hulls, to the aft crossbeam, within eighteen (18) inches of the starboard hull attachment. Decal should not cover the hull identification number.

123–10. Restriction of Watercraft in Certain Areas.

The use of watercraft shall be restricted in certain areas of the waters of the State of S.C. when the Director determines that such restriction is necessary in the interest of public safety.

The regulated areas shall be identified by appropriate signs and markers.

Such signs and markers shall conform to the system of aids to navigation prescribed by the U.S. Coast Guard and to the systems of uniform waterway markers approved by the advisory panel of State officials to the Merchant Marine Council, U.S. Coast Guard, in October 1961.

No city, county, agency or person shall attempt to regulate the waters of this State by the use of the above mentioned signs and markers.

123–11. Garden City Canal (Murrel's Inlet Area)—Restriction of Watercraft.

The use of watercraft will be restricted in the waters in the Garden City Canal, in the Murrels Inlet Area, of Georgetown County and Horry County, S.C. The Garden City Canal begins at a point on Main Creek (near the Mouth of Murrells Inlet), runs parallel to the Atlantic Ocean to a point on the highway and causeway from the mainland to Garden City (S.C. Highway Number 26-51), and runs parallel to such highway and causeway to a point on Main Creek near the bridge of S.C. Highway Number 26-51.

No person shall water ski or ride on a surfboard or similar object in the Garden City Canal except during the time of each day from one and one-half (1 ½) hours before and after the mean high tide of the Garden City Canal. There shall not be any water skiing on any such object outside of the wake of the boat pulling the water skier.

The regulated areas of Garden City Canal shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the U.S. Coast Guard and to the system of uniform waterway markers approved by the advisory panel of State officials to the Merchant Marine Council, U.S. Coast Guard, in October 1961.

123–12. Orange Canal, French Quarter Creek—Restriction of Watercraft.

The use of watercraft will be restricted in the waters in Orange Canal, a tributary of French Quarter Creek, Berkeley County, S.C. The restricted or controlled area shall begin at the mouth of Orange Canal (where Orange Canal empties into French Quarter Creek) and shall extend to where Orange Canal flows under the bridge at S.C. Highway No. S.898.

No person shall operate any vessel in the restricted or controlled area of Orange Canal at any speed that will produce a wake.

The regulated area of Orange Canal shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the U.S. Coast Guard and to the system of uniform waterway markers approved by the advisory panel of State officials to the Merchant Marine Council, U.S. Coast Guard.

123–13. Saluda Lake (Jerry's Cove)—Restriction of Watercraft.

The use of watercraft will be restricted in a certain portion of the waters of Saluda Lake, in the Saluda River, Greenville County. The restricted or controlled area shall be the cove known as Jerry's Landing Cove, or Saluda Lake Motor Boat Club Cove, and shall include the entire Cove from Jerry's Landing to six thousand (6,000′) feet from Jerry's Landing.

No person shall operate any vessel in the restricted or controlled area of Jerry's Landing Cove, or Saluda Lake Motor Boat Club Cove, at any speed that will produce a wake.

The regulated area of Jerry's Landing Cove, or Saluda Lake Motor Boat Club Cove, shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the U.S. Coast Guard and to the system of uniform waterway markers approved by the advisory panel of State officials to the Merchant Marine Council, U.S. Coast Guard.

123–14. Lake Marion (Cantey Bay)—Restriction of Watercraft.

The use of watercraft will be restricted in the waters in a 318 acre area on the west side of Cantey Bay, Lake Marion, Clarendon County, S.C., from 1 November through 15 March of each year. The restricted or controlled area lies north of U.S. Highway Numbers 15 and 301, on the west side of Cantey Bay, and adjacent to the Bluff Unit of the Santee National Wildlife Refuge. For a more detailed description as to the courses, metes and bounds of the area herein restricted, reference may be had to the plat prepared by the U.S. Department of the Interior, Fish and Wildlife Service, entitled "Santee

National Wildlife Refuge", showing an enclosed area of 318 acres within "Cantey Bay", and with the Legend "Area closed to boat traffic from November 1 to March 15 each year".

No person shall operate any vessel in the restricted or controlled 318 acre area of Cantey Bay, Clarendon County, S.C., from 1 November through 15 March of each year.

The regulated area of Cantey Bay shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the U.S. Coast Guard and to the system of uniform waterway markers approved by the advisory panel of State officials to the Merchant Marine Council, U.S. Coast Guard. The regulated area lines will be posted with standard "Closed Area" signs during that period of the year when boat use is prohibited.

123–15. Ashepoo River.

The use of watercraft will be restricted in certain portions of the waters of the Ashepoo River, Colleton County, South Carolina. The restricted or controlled area shall begin at the Seaboard Coast Line Railroad trestle on the Ashepoo River and shall extend to the mouth of Horseshoe Creek.

No person shall operate any vessel in the restricted or controlled area of Ashepoo River at any speed that will produce a wake.

The regulated area of Ashepoo River shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the U.S. Coast Guard and to the system of uniform waterway markers approved by the advisory panel of State officials to the Merchant Marine Council U.S. Coast Guard.

123–16. Lake Hartwell.

All aids to navigation and regulatory markers erected by the Corps of Engineers on Lake Hartwell pursuant to Federal Law are hereby declared to be S.C.W.M.R.D. aids to navigation and regulatory markers pursuant to § 50-21-710, 1976 S.C. Code of Laws, and are hereby declared to be the law of the State.

123–18. Lake Marion (Pine Island Unit) (Cantey Bay).

Watercraft is restricted in certain portions of Lake Marion in Clarendon County from November 1 to February 28 of each year, except property owners and leasees adjacent to Cantey Bay with special permission from the U.S. Fish and Wildlife Service. The controlled area shall include a section of the Pine Island Unit, and an area between 100 Acre Island and Round Island.

(For a complete text, see copy on file in the office of the Secretary of State.)

123–19. No Wake Zones.

No wake zones are created in certain portions of the waters of Lake Marion (Rowland's Subdivision Cove, Brown's Camp Cove, Birch Branch Cove, Polly Cantey Pond, Phillip's Cove, Poplen Creek), The Beaufort River, Big Bay Creek, Broad Creek, Lake Murray (Wells Marina, Adams Bridge, Little Hollow Creek Bridge, Big Hollow Creek Bridge, Big Hollow Creek Wooden Bridge, SCE & G Park Launching Ramp Number Seven, Johnson's Marina Cove), Lake Moultrie (Jack's Hole Cove), Wateree Lake (Beaver's Creek Bridge, Wateree Creek Bridge, Taylor's Creek Bridge, Dutchman's Creek Bridge, Colonel's Creek Bridge, Wateree Marina), Foster Creek, Lake Wylie (Moores Landing Marina), Lake Greenwood (Cothram's Bridge), Old Town Creek, Jeremy Creek.

(Those interested in the complete text of any of the regulations creating such no wake zones are referred to the copies on file in the office of the Secretary of State.)

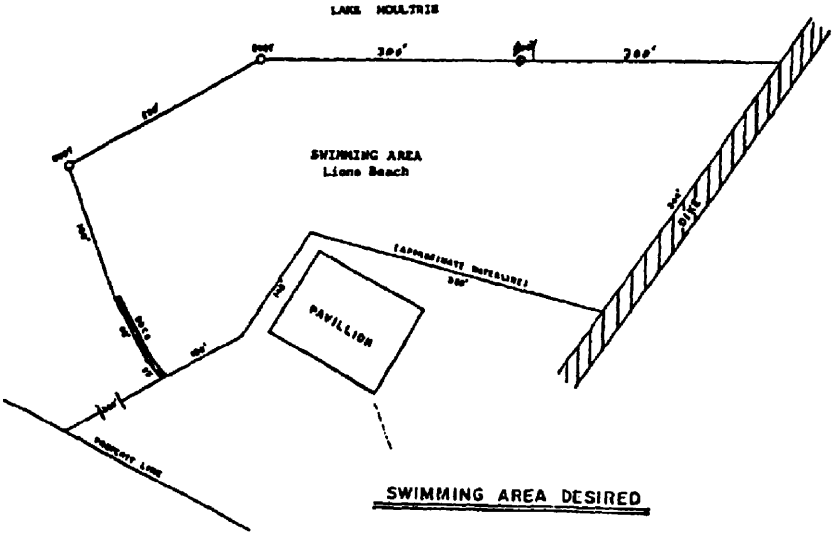
123–19.1. Lake Moultrie (Lions Beach)—Restriction of Watercraft.

The use of watercraft will be restricted in a certain portion of the waters of Lake Moultrie, Berkeley County, South Carolina. The restricted or controlled area shall be all waters within the swimming area at Lions Beach indicated on the attached map.

No person shall operate any vessel in the restricted or controlled area.

The regulated area shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the United States Coast Guard and to

the system of uniform waterway markers approved by the Advisory Panel of the State Officials to the Merchant Marine Council, United States Coast Guard.



123–19.2. Restrictions on Use of Watercraft in Certain Portions of Waters of Lake Murray, Lexington County, South Carolina.

1. That the use of watercraft will be restricted in a certain portion of the waters of Lake Murray, Lexington County, South Carolina. The restricted or controlled area shall be a portion of the cove on the east side of Pine Island, indicated on the attached map.

2. That no person shall operate any vessel in the restricted or controlled area at any speed that will produce a wake.

3. That the regulated area shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the United States Coast Guard and to the system of uniform waterway markers approved by the Advisory Panel of the State Officials to the Merchant Marine Council, United States Coast Guard.

4. That except as modified or changed hereby all prevailing laws, rules and regulations concerning boating in South Carolina shall remain in full force and effect.

123–19.3. Restrictions on Use of Watercraft in Certain Portions of Waters of Shem Creek, Charleston County, South Carolina.

1. That the use of watercraft will be restricted in a certain portion of the waters of Shem Creek, Charleston County, South Carolina. The restricted or controlled area shall be in the area of Mt. Pleasant as indicated on the attached map.

2. That no person shall operate any vessel in the restricted or controlled area at any speed that will produce a wake.

3. That the regulated area shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the United States Coast Guard and to the system of uniform waterway markers approved by the Advisory Panel of the State Officials to the Merchant Marine Council, United States Coast Guard.

4. That except as modified or changed, hereby, all prevailing laws, rules and regulations concerning boating in South Carolina shall remain in full force and effect.

123–19.4. Restrictions on Use of Watercraft in Certain Portions of Waters of Lake Murray, Lexington County, South Carolina.

1. That the use of watercraft will be restricted in a certain portion of the waters of Lake Murray, Lexington County, South Carolina. The restricted or controlled area shall be the waters surrounding the Lakeside Marina facilities as shown on attached map.

2. That no person shall operate any vessel in the restricted or controlled area at any speed that will produce a wake.

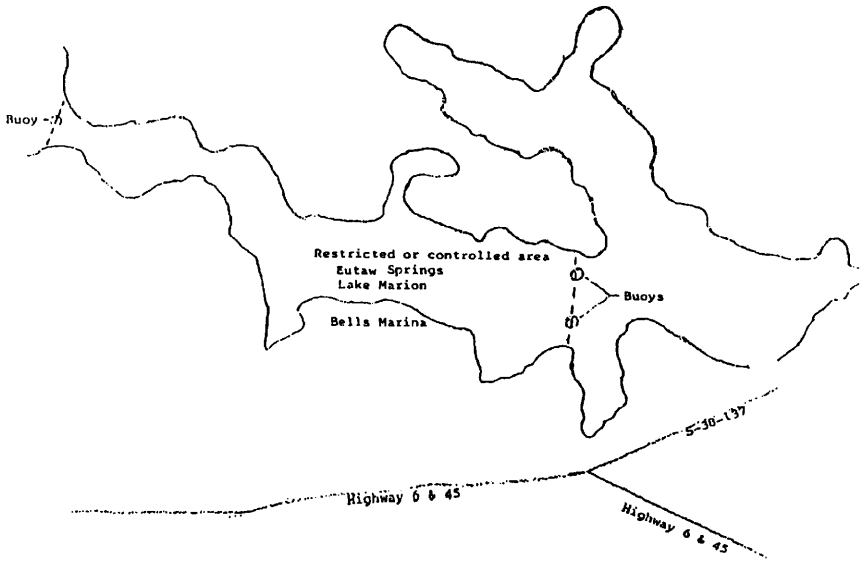
3. That the regulated area shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the United States Coast Guard and to the system of uniform waterway markers approved by the Advisory Panel of the State Officials to the Merchant Marine Council, United States Coast Guard.

4. That except as modified or changed hereby all prevailing laws, rules and regulations concerning boating in South Carolina shall remain in full force and effect.

123–19.6. Restrictions on Use of Watercraft in Certain Portions of the Waters of Lake Marion, Orangeburg County, South Carolina.

That a NO WAKE ZONE is created in the Eutaw Springs area of the waters of Lake Marion, Orangeburg County, South Carolina, more specifically described in the map attached hereto and made a part hereof.

That said NO WAKE ZONE shall be identified by the placement of appropriate signs and markers.



123–19.7. Restrictions on the Use of Watercraft in the Waters of a Certain Portion of Goose Creek, Berkeley County, South Carolina.

1. That the use of watercraft will be restricted in a certain portion of the waters of Goose Creek, Berkeley County, South Carolina. The restricted or controlled area shall be in the area of Dominion Hills Subdivision as indicated on the attached map.

2. That no person shall operate any vessel in the restricted or controlled area at any speed that will produce a wake.

3. That the regulated area shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the United States Coast Guard and to the system of uniform waterway markers approved by the Advisory Panel of the State Officials to the Merchant Marine Council, United States Coast Guard.

4. That except as modified or changed, hereby, all prevailing laws, rules and regulations concerning boating in South Carolina shall remain in full force and effect.

123–19.8. Restrictions on Use of Watercraft in a Certain Portion of the Water of Wappoo Creek, Charleston County, South Carolina.

1. That the use of watercraft will be restricted in a certain portion of the waters of Wappoo Creek, Charleston County, South Carolina. The restricted or controlled area shall be in the area of Parkwood Heights Extension as indicated on the attached map.

2. That no person shall operate any vessel in the restricted or controlled area at any speed that will produce a wake.

3. That the regulated area shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the United States Coast Guard and to the system of uniform waterway markers approved by the Advisory Panel of the State Officials to the Merchant Marine Council, United States Coast Guard.

4. That except as modified or changed, hereby, all prevailing laws, rules and regulations concerning boating in South Carolina shall remain in full force and effect.

123–19.9. Modification of a No Wake Zone in the Lake Murray Marina Area, Lake Murray, Richland County, South Carolina.

1. That the original No Wake Zone established on July 26, 1972, on Lake Murray Marina, Lake Murray, Richland County, South Carolina be modified so as to extend the placement of buoy "A" in a Northeasterly direction approximately 125 feet; and

2. That the annexed area encompassed by the above modified placement of buoy "A" is hereby declared to be included in the No Wake Zone at said area.

123–19.10. Restrictions on the Use of Watercraft in Certain Portions of the Waters of Black River, Williamsburg County, South Carolina.

1. That the use of watercraft will be restricted in a certain portion of the waters of Black River, Williamsburg County, South Carolina. The restricted or controlled area shall be in the area of Scout Cabin as indicated on the attached map.

2. That no person shall operate any vessel in the restricted or controlled area at any speed that will produce a wake.

3. That the regulated area shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the United States Coast Guard and to the system of uniform waterway markers approved by the Advisory Panel of the State Officials to the Merchant Marine Council, United States Coast Guard.

4. That except as modified or changed, hereby, all prevailing laws, rules and regulations concerning boating in South Carolina shall remain in full force and effect.

123–19.11. Restrictions as to Use of Watercraft Within Certain Areas of South Carolina Electric & Gas Company Public Park No. 1.

1. That the use of watercraft will be restricted in a certain portion of the waters of Lake Murray, Lexington County, South Carolina. The restricted or controlled area shall be all waters within the swimming area at South Carolina Electric and Gas Company Public Part No. 1.

2. That no person shall operate any vessel in the restricted or controlled area.

3. That the regulated area shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the United States Coast Guard and to the system of uniform waterway markers approved by the Advisory Panel of the State Officials to the Merchant Marine Council, United States Coast Guard.

123–19.12. Restrictions as to Use of Watercraft Within Boat Launching Ramp at Dreher Island State Park.

1. That the use of watercraft will be restricted in a certain portion of the waters of Lake Murray, Newberry County, South Carolina. The restricted or controlled area shall be all waters within the cove at Dreher Island State Park boat launching ramp.

2. That no person shall operate any vessel in the restricted or controlled area at any speed that will produce a wake.

3. That the regulated area shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the United States Coast Guard and to the system of uniform waterway markers approved by the Advisory Panel of the State Officials to the Merchant Marine Council, United States Coast Guard.

123–19.13. Restrictions as to Use of Watercraft in Certain Areas of Durham Creek.

1. That the use of watercraft will be restricted in a certain portion of the waters on Durham Creek, Berkeley County, South Carolina near Secondary Road 9 and Clyde Umphlett public boat landing, more specifically described in the map attached hereto and made a part hereof is hereby declared to be a SLOW TO NO WAKE ZONE:

2. That no person shall operate any vessel in the restricted or controlled area at any speed that will produce a wake.

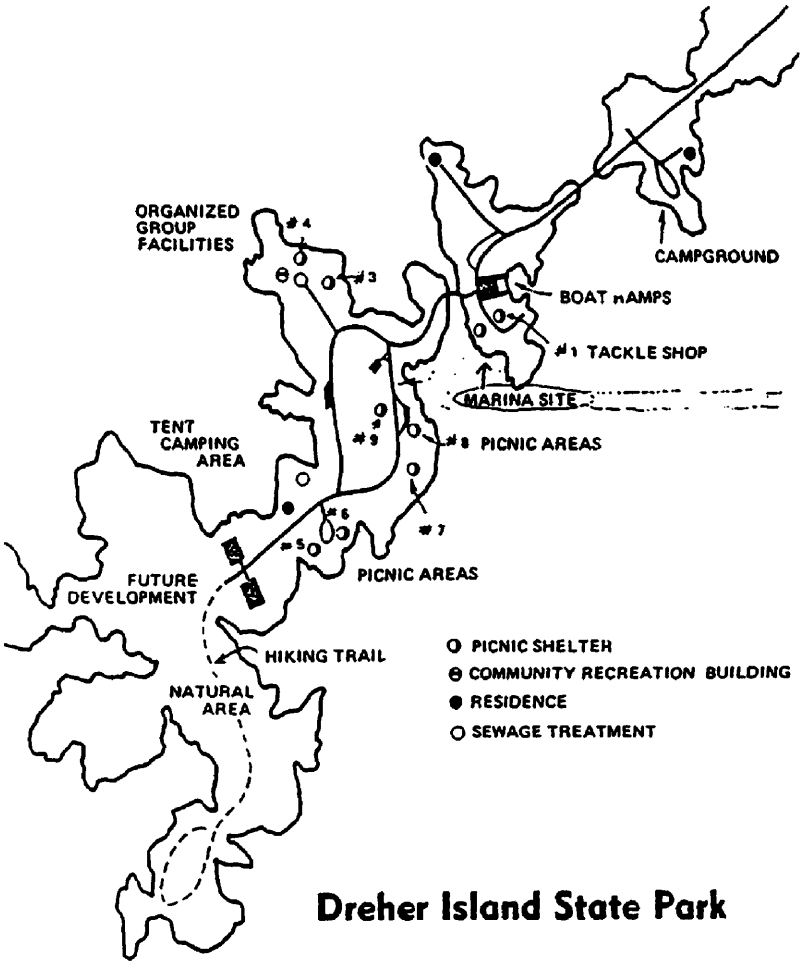
3. That the regulated area shall be identified by appropriate signs and markers. The signs and makers shall conform to the system of aids to navigation prescribed by the United States Coast Guard and to the system of uniform waterway markers approved by the Advisory Panel of the State Officials to the Merchant Marine Council, United States Coast Guard.

123–19.14. Restriction as to Use of Watercraft Within Swimming Area of Dreher Island State Park.

1. That the use of watercraft will be restricted in a certain portion of the waters of Lake Murray, Newberry County, South Carolina. The restricted or controlled area shall be all waters within the swimming area at Dreher Island State Park.

2. That no person shall operate any vessel in the restricted or controlled area.

3. That the regulated area shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the United States Coast Guard and to the system of uniform waterway markers approved by the Advisory Panel of the State Officials to the Merchant Marine Council, United States Coast Guard.



123–19.15. Restrictions as to Use of Watercraft Within Certain Areas of South Carolina Electric & Gas Company Public Park No. 3.

1. That the use of watercraft will be restricted in a certain portion of the waters of Lake Murray, Lexington County, South Carolina. The restricted or controlled area shall be all waters within one hundred yards of the South Carolina Electric and Gas Company Public Park No. 8 boat launching ramp.

2. That no person shall operate any vessel in the restricted or controlled area at any speed that will produce a wake.

3. That the regulated area shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the United States Coast Guard and to the system of uniform waterway markers approved by the Advisory Panel of the State Officials to the Merchant Marine Council, United States Coast Guard.

123–19.16. Restrictions on Use of Watercraft in Certain Portions of the Waters of Lake Marion, Clarendon County, South Carolina.

1. That the use of watercraft will be restricted in a certain portion of the waters of Lake Marion, Clarendon County, South Carolina. The restricted or controlled area shall be in the area of Taw Caw Creek as indicated on the attached map.

2. That no person shall operate any vessel in the restricted or controlled area at any speed that will produce a wake.

3. That the regulated area shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the United States Coast Guard and to the system of uniform waterway markers approved by the Advisory Panel of the State Officials to the Merchant Marine Council, United States Coast Guard.

4. That except as modified or changed, hereby all prevailing laws, rules and regulations concerning boating in South Carolina shall remain in full force and effect.

123–19.17. Restrictions on Use of Watercraft in Certain Portion of Waters of Ashley River, Charleston County, South Carolina.

1. That the use of watercraft will be restricted in a certain portion of the waters of Ashley River, Charleston County, South Carolina. The restricted or controlled area shall be as indicated on the attached map.

2. That no person shall operate any vessel in the restricted or controlled area at any speed that will produce a wake.

3. That the regulated area shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the United States Coast Guard and to the system of uniform waterway markers approved by the Advisory Panel of the State Officials to the Merchant Marine Council, United States Coast Guard.

4. That except as modified or changed, hereby, all prevailing laws, rules and regulations concerning boating in South Carolina shall remain in full force and effect.

123–19.18. Restrictions on Use of Watercraft in Certain Portion of Waters of Lake Wylie, Near Commodore Yacht Club, York County, South Carolina.

1. That the use of watercraft will be restricted in a certain portion of the waters of Lake Wylie, near Commodore Yacht Club, York County, South Carolina. The restricted or controlled area shall be as indicated on the attached map.

2. That no person shall operate any vessel in the restricted or controlled area at any speed that will produce a wake.

3. That the regulated area shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the United States Coast Guard and to the system of uniform waterway markers approved by the Advisory Panel of the State Officials to the Merchant Marine Council, United States Coast Guard.

4. That except as modified or changed, hereby, all prevailing laws, rules and regulations concerning boating in South Carolina shall remain in full force and effect.

123–19.19. Restrictions on Use of Watercraft in Certain Portion of Waters of Lake Keowee called Lake Keowee Marina, Oconee County, South Carolina.

1. That the use of watercraft will be restricted in a certain portion of the waters of Lake Keowee called Lake Keowee Marina, Oconee County, South Carolina. The restricted or controlled area shall be as indicated on the attached map.

2. That no person shall operate any vessel in the restricted or controlled area at any speed that will produce a wake.

3. That the regulated area shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the United States Coast Guard and to the system of uniform waterway markers approved by the Advisory Panel of the State Officials to the Merchant Marine Council, United States Coast Guard.

4. That except as modified or changed, hereby, all prevailing laws, rules and regulations concerning boating in South Carolina shall remain in full force and effect.

123–19.20. Restrictions on Use of Watercraft on Certain Portion of Wappoo Creek, Charleston County, South Carolina.

1. That the use of watercraft will be restricted in a certain portion of the waters of Wappoo Creek, Charleston County, South Carolina. The restricted or controlled area shall be as indicated on the attached map.

2. That no person shall operate any vessel in the restricted or controlled area at any speed that will produce a wake.

3. That the regulated area shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the United States Coast Guard and to the system of uniform waterway markers approved by the Advisory Panel of the State Officials to the Merchant Marine Council, United States Coast Guard.

4. That except as modified or changed, hereby, all prevailing laws, rules and regulations concerning boating in South Carolina shall remain in full force and effect.

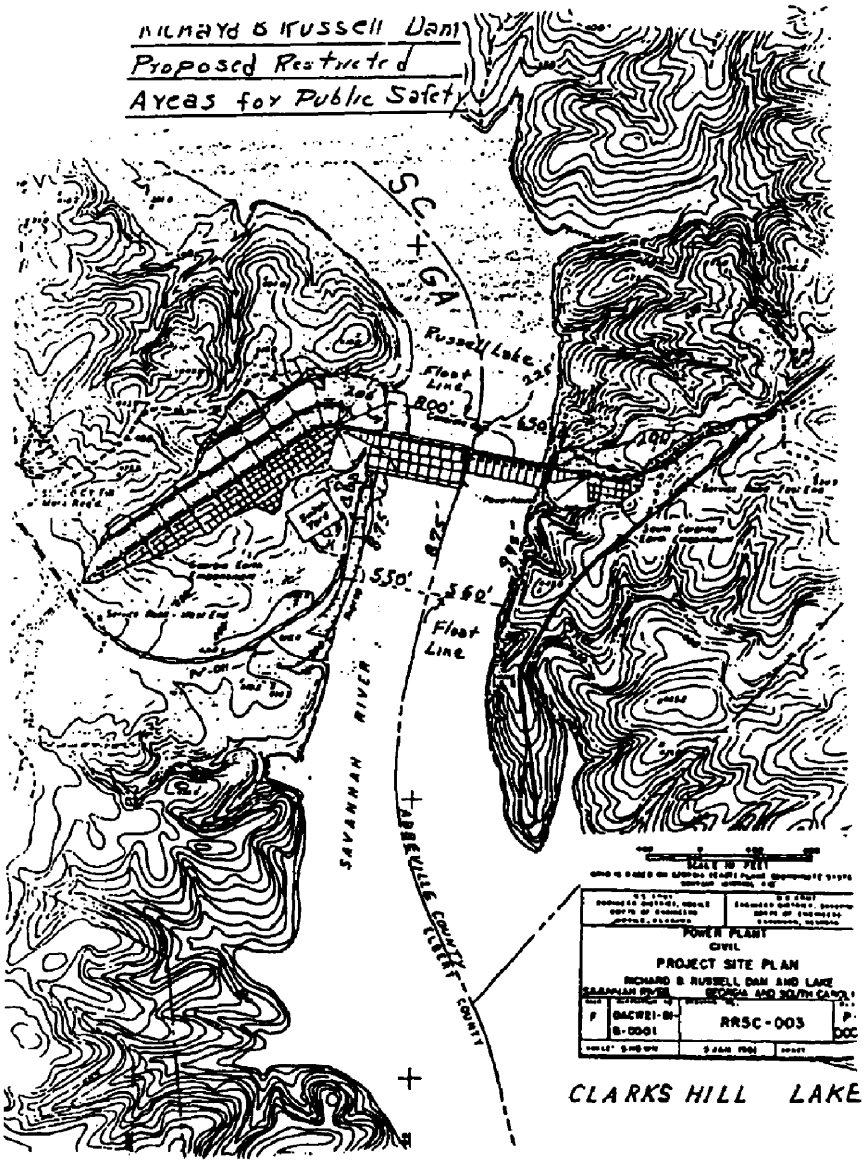
123–19.21. Restrictions on Use of Watercraft in Certain Portion of Lake Russell and Savannah River, Abbeville County, South Carolina.

1. The use of watercraft will be restricted in a certain portion of the waters of Lake Russell and the Savannah River at Richard B. Russell Dam, Abbeville County, South Carolina. The restricted or controlled area shall be all waters 225 feet upstream and 975 feet downstream of the Richard B. Russell Dam.

2. No person shall operate any vessel in the restricted or controlled area.

3. The regulated area shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the United States Coast Guard and to the system of uniform waterway markers approved by the Advisory Panel of the State Officials to the Merchant Marine Council, United States Coast Guard.

4. Except as modified or changed, hereby, all prevailing laws, rules and regulations concerning boating in South Carolina shall remain in full force and effect.



123–19.22. Restrictions on Use of Watercraft in Certain Portion of Kiawah River, Charleston, South Carolina.

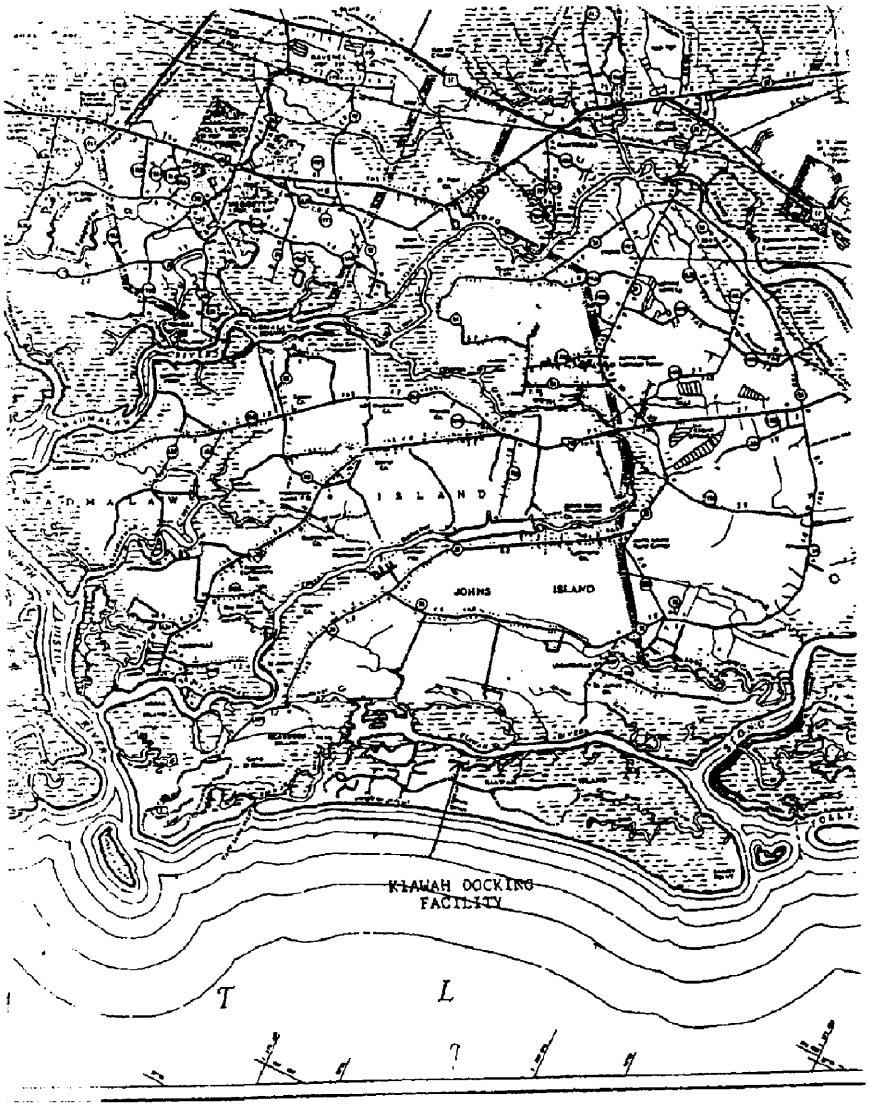
1. The use of watercraft will be restricted in a certain portion of the waters of Kiawah River, Charleston County, South Carolina. The restricted or controlled area shall be all waters within one hundred yards of the Kiawah Island Docking Facility.

2. No person shall operate any vessel in the restricted or controlled area at any speed that will produce a wake.

3. The regulated area shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the United States Coast Guard and to

the system of uniform water—way markers approved by the Advisory Panel of the State Officials to the Merchant Marine Council, United States Coast Guard.

4. Except as modified or changed, hereby, all prevailing laws, rules and regulations concerning boating in South Carolina shall remain in full force and effect.



123–19.23. Pack's Landing Area of Waters of Lake Marion, Sumter County, Declared No Wake Zone.

1. The Pack's Landing area of the waters of Lake Marion, Sumter County, South Carolina is hereby declared to be a No Wake Zone.

2. The No Wake Zone shall be identified by the placement of appropriate signs and markers.

3. The regulated area shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the United States Coast Guard and to the system of uniform waterway markers approved by the Advisory Panel of the State Officials to the Merchant Marine Council, United States Coast Guard.

4. Except as modified or changed, hereby, all prevailing laws, rules and regulations concerning boating in South Carolina shall remain in full force and effect.

123–19.24. Restrictions on Use of Watercraft in Certain Portion of Waters of Lake Marion, Orangeburg County, South Carolina.

1. The use of watercraft will be restricted in a certain portion of the waters of Lake Marion, Orangeburg County, South Carolina. The restricted or controlled area shall be in the area of Santee Cooper Resort Cove and shall include the entire cove.

2. No person shall operate any vessel in the restricted or controlled area at any speed that will produce a wake.

3. The regulated area shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the United States Coast Guard and to the system of uniform waterway markers approved by the Advisory Panel of the State Officials to the Merchant Marine Council, United States Coast Guard.

4. Except as modified or changed, hereby, all prevailing laws rules and regulations concerning boating in South Carolina Shall remain in full force and effect.

123–19.25. Restrictions on Use of Watercraft in Certain Portion of Waters on Lake Keowee, Pickens County, South Carolina.

1. The use of watercraft will be restricted in a certain portion of the waters on Lake Keowee, Pickens County, South Carolina. The restricted or controlled area shall be in the Gap Hill area.

2. No person shall operate any vessel in the restricted or controlled area at any speed that will produce a wake.

3. The regulated area shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the United States Coast Guard and to the system of uniform waterway markers approved by the Advisory Panel of the State Officials to the Merchant Marine Council, United States Coast Guard.

4. Except as modified or changed, hereby, all prevailing laws, rules and regulations concerning boating in South Carolina shall remain in full force and effect.

123–19.26. Restrictions on Use of Watercraft in Certain Portion of Lake Murray, Newberry County, South Carolina.

1. The use of watercraft will be restricted in a certain portion of the waters of Lake Murray, Newberry County, South Carolina. The restricted or controlled area shall be all waters within one hundred fifty yards of the marina docking facilities at Dreher Island State Park.

2. No person shall operate any vessel in the restricted or controlled area at any speed that will produce a wake.

3. The regulated area shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the United States Coast Guard and to the system of uniform waterway markers approved by the Advisory Panel of the State Officials to the Merchant Marine Council United States Coast Guard.

4. Except as modified or changed, hereby, all prevailing laws, rules and regulations concerning boating in South Carolina shall remain in full force and effect.

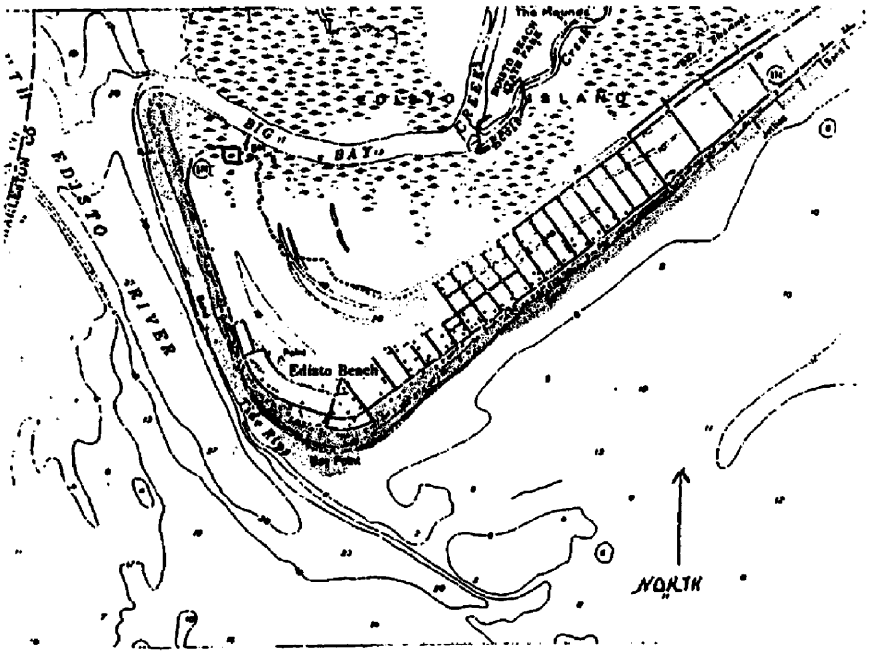
123–19.27. Restrictions on Use of Watercraft in Certain Portions of Scott Creek, Colleton County, South Carolina.

1. The use of watercraft will be restricted in a certain portion of the waters of Scott Creek, Colleton County, South Carolina. The restricted or controlled areas shall be in the area of Scott Creek as indicated on the attached map.

2. No person shall operate any vessel in the restricted or controlled area at any speed that will produce a wake.

3. The regulated area shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the United States Coast Guard and to the system of uniform waterway markers approved by the Advisory Panel of the States Official to the Merchant Marine Council, United States Coast Guard.

4. Except as modified or changed, hereby, all prevailing laws, rules and regulations concerning boating in South Carolina shall remain in full force and effect.



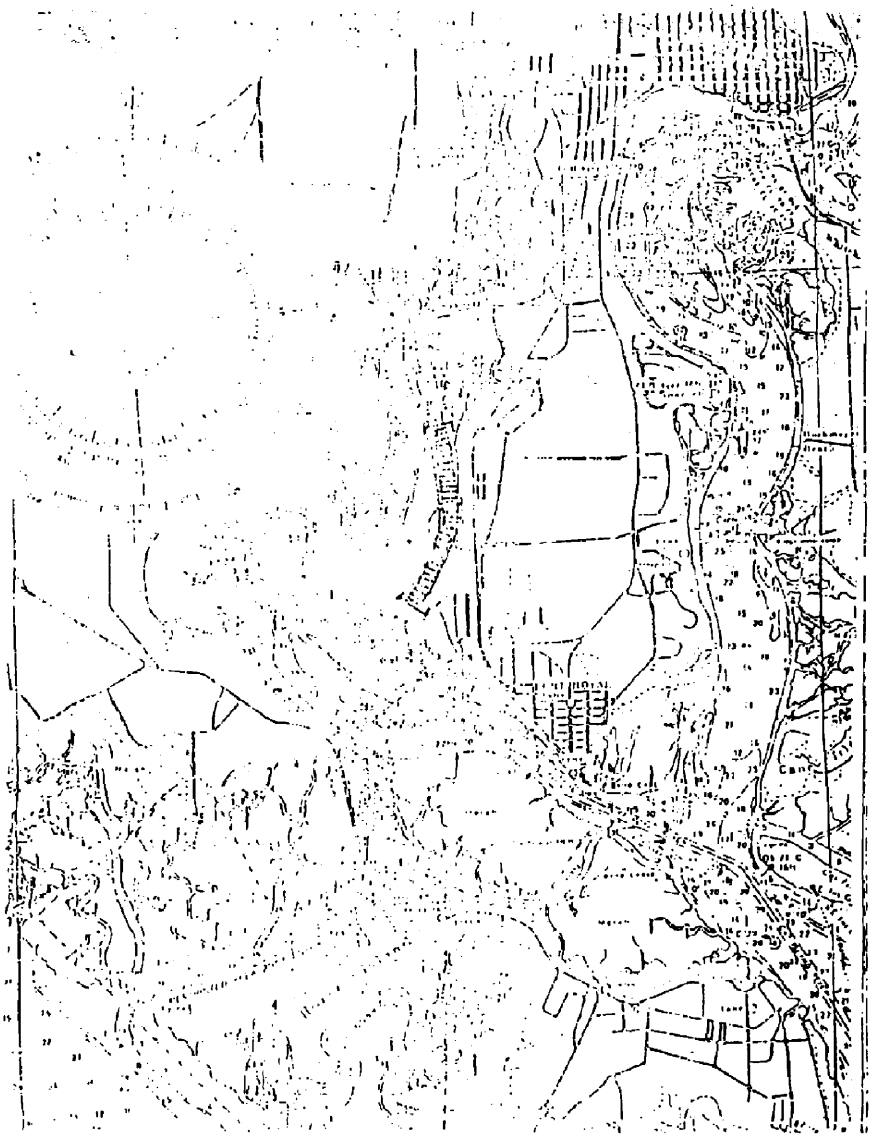
123–19.28. Restrictions on Use of Watercraft in Certain Portion of Battery Creek, Beaufort County, South Carolina

1. That the use of watercraft will be restricted in a certain portion of the waters of Battery Creek, Beaufort County, South Carolina. The restricted or controlled area shall be in the area of Battery Creek as indicated on the attached map.

2. That no person shall operate any vessel in the restricted or controlled area at any speed that will produce a wake.

3. That the regulated area shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the United States Coast Guard and to the system of uniform waterway markers approved by the Advisory Panel of the States Officials to the Merchant Marine Council, United States Coast Guard.

4. That except as modified or changed, hereby, all prevailing laws, rules and regulations concerning boating in South Carolina shall remain in full force and effect.



123–19.29. Restriction on Use of Watercraft in Certain Portion of Parsonage Creek, Murrells Inlet, Georgetown County, South Carolina.

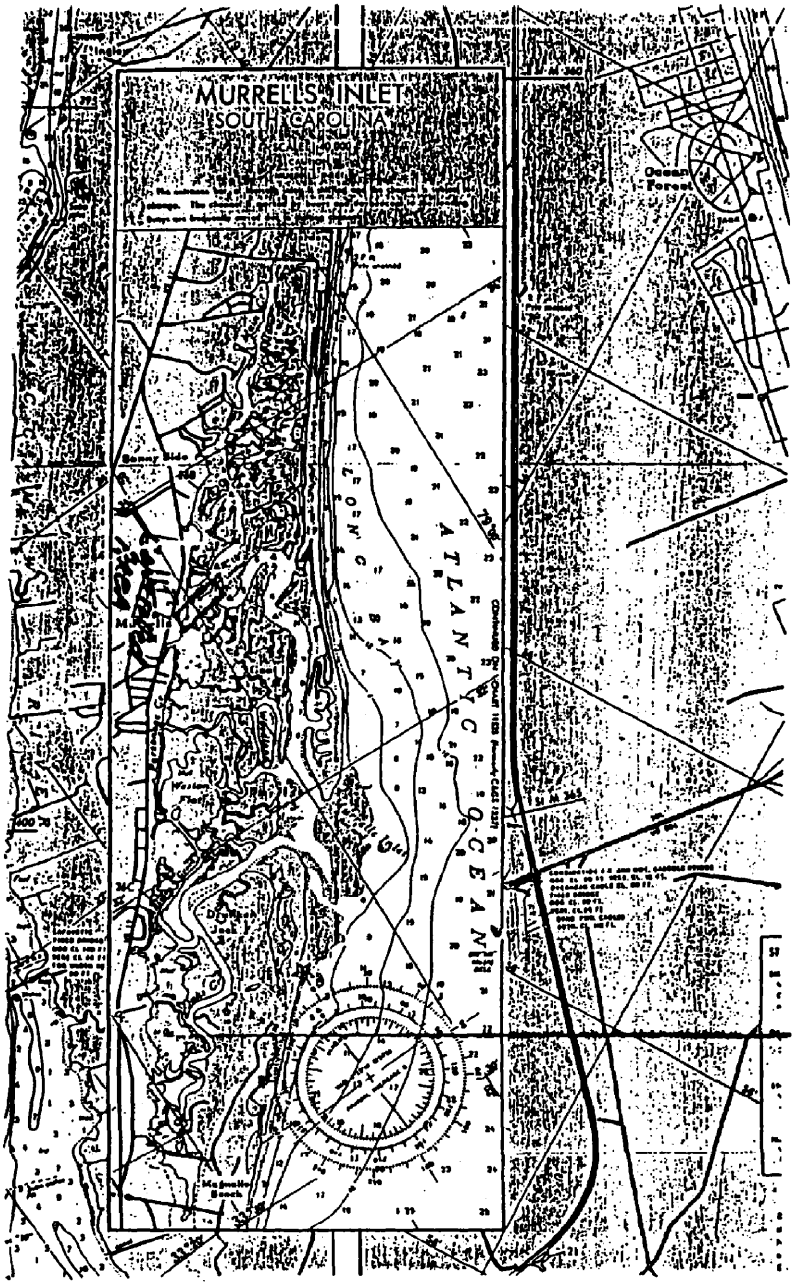
1. The use of watercraft will be restricted in a certain portion of the waters of Parsonage Creek, Murrells Inlet, South Carolina. The restricted or controlled area shall be in the area of Parsonage Creek as indicated on the attached map.

2. No person shall operate any vessel in the restricted or controlled area at any speed that will produce a wake.

3. The regulated area shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the United States Coast Guard and to

the system of uniform waterway markers approved by the Advisory Panel of the State Officials to the Merchant Marine Council, United States Coast Guard.

4. Except as modified or changed, hereby, all prevailing laws, rules and regulations concerning boating in South Carolina shall remain in full force and effect.



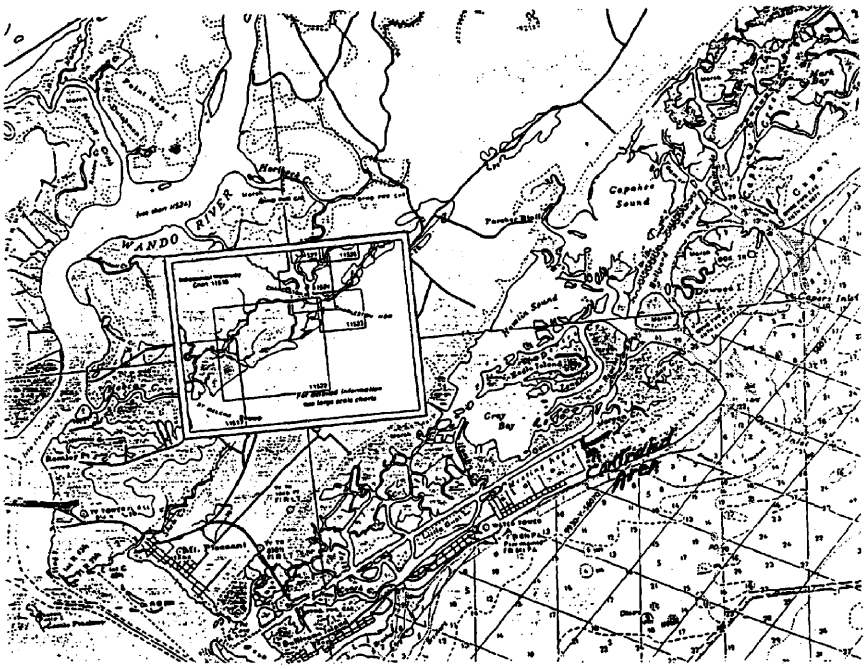
123–19.30. Restriction on Use of Watercraft in Certain Portion of Morgan Creek, Charleston County, South Carolina.

1. The use of watercraft will be restricted in a certain portion of the waters of Morgan Creek, Charleston County, South Carolina. The restricted or controlled area shall be in the area of Morgan Creek as indicated on the attached map.

2. No person shall operate any vessel in the restricted or controlled area at any speed that will produce a wake.

3. The regulated area shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the United States Coast Guard and to the system of uniform waterway markers approved by the Advisory Panel of the State Officials to the Merchant Marine Council, United States Coast Guard.

4. Except as modified or changed, hereby, all prevailing laws, rules and regulations concerning boating in South Carolina shall remain in full force and effect.



123–19.31. Restrictions on Use of Watercraft in a Certain Portion of Stono River, Charleston County, South Carolina.

1. The use of watercraft will be restricted in a certain portion of the waters of Stono River, Charleston County, South Carolina. The restricted or controlled area shall be in the area of Stono River as indicated on the attached map.

2. No person shall operate any vessel in the restricted or controlled area at any speed that will produce a wake.

3. The regulated area shall be identified by appropriate signs and markers. The signs and markers shall conform to the system of aids to navigation prescribed by the United States Coast Guard and to the system of uniform waterway markers approved by the Advisory Panel of the State Officials to the Merchant Marine Council, United States Coast Guard.

4. Except as modified or changed, hereby, all prevailing laws, rules and regulations concerning boating in South Carolina shall remain in full force and effect.

123–19.32. State Waterways Uniform Marking System

Pursuant to Section 50-21-710 which requires that a uniform marking system of state waterways be compatible with the system prescribed by the United States Coast Guard for the marking of state waters; and the United States Coast Guard having promulgated the system known as the Uniform State Waterway Marking System for the marking of State waterways (33CFR66); and, the State being the recipient of Federal Boating Funds under a program requiring the marking of state waters with aids to navigation, a federal grant program of the type described in Section 1-23-120, Code of Laws of South Carolina (1976) as amended.

The Uniform State Waterway Marking System, as described in 33CFR66, is adopted to be the system used to mark the waters of this State in compliance with Section 50-21-710.

ARTICLE 2
MARINE RESOURCES DIVISION

123–20. Fishing With a Channel Net.

(Statutory Authority: 1976 Code §§ 50-5-110, 50-17-1020, 50-17-1590)

The following requirements shall apply to all fixed or stationary nets having a mesh size of less than two and one-half inches stretch mesh used in coastal waters and shall include, but not be limited to, shrimp channel or set nets (defined as conical bag-shaped nets similar in design to a trawl net, which is attached to poles, stakes, buoys or other fixed objects and which is not pulled by a boat), butterfly nets, frame nets, bag nets, trawl nets and any other conical or bag-shaped nets which are attached to poles, stakes, buoys anchored vessels or other fixed objects; provided, however, that shrimp or crab drop nets, and elver fyke nets, shall not be subject to these regulations:

1. Any person using a channel net as defined by S. C. Wildlife and Marine Resources Department Regulation 123-20 or other fixed or stationary net described above in any of the saltwaters of this State shall first obtain and have in possession a valid permit issued by the Marine Resources Division;

2. Each net used under the provisions of this rule and regulation must have a valid license as required under Section 50-17-130;

3. The width and mesh size of any channel net or other stationary net included under this rule and regulation must conform to the provisions of this Section 50-17-420, S. C. Code of Laws;

4. No channel or set net may be operated from a shrimp trawler or any other boat under a duly issued channel net permit;

5. No channel net or other stationary net used under authority of this rule and regulation may be set within two hundred (200) feet of a net previously set as provided in Section 50-17-450, S. C. Code of Laws.

6. Any channel net or other stationary net included under this rule and regulation left unattended must be marked with a sign or buoy having the name, address and permit number of the owner thereon;

7. Any channel net set at night must be marked by a white light clearly visible from a distance of one quarter of a mile.

8. Any person who obtains a permit under the provisions of this rule and regulation is required to keep a daily catch record on forms prescribed and provided by the Division.

9. The issuance of channel net or other stationary net permits hereunder is subject to the regulations of the S. C. Department of Highways and Public Transportation, U. S. Coast Guard and U. S. Army Corps of Engineers.

10. Channel nets or other stationary nets may be used only in those areas and at those times prescribed by the Marine Resources Division and the operation of such nets in any area or at any time not so authorized is illegal.

11. The penalty for violation of the provisions of this rule and regulation or the statutes upon which it was promulgated shall be as prescribed in Section 50-17-450, S. C. Code of Laws as Amended, and in addition the permit issued said violation may be suspended or revoked by the Marine Resources Division.

12. Except as specifically modified or changed hereby, all prevailing laws, rules and regulations concerning fishing and boating in South Carolina shall remain in full force and effect.

123–21. Operation of Crab Pots.

1. Every crab pot, trap, float or buoy shall be marked with the license number issued by the Division.

2. No crab pot or trap shall be placed in any stream, creek or river within one hundred (100) yards of a public boat ramp or launching area.

3. No crab pot or trap shall be so set so as to be left dry at low water.

4. No glass bottles, jugs or metal cans shall be used as floats or buoys for crab traps or pots.

5. No crab pot or trap shall be abandoned, or left unattended, in coastal waters for more than five (5) days. The finding of any crab pot or trap with dead or decomposing crabs, or the finding of excessive marine growth on the trap, line or buoy shall be sufficient grounds for confiscation.

6. Any crab trap or pot found in violation of these regulations shall be confiscated.

7. The penalty for the violation of this Rule and Regulation shall be as prescribed by § 50-17-130 of the 1976 Code.

123–23. Tags on Submerged Traps.

All submerged traps licensed under § 50-17-360(3) shall have affixed to the trap a tag showing the number of the license issued for such trap. An untagged trap is subject to confiscation.

123–24. Master of a Vessel Licensed by the Division of Commercial Fisheries.

§ 50-17-410 of the 1976 Code provides that at the time of securing boat licenses the owner of the boat shall file with the Division of Marine Resources a sworn statement giving the name and address of the master or captain of the boat.

No person under the age of sixteen (16) years shall be named in such statement as the master or captain of the boat.

123–25. Numbering of All Vessels Used for Harvesting Shellfish Commercially in South Carolina.

1. "Vessel" shall mean every description of watercraft, other than a seaplane on the water, used or capable of being used as a means of transportation on water.

2. Each vessel used to take shellfish for market shall display a number issued by the S.C. Wildlife and Marine Resources Department, Division of Marine Resources. The number shall be issued to all commercial operators holding shellfish leases or permits for harvesting shellfish in this State and the number shall be valid only for harvesting shellfish on the lease or area for which it is issued.

3. The penalty for violation of this Rule and Regulation shall be as prescribed by § 50-17-100 of the 1976 Code.

123–26. Point of Juncture of Bull Creek and Waccamaw River Established.

The point of junction of Bull Creek and Waccamaw River is the 40-mile limit referred to in subsection (1) of § 50-17-240, Code of Laws of South Carolina, 1976, relating to the open and closed seasons on shad.

123–28. License for Selling Shad.

Section 50-17-390, Code of Laws of South Carolina, 1976, shall not apply to persons, firms, or corporations selling shad strictly at retail.

123–29. One-Quarter Mile Off-Shore Line.

If the place from which the one-quarter mile off-shore line is not designated by law it shall be measured from the mean low tide mark.

HISTORY: Amended by State Register Volume 17, Issue No. 5, Part 3, eff May 28, 1993.

123–30. Penalties.

Where penalties are not provided under the Commercial Fisheries Laws, in the event of a violation, any provisions of such laws for punishment or penalty shall be as provided for in § 50-17-130, Code of Laws of South Carolina, 1976.

123–31. Dumping of Trash Fish.

The dumping of trash fish or waste fisheries products from commercial trawlers within one-quarter mile of any South Carolina resort beach is prohibited.

123–32. Affixing Tax Tags to Shad.

All shad on which a tax is required by § 50-17-310, Code of Laws of South Carolina, (1976), and offered for sale or shipped from any point within or without the State and all shad imported into the State shall have affixed thereto a Division of Marine Resources' tag evidencing the fact that the required tax has been paid.

123–33. Taking American Eels and Catfish in Certain Waters.

1. This rule and regulation regulates the taking of American eels (onguilla rostrata) in the following waters of this State: In the Cooper River and its tributaries from the Seaboard Coastline Railroad Bridge located three thousand three hundred (3,300′) feet downstream from the lock and deck of the Jeffries Hydro Plant seaward to the point of the confluence of the Cooper River and the Wando River at a line running from the tip of Daniel Island westerly to the Old Coal Tipple Site.

2. There shall be no limit on the number of eels taken.

3. All persons actively engaged in the taking of eels in such waters shall be required to have a valid statewide fishing license as provided under Section 50-9-450 or 50-9-460. In addition all such persons shall be required to have a valid land and sell license as provided under Section 50-17-180, and any vessel used shall be required to be licensed under Section 50-17-210.

4. Eels may be taken legally from those waters subject to its rule and regulation only with the following equipment and gear:

a. Pots and baskets not to exceed two (2′) feet in diameter and four (4′) feet in length with bar mesh of not less than one-half (½ ″) inch square and throat opening not to exceed two (2″) inches in any direction. Each such pot or basket shall be tagged and marked in accordance with § 50-5-110, § 50-19-2910, and § 50-19-2920, with the cost of each tag being one ($1.00) dollar.

That records shall be maintained in accordance with the provisions of § 50-5-80(3).

Provided, that pots and baskets may be set or used only from Stoney Landing seaward in the Cooper River and its tributaries; and that the use of any pot or basket at any time in the Cooper River from the Seaboard Coastline Railroad Bridge located three thousand three hundred (3,300′) feet downstream from the lock and deck of the Jeffries Hydro Plant to Stoney Landing shall be a violation of this Rule and Regulation. Pots and baskets shall be allowed to be set or used twenty-four (24) hours a day and seven (7) days a week in all of the authorized areas of such use.

b. Fyke nets with wings not exceeding ten (10′) feet in length and fourteen (14′) feet in depth; with the distance from throat to cod end not to exceed twenty (20′) feet. Maximum bar mesh for any portion of the nets shall not exceed one-eighth (⅛ ″) inch square; and all fyke nets must be set with the cod end upstream from the wings. Fyke nets shall be set only between sunset and sunrise, and all such nets shall be removed from such waters between sunrise and sunset. A license as required under the provisions of § 50-17-360 shall be required for each fyke net used for the taking of eels from such waters.

c. Hand-operated dip nets not to exceed two (2′) feet in diameter.

5. Those types of equipment and gear authorized for use in taking eels from such waters shall be used only where fishing is legal; and any eel basket or pot, fyke net or dip net which is used in any manner in violation of this rule and regulation and any device or equipment which is used in such waters for the taking of eels which is not authorized herein, shall be confiscated by the South Carolina Wildlife and Marine Resources Department; and the Department shall dispose of such equipment and any catch found therein in the manner it deems appropriate.

6. Any game fish taken by use of eel pots and baskets, fyke nets or dip nets in such waters shall be returned immediately to the waters from whence they came.

7. All of the provisions of this rule and regulation shall be applicable in full to the taking of catfish from such waters.

8. The penalty for the violation of this Rule and Regulation shall be that prescribed by § 50-17-100 or § 50-19-2960, whichever the Court shall deem most applicable to the offense involved.

HISTORY: Amended by State Register Volume 17, Issue No. 5, Part 3, eff May 28, 1993.

123–34. Shellfish Permits.

A. Qualifications and requirements for shellfish permit applicants:

(1) The applicant for a commercial shellfish permit must have a wholesale seafood dealer's license and shellfish house or processing facility certified by the S. C. Department of Health and Environmental Control or submit a sworn affidavit that all shellfish harvested for sale will be handled through a bona fide shellfish dealer having an approved facility.

(2) The applicant for a commercial shellfish permit must be able to meet all regulations of the S. C. Department of Health and Environmental Control which pertain to his operations or place of business.

(3) The applicant must satisfy the Division that he has sufficient shellfish culture experience and will directly manage and supervise the cultivation of the permit area applied for himself, or will employ a qualified individual as manager within three months following the date that the permit becomes effective.

(4) The applicant must own and employ or provide assurance that he is capable of acquiring the necessary equipment and personnel to effectively harvest and manage the area(s) in question. Minimum requirements pertinent to effectively harvest and meet shell or seed planting quotas for the area(s) applied for will be determined by the Division.

(5) The applicant must possess all shellfish licenses and permits required by the Division and any other State and Federal Agency, or be qualified to obtain same following the granting of the permit(s), and prior to working the permit area.

(6) If an applicant has any existing shellfish permit(s) or has formerly held any permit(s) or lease(s), his past performance record in managing said area(s) (shell planting, production, etc.) and in meeting the Division's reporting requirements will be evaluated and given due consideration in determining whether he shall be granted additional permit(s). In the event that an individual who is not fully utilizing his existing permit grounds has applied for an available area and another individual has applied for the same area who has no permit but meets all the necessary requirements, the permit will be granted to the latter applicant.

(7) In cases where two or more individuals apply for a permit for the same area who are in the opinion of the Division equally qualified, the granting of the permit may be determined by lottery.

(8) The order in which applications are received will have no bearing on the granting of a permit as long as said applications are filed in a timely manner.

B. Review and Approval of Shellfish Permit Applications

(1) Applications for shellfish permits shall be reviewed by a committee of Departmental personnel knowledgeable with the shellfish fishery appointed by the Director, Division of Marine Resources. The Committee will consider each applicant's qualifications and conduct personal interviews if advisable. The Committee will select qualified applicants to the Director's office for final approval. The Committee will also consider contested permit applications, the allocation of shellfish grounds for public or private use, permit revisions, variances, or revocations, and make recommendations to the Director's office for final approval.

C. Permit Terms and Conditions

(1) Shellfish culture and mariculture permits issued shall include, in addition to those requirements specified by law, the following: provisions for shellfish production and reporting requirements; conditions and requirements for mariculture structures and operations; provisions to guarantee public rights of access and non-conflicting uses of permitted areas; conditions for the approval of planting variances; terms and conditions to hold the Division harmless from any claims or damages resulting from the permitted operations; requirements for compliance with all applicable laws, regulations and permit requirements of any other Federal, State or local authority having jurisdiction over the use of State waters or bottoms; provisions for the restoration and correction of any environmental degradation which may result from the permitted activity; and provisions for revocation of the permit for failure to comply with performance requirements of the permit.

123–35. Turtle Excluder Devices Required in Channel Nets.

A. The following regulations apply to fishing gears known as channel (set) nets as defined in Sections 50-17-130, 50-17-421, and 50-17-450, and regulation 123-20, SC Code of Laws:

(1) Functional "soft" or "hard" Turtle Excluder Devices (TEDs) must be correctly installed in all channel (set) nets used in the state waters of South Carolina, except in areas specifically exempted by these regulations.

(2) "Soft" TEDs must conform to the following specifications:

(a) Webbing must be polypropylene or polyethylene

(b) Stretched mesh size may not exceed 6 inches

(c) Horizontal, taut length of the panel may not exceed 120 inches (10 feet)

(d) Panel width at the leading edge may not exceed 229 inches (19 feet)

(e) The escape opening may not be less than 72 inches (6 feet)

(f) The TED panel must form a complete barrier inside the net forward of the codend

(g) The TED must slope upwards with the escape opening being on the top of the net just forward of the panel's attachment to the top of the net

(h) An optional, rectangular flap may be installed over the escape opening, provided it is attached only on its forward edge, does not extend more than 4 inches aft of the escape opening, is no wider than 36 inches (3 feet), and the mesh size is no larger than 2 inches stretch.

(3) "Hard" TEDs must conform to the following specifications:

(a) The TED must be a single, rigid, oval deflector grid which is made of steel rod or pipe not less than ⅓ inch diameter, aluminum rod or pipe not less than ½ inch diameter, or fiberglass rod of comparable strength

(b) The TED must be installed such that it is at a 30 degree to 45 degree angle from the horizontal when in use

(c) The minimum inside diameter may not be less than 30 inches

(d) The minimum (slit) escape opening is 35 inches

(e) The maximum spacing between the bars is 4 inches; there is no minimum spacing

(f) All "hard" TEDs must be top exiting only

(g) An optional, rectangular flap may be installed over the escape opening, provided it is attached only on its forward edge, does not extend more than 4 inches aft of the escape opening, is no wider than 36 inches (3 feet), and the mesh size is no larger than 2 inches stretch.

(4) Channel (set) nets will not require Turtle Excluder Devices if they are fished east of a line in Winyah Bay from the front range on Big Marsh Island, running southeast to Day Marker No. 18, thence running south southeast to red Nun Buoy No.16. All channel nets west of this line must use approved Turtle Excluder Devices. Channel nets in North Santee Bay will not be required to have Turtle Excluder Devices. However, the Department may require TEDs in additional or all open areas if a significant threat to sea turtles is determined.

(5) Any sea turtle accidentally taken must be immediately released unless it is apparent that resuscitation is required. If resuscitation is required, the fisherman must retain the turtle until such time that the turtle has sufficiently recovered and is capable of swimming. At that time, the turtle must be released.

HISTORY: Added by State Register Volume 21, Issue No. 6, Part 2, eff June 27, 1997.

ARTICLE 3
WILDLIFE AND FRESH WATER FISHERIES DIVISION—HUNTING REGULATIONS

(Statutory Authority: 1976 Code Sections 50–1–60, 50–1–200, 50–1–220, 50–3–100, 50–9–650, 50–11–10, 50–11–65, 50–11–96, 50–11–105, 50–11–310, 50–11–315, 50–11–320, 50–11–350, 50–11–365, 50–11–390, 50–11–410, 50–11–430, 50–11–500, 50–11–520, 50–11–525, 50–11–530, 50–11–580, 50–11–854, 50–11–2200 and 50–11–2210.)

Subarticle 1
Hunting in Wildlife Management Areas

123–40. Wildlife Management Area Regulations.

1.1 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:

A. Game Zone 1

1. Other WMAs

(a) Archery Hunts for Deer

(i) Oct. 17 - Oct. 30

(b) Primitive Weapons for Deer

(i) Oct. 1 through Oct. 10

(c) Still Gun Hunts for Deer

(i) Oct. 11 through Oct. 16; Oct. 31 - Jan. 1

(d) Still Gun Hunts for Bear

(i) Game Zone 1 seasons and bag limits apply

(e) Special Party Dog Hunt for Bear

(i) Game Zone 1 seasons and bag limits apply

(f) Small Game

(i) Game Zone 1 seasons and bag limits apply

(g) Hog Hunts with Dogs

(i) Jan. 2 - Jan. 10, Mar. 20 - Mar. 28

2. Glassy Mountain Archery Only Area - Chestnut Ridge Heritage Preserve

(a) Archery Hunts for Deer.

(i) Oct. 1 - Jan. 1

(b) Small Game

(i) Game Zone 1 seasons and bag limits apply

3. Long Creek Tract

(a) Game Zone 1 seasons and bag limits, except no deer hunting on or after Thanksgiving Day

B. Game Zone 2

1. Other WMAs

(a) Archery Hunts for Deer

(i) Sept. 15 - Sept. 30

(b) Primitive Weapons for Deer

(i) Oct. 1 through Oct. 10

(c) Still Gun Hunts for Deer

(i) Oct. 11 through Jan. 1

(d) Small Game

(i) Game Zone 2 seasons and bag limits apply

(e) Hog Hunts with Dogs

(i) Jan. 2 - 10, Mar. 20 - 28

2. Keowee WMA

(a) Designated as a Quality Deer Management Area. No hunting is allowed in research and teaching areas of Keowee WMA posted with white signs except those special hunts for youth or mobility-impaired as conducted by the Department.

(b) North of Hwy 123 and west of the Keowee arm of Lake Hartwell, and west of Hwy 291, small game hunting with shotguns only. All other areas are archery only for small game.

(c) Archery Hunts for Deer

(i) Oct. 15- Dec. 22

(d) Raccoon and Opossum

(i) Game Zone 2 seasons and bag limits

(e) Other Small Game

(i) Game Zone 2 seasons and bag limits apply.

(ii) No small game hunting during archery deer hunts except for waterfowl, designated dove field hunting, or raccoon and opossum hunting at night.

3. Draper WMA

(a) Data cards required for hunter access, except draw dove hunts. Completed data cards must be returned daily before leaving the WMA.

(b) Archery Hunts for Deer

(i) Sept. 15 - Sept. 30

(c) Primitive Weapons for Deer

(i) Oct. 1 - Oct. 10

(d) Still Gun Hunts for Deer

(i) Oct. 11 - Jan. 1

(e) Quail Hunts

(i) 1st and 2nd Sat. in Dec., 3rd and 4th Wed. in Dec., 1st and 2nd Wed. and Sat. in Jan.

(ii) Game Zone 2 bag limit

(iii) PM Shooting hours end 30 minutes prior to official sunset.

(f) Rabbit Hunts

(i) Wed. and Sat. in Jan. and Feb. following the last scheduled quail hunt until Mar. 1

(ii) Game Zone 2 bag limit

(g) Other Small Game (no fox squirrels)

(i) Zone 2 seasons and bag limits apply

4. Fant's Grove WMA

(a) Designated as a Quality Deer Management Area

(b) Archery Deer Hunts

(i) Oct. 15- Dec. 22

(c) Special Gun Hunts for Deer

(i) Hunters selected by drawing

(ii) Total 1 deer, either-sex.

(d) Raccoon and Opossum

(i) Game Zone 2 seasons and bag limits

(e) Other Small Game

(i) Game Zone 2 seasons and bag limits apply

(ii) No small game hunting during archery deer hunts except for waterfowl, designated dove field hunting, or raccoon and opossum hunting at night.

(iii) Waterfowl may be hunted Wed. and Sat. AM only.

5. Rock Hill Blackjacks HP WMA

(a) Archery Deer Hunts

(i) Sept. 15 - Jan. 1

(b) Small Game

(i) No small game hunting

6. Belfast WMA

(a) All terrain vehicles are prohibited. 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 on designated hunts. Public visitation is not allowed during scheduled deer and turkey hunts. Data cards required for hunter access. Completed data cards must be returned daily upon leaving Belfast WMA.

(b) Designated as a Quality Deer Management Area.

(c) Archery Hunts for Deer

(i) Sept. 15 - Sept. 30

(d) Still Gun Hunts for Deer

(i) Hunters selected by drawing

(e) Small Game (no fox squirrels)

(i) Game Zone 2 seasons and bag limits

7. Broad River Waterfowl Management Area

(a) Archery Deer Hunts

(i) Sept. 15 - Oct. 31

(b) Small Game

(i) Feb. 8 - Mar. 1

(ii) Game Zone 2 bag limits

8. McCalla WMA

(a) Designated as a Quality Deer Management Area.

(b) Deer Hunts

(i) Game Zone 2 seasons

(c) Small Game

(i) Game Zone 2 seasons and bag limits apply

(d) Hog Hunts with Dogs

(i) Jan. 2 - 10, Mar. 20 - 28

(e) Special Hunt Area for Youth and Mobility Impaired Hunters

(i) No open season except for hunters selected by drawing

(ii) 1 deer per day, either-sex

9. Worth Mountain WMA

(a) Designated as a Quality Deer Management Area

(b) Deer Hunts

(i) Game Zone 2 seasons

(c) Small Game

(i) Game Zone 2 seasons and bag limits apply.

10. Liberty Hill WMA

(a) Designated as a Quality Deer Management Area.

(b) Archery Hunts for Deer

(i) Sept. 15 - Sept. 30

(c) Primitive Weapons for Deer

(i) Oct. 1 - Oct. 10

(d) Still Gun Hunts for Deer

(i) Oct. 11 - Jan. 1

(e) Small Game (no fox squirrels)

(i) Zone 2 seasons and bag limits apply.

11. Delta North WMA

(a) Deer Hunts

(i) Game Zone 2 seasons

(b) Small Game (no fox squirrels)

(i) Game Zone 2 seasons and bag limits apply

12. Delta South WMA

(a) Archery Hunts for Deer

(i) Sept. 15 - Sept. 30

(b) Still Gun Hunts for Deer

(i) Nov. 1-Nov. 21, Wednesdays and Saturdays Only.

(ii) Special hunts for youth or mobility impaired hunters as published by SCDNR.

(c) Small Game (no fox squirrels)

(i) Game Zone 2 seasons and bag limits

13. Forty Acre Rock HP WMA

(a) Archery Hunts for Deer

(i) Sept. 15 - Sept. 30

(b) Primitive Weapons for Deer

(i) Oct. 1 - Oct. 10

(c) Still Gun Hunts for Deer

(i) Oct. 11 - Jan. 1

(d) Small Game (no fox squirrels)

(i) Game Zone 2 seasons and bag limits apply

C. Game Zone 3

1. Other WMAs

(a) Archery Deer Hunts

(i) Sept. 15 - Sept. 30

(b) Still Gun Hunts for Deer

(i) Oct. 1 - Jan. 1

(c) Small Game

(i) Game Zone 3 seasons and bag limits apply

2. Crackerneck WMA and Ecological Reserve

(a) All individuals must sign in and out at main gate. Designated as a Quality Deer Management Area. Scouting seasons (no weapons), will be Saturdays only during September, March, and May. The gate opens at 6:00am and closes at 8:00pm. On deer hunt days, gates will open as follows: Oct., 4:30am-8:30pm; Nov. - Dec., 4:30am-7:30pm. For special hog hunts in Jan. and Feb., gate will be open from 5:30am-7:00pm. On all raccoon hunts, raccoon hunters must cease hunting by midnight and exit the gate by 1:00am. All reptiles and amphibians are protected. No turtles, snakes, frogs, toads, salamanders etc. can be captured, removed, killed or harassed.

(b) Archery Deer Hunts

(i) 1st Fri. and Sat. in Oct

(c) Primitive Weapons Deer Hunts (no buckshot).

(i) 2nd Fri. and Sat. in Oct.

(d) Still Gun Hunts for Deer

(i) 3rd Fri. in Oct. - Jan. 1, Fri., Sat. and Thanksgiving Day only except closed Dec. 25.

(e) Raccoon and Opossum

(i) 3rd Sat. night in Oct. - Jan. 1, Sat. nights only, except closed Dec. 25, 1st Fri. night in Jan. to last Fri. or Sat. night in Feb., Fri. and Sat. nights only.

(ii) 3 raccoons per party per night

(f) Hog Hunts with Dogs (handguns only)

(i) 1st Fri. after Jan. 1 - last Fri. in Feb. Fridays only

(ii) No limit.

(g) Other Small Game (except no open season on bobcats, foxes, otters or fox squirrels).

(i) 3rd Fri. in Oct. - last Fri. or Sat. in Feb. Fri., Sat. and Thanksgiving Day only except closed Dec.25.

(ii) Game Zone 3 bag limits

3. Aiken Gopher Tortoise Heritage Preserve WMA

(a) Archery Deer Hunts

(i) Sept. 15 - Sept. 30

(b) Still Gun Hunts for Deer

(i) Oct. 1 - Jan. 1.

(c) Small Game (no fox squirrels).

(i) Thanksgiving day - Mar. 1.

(ii) Game Zone 3 bag limits.

4. Ditch Pond Heritage Preserve WMA

(a) Archery Deer Hunts.

(i) Sept. 15 - Jan. 1

(b) Small Game (no fox squirrels).

(i) Game Zone 3 seasons and bag limits

5. Henderson Heritage Preserve WMA

(a) Archery Deer Hunts.

(i) Sept. 15 - Jan. 1

(b) No small game hunting allowed

6. Francis Marion National Forest

(a) During deer hunts when dogs are used, buckshot only is permitted. On hunts with dogs, all deer must be checked in by one hour after legal sunset. Individual antlerless deer tags are not valid during dog hunts for deer. 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. No fox or coyote hunting with dogs on the Francis Marion.

(b) Hog Hunts with Dogs

(i) 3rd full week in Mar., 3rd full week in May

(c) Still Hog Hunts

(i) First full week in Mar.

(d) Hellhole WMA

(i) Archery Deer Hunts

(1) Sept. 15 - Oct. 10

(ii) Still Gun Hunts for Deer

(1) Oct. 11 - Jan. 1 except during scheduled dog drive hunts

(iii) Deer Hunts with Dogs (shotguns only)

(1) 1st Sat. in Nov., 1st Sat. in Dec.

(a) 2 deer per day, buck only

(iv) Youth Only Deer Hunt with Dogs

(1) Sat. following the 2-day Wambaw buck only hunt in Nov.

(2) Requirements and bag limits for youth are the same as the statewide youth deer hunt day.

(v) Small Game (no open season for fox hunting)

(1) Game Zone 3 seasons and bag limits apply.

(2) Dogs allowed during small game gun season only. Closed during scheduled periods using dogs to hunt deer.

(e) Waterhorn WMA

(i) Archery Deer Hunts

(1) Sept. 15 - Oct. 10

(ii) Muzzleloader Hunts for Deer

(1) Oct. 11 - Oct. 20

(iii) Still Gun Hunts for Deer

(1) Every Friday and Saturday beginning Nov. 1.

(iv) Small Game (no open season for fox hunting)

(1) Game Zone 3 seasons and bag limits apply.

(2) Dogs allowed during small game gun season only. Closed to small game and waterfowl hunting during scheduled deer hunt periods.

(f) Wambaw WMA

(i) Archery Deer Hunts

(1) Sept. 15 - Oct. 10

(ii) Still Gun Hunts for Deer

(1) Oct. 11 - Jan. 1 except during scheduled dog drive hunts west of Hwy 17.

(2) Still gun hunts only East of Hwy 17. No buckshot.

(iii) Deer Hunts with Dogs (shotguns only)

(1) Fri. in Sept. before the last Sat. Northampton dog hunt, Wed. and Thurs. before the 3rd Sat. in Nov. and 2nd Sat. in Oct., first 2 days excluding Sunday after Dec. 25

(a) 2 deer per day, buck only

(2) 2nd Sat. in Dec.

(a) 1 deer per day

(b) All deer must be checked in at designated check stations.

(iv) Youth Only Deer Hunt with Dogs

(1) 1st date specific either-sex day in November.

(2) Requirements and bag limits for youth are the same as the statewide youth deer hunt day.

(v) Seewee Special Use Area

(1) Archery Deer Hunts

(2) Sept. 15 - Jan. 1

(vi) Small Game (no open season for fox hunting)

(1) Game Zone 3 seasons and bag limits apply.

(2) Dogs allowed during small game gun season only. Closed during scheduled periods using dogs to hunt deer.

(g) Northampton WMA

(i) Archery Deer Hunts

(1) Sept. 15 - Oct. 10

(ii) Still Gun Hunts for Deer

(1) Oct. 11 - Jan. 1 except during scheduled dog drive hunts.

(iii) Deer Hunts with Dogs (shotguns only)

(1) Last Sat. in Sept., Wed. and Thurs. before the 2nd Sat. in Oct., Fri. before the 4th Sat. in Nov., 3rd day excluding Sunday after Dec. 25

(a) 2 deer per day, buck only

(2) 2nd Sat. in Dec.

(a) 1 deer per day

(b) All deer must be checked in at designated check stations.

(iv) Youth Only Deer Hunt with Dogs

(1) Last Saturday in Nov.

(2) Requirements and bag limits for youth are the same as the statewide youth deer hunt day.

(v) Small Game (no open season for fox hunting)

(1) Game Zone 3 seasons and bag limits apply.

(2) Dogs allowed during small game gun season only. Closed during scheduled periods using dogs to hunt deer.

(h) Santee WMA

(i) Archery Deer Hunts

(1) Sept. 15 - Oct. 10

(ii) Still Gun Hunts for Deer

(1) Oct. 11 - Jan. 1 except during scheduled dog drive hunts

(iii) Deer Hunts with Dogs (shotguns only)

(1) 2nd Fri. and Sat. in Sept., Wed. and Thurs. before the 4th Sat. in Oct., 1st Fri. in Dec.

(a) 2 deer per day, buck only

(2) 2nd Sat. in Dec.

(a) 1 deer per day

(b) All deer must be checked in at designated check stations.

(iv) Youth Only Deer Hunt with Dogs

(1) 3rd Sat. in Oct.

(2) Requirements and bag limits for youth are the same as the statewide youth deer hunt day.

(v) Small Game (no open season for fox hunting)

(1) Game Zone 3 seasons and bag limits apply.

(2) Dogs allowed during small game gun season only. Closed during scheduled periods using dogs to hunt deer.

7. Moultrie

(a) No hunting or shooting within fifty feet of the center of any road during gun hunts for deer except for SCDNR draw youth hunts.

(b) Bluefield WMA

(i) Open only to youth 17 years of age or younger who must be accompanied by an adult at least 21 years of age. Youth hunters must carry a firearm and hunt. Adults with youth are allowed to carry a weapon and hunt.

(ii) Still Gun Hunts for Deer

(1) Sept. 15 - Jan. 1, Wed. and Sat. only

(iii) Small Game (no fox squirrels)

(1) Game Zone 3 seasons and bag limits apply.

(2) No small game hunting during scheduled deer hunts.

(c) Greenfield WMA

(i) Still Gun Hunts for Deer

(1) Sept. 15 - Jan. 1

(ii) Small Game (no fox squirrels)

(1) Game Zone 3 seasons and bag limits

(d) North Dike WMA

(i) Still Gun Hunts for Deer

(1) Sept. 15 - Oct. 15.

(ii) Special Gun Hunts for youth and women

(1) Hunters selected by drawing.

(2) 1 deer per day

(iii) Small Game (no fox squirrels)

(1) Jan. 2 - Mar. 1

(2) Game Zone 3 bag limits.

(3) Sandy Beach Waterfowl Area open for raccoon hunting Feb. 1 - Mar. 1

(e) Porcher and Hall WMAs

(i) Archery Deer Hunts

(1) Sept. 15 - Jan. 1

(ii) Small Game (no fox squirrels) shotguns only

(1) Jan. 2 - Mar. 1

(2) Game Zone 3 bag limits

(f) Cross Station Site

(i) Special Gun Hunts for youth and women

(1) No open season except hunters selected by drawing

(2) 1 deer per day

8. Santee Cooper WMA

(a) Data cards required for hunter access. Completed data cards must be returned daily upon leaving. Hunters limited to two deer/tree stands which must contain a label with the hunter's name and address. No stands may be placed on Santee Cooper WMA prior to Sept. 1. Campground is open during scheduled deer hunts only. All impoundments and posted buffers are closed to all public access Nov. 1 - Feb. 8 except during hunts as prescribed by the Department.

(b) Designated as a Quality Deer Management Area

(c) Archery Deer Hunts

(i) Sept. 15 - Oct. 31

(d) Primitive Weapons Deer Hunts

(i) Nov. 1 - Monday before Thanksgiving Day

(e) Special Gun Hunts for youth

(i) Hunters selected by drawing.

(ii) 1 deer per day

(f) Small Game (no fox squirrels)

(i) Game Zone 3 seasons and bag limits

9. Webb WMA

(a) Data cards are required for hunter access. Completed data cards must be returned daily upon leaving. Designated as a Quality Deer Management Area.

(b) Still Hunts for Deer

(i) Hunters selected by drawing

(ii) 2 deer, either-sex but only 1 buck

(c) Hog Hunts with Dogs

(i) 1st Thurs. - Sat. in Mar., 2nd Thurs. - Sat. in May, 4th Thurs. - Sat. in June, 4th Thurs. - Sat. in July, and last Thurs. - Sat. in August

(d) Quail Hunts

(i) 2nd and 4th Wed. in Jan., 2nd and 4th Sat. in Jan., 1st and 3rd Sat. in Feb., 1st and 3rd Wed. in Feb.

(ii) Game Zone 3 bag limit

(iii) Shooting hours end 30 minutes prior to official sunset

(e) Raccoon and Opossum

(i) Tues. nights and Sat. nights between Oct. 11 - Sat. before Thanksgiving; The full week of Thanksgiving; Tues. nights and Sat. nights from the Tues. after Thanksgiving until Dec. 15.; Dec. 15- Mar. 1

(ii) On Saturdays prior to Dec. 15, no entry onto WMA until 1 hour after official sunset.

(iii) Game Zone 3 bag limits

(f) Other Small Game (no fox squirrels)

(i) The full week of Thanksgiving, Dec. 15 - Mar. 1

(ii) Game Zone 3 bag limits

(g) Dove Hunting

(i) Designated public dove field only on specified days.

10. Bear Island WMA

(a) All hunters must sign in and out at the Bear Island Office. Hunting in designated areas only.

(b) Archery Deer Hunts

(i) Oct. 1 - Oct. 10

(c) Still Gun Hunts for Deer

(i) Hunters selected by drawing

(ii) 3 deer, either-sex but only 1 buck

(d) Hog Hunts with Dogs

(i) 1st Thurs. - Sat. in March

(e) Alligator Hunts (Bear Island East and West Units only)

(i) Hunters selected by drawing only. Limited season with restricted access.

(ii) Limit and size restrictions as prescribed.

(f) Small Game

(i) Feb. 8 - Mar. 1

(ii) Game Zone 3 bag limits

11. Donnelley WMA

(a) All hunters must sign in and out at the check station. Hunting in designated areas only.

(b) Archery Deer Hunts

(i) Sept. 15 - Sept. 30

(c) Still Gun Hunts for Deer

(i) Hunters selected by drawing

(ii) 3 deer, either-sex but only 1 buck

(d) Hog Hunts with Dogs

(i) 1st Thurs. - Sat. in March

(e) Small Game (no fox squirrels)

(i) Game Zone 3 seasons and bag limits

12. Hatchery WMA

(a) Archery Deer Hunts

(i) Sept. 15 - Jan. 1

(b) No small game hunting

13. Bonneau Ferry WMA

(a) All terrain vehicles prohibited. Hunting access by boat is prohibited. For hunting, the Adult/youth side 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, regulations for the adult/youth and general use sides of the property will alternate each year as prescribed by the Department. All hunters must sign in and sign out upon entering or leaving. All deer must be checked out at the main entrance. 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 - Feb. 8 except for special draw deer hunts and waterfowl hunts regulated by DNR during the regular waterfowl season. Hunted areas are closed to general public access during scheduled deer, turkey and waterfowl hunts. No fox hunting.

(b) Adult/Youth Side

(i) Still Gun Hunts for Deer

(1) Sept. 15 - Jan. 1, Wed., Fri. and Sat., entire week of Thanksgiving and 5 days before Christmas until Jan. 1

(c) General Use Side

(i) Archery Deer Hunts

(1) Sept. 15 - Sept. 30

(ii) Still Gun Hunts for Deer

(1) Hunters selected by drawing

(2) Total 3 deer, either-sex except only 1 buck.

(3) Hunters are required to have permit in possession and must sign in and out (Name, permit # and deer killed each day).

(d) Small Game (no fox squirrels or fox)

(i) Jan. 2 - Mar. 1

(ii) Game Zone 3 bag limits

(iii) Dogs allowed during gun seasons only

(e) Bonneau Ferry Fishing Regulations

(i) Open to fishing on Thurs. through Sun. from Mar. 2 - Oct. 31 during daylight hours only

(ii) Adult/youth fishing only. Each youth (17 years and under) must be accompanied by no more than two adults 18 years of age or older.

(iii) The youth must actively fish.

(iv) Fishing is not allowed during scheduled deer and turkey hunts.

(v) Only electric motors may be used.

(vi) Creel limits per person per day are: largemouth bass - 2, panfish (bluegill, redear, crappie, pumpkinseed, redbreast) - 10, catfish - 5, species not listed - no limit. Grass carp must be released alive immediately.

14. Santee Coastal Reserve WMA

(a) Archery Deer Hunts

(i) Sept. 15 - Jan. 1

(ii) Hunting on mainland only

(b) Hog Hunts with Dogs

(i) 2nd full week in March

(c) Alligator Hunts

(i) Hunters selected by drawing only. Limited season with restricted access.

(ii) Limit and size restrictions as prescribed

(d) Small Game (no fox squirrels)

(i) Game Zone 3 seasons and bag limits

15. Dungannon Heritage Preserve WMA

(a) Archery Deer Hunts

(i) Sept. 15 - Jan. 1

(b) Small Game (no fox squirrels)

(i) Thanksgiving Day - Jan. 31

(ii) Game Zone 3 bag limits

16. Edisto River WMA

(a) Archery Deer Hunts

(i) Sept. 15 - Oct. 10

(b) Still Gun Hunts for Deer

(i) Oct. 11 - Jan. 1

(c) Raccoon and Opossum

(i) Game Zone 3 seasons and bag limits

(d) Other Small Game

(i) Game Zone 3 seasons and bag limits

17. Canal WMA

(a) Quail Hunts

(i) Game Zone 3 season and bag limit

18. Palachucola WMA

(a) Data cards are required for hunter access. Completed data cards must be returned daily upon leaving WMA. Designated as a Quality Deer Management Area.

(b) Archery Deer Hunts

(i) Sept. 15 - Oct. 10

(c) Still Gun Hunts for Deer

(i) Hunters selected by drawing

(ii) 3 deer, either-sex but only 1 buck

(d) Hog Hunts with Dogs

(i) 1st Thurs. - Sat. in Mar., 2nd Thurs. - Sat. in May, 4th Thurs. - Sat. in June, 4th Thurs. - Sat. in July, and last Thurs. - Sat. in August

(e) Quail Hunts

(i) 2nd and 4th Wed. in Jan., 2nd and 4th Sat. in Jan., 1st and 3rd Sat. in Feb., 1st and 3rd Wed. in Feb.

(ii) Game Zone 3 bag limit

(iii) Shooting hours end 30 minutes prior to official sunset.

(f) Raccoon and Opossum

(i) Tues. nights and Sat. nights between Oct. 11 - Sat. before Thanksgiving; The full week of Thanksgiving; Tues. nights and Sat. nights from the Tues. after Thanksgiving until Dec. 15.; Dec. 15- Mar. 1

(ii) On Saturdays prior to Dec. 15, no entry onto WMA until 1 hour after official sunset.

(iii) Game Zone 3 bag limits

(g) Other Small Game (no fox squirrels)

(i) The full week of Thanksgiving, Dec. 15 - Mar. 1

(ii) Game Zone 3 bag limits

19. St. Helena Sound Heritage Preserve WMA

(a) Deer hunting by permit only obtained at McKenzie Field Station. Camping by special permit only and on Otter Island only.

(b) Ashe, Beet, Warren, Otter, Big, South Williman, North Williman and Buzzard Islands Archery Deer Hunts

(i) Sept. 15 - Jan. 1

(c) No small game hunting

20. Tillman Sand Ridge Heritage Preserve WMA

(a) Archery Deer Hunts

(i) Sept. 15 - Jan. 1

(b) Small Game (no fox squirrels)

(i) Game Zone 3 seasons and bag limits

21. Victoria Bluff Heritage Preserve WMA

(a) Archery Deer Hunts

(i) Sept. 15 - Jan. 1

(b) Small Game (no fox squirrels)

(i) Jan. 2 - Mar. 1

(ii) Game Zone 3 bag limits

(iii) Shotguns only

22. Hamilton Ridge WMA

(a) Designated as a Quality Deer Management Area. Horseback riding by permit only. No ATVs allowed. Data cards are required for hunter access. Completed data cards must be returned daily upon leaving the WMA.

(b) Archery Deer Hunts

(i) Sept. 15 - Oct. 10

(c) Still Gun Hunts for Deer

(i) Hunters selected by drawing

(ii) 3 deer, either-sex but only 1 buck

(d) Hog Hunts with Dogs

(i) 1st Thurs. - Sat. in Mar., 2nd Thurs. - Sat. in May, 4th Thurs. - Sat. in June, 4th Thurs. - Sat. in July, and last Thurs. - Sat. in August.

(e) Quail Hunts

(i) 2nd and 4th Wed. in Jan., 2nd and 4th Sat. in Jan., 1st and 3rd Sat. in Feb., 1st and 3rd Wed. in Feb.

(ii) Game Zone 3 bag limit

(iii) Shooting hours end 30 minutes prior to official sunset.

(f) Raccoon and Opossum

(i) Tues. nights and Sat. nights between Oct. 11 - Sat. before Thanksgiving; The full week of Thanksgiving; Tues. nights and Sat. nights from the Tues. after Thanksgiving until Dec. 15.; Dec. 15- Mar. 1

(ii) On Saturdays prior to Dec. 15, no entry onto WMA until 1 hour after official sunset.

(iii) Game Zone 3 bag limits

(g) Other Small Game (no fox squirrels)

(i) The full week of Thanksgiving, Dec. 15 - Mar. 1.

(ii) Game Zone 3 bag limits

(iii) Dove hunting on designated public dove field only

23. Old Island Heritage Preserve WMA

(a) Archery Deer Hunts

(i) Sept. 15 - Jan. 1

(b) No small game hunting

24. Botany Bay Plantation Heritage Preserve WMA

(a) Designated as a Quality Deer Management Area. 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.

(b) Archery Deer Hunts

(i) Sept. 15 - Oct. 10, Mon. - Sat. during the week of Thanksgiving, Mon. - Sat. during the week of Christmas.

(c) Still Gun Hunts for Deer

(i) Hunters selected by drawing

(ii) Total 3 deer, either-sex but only 1 buck

(iii) 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.

(d) Small Game (no fox squirrels or foxes)

(i) Jan. 2 - Mar. 1 (Wed. through Sat. only)

(ii) Game Zone 3 bag limits

(iii) Dogs allowed during gun seasons only

25. Congaree Bluffs Heritage Preserve WMA

(a) Still Gun Hunts for Deer

(i) Hunters selected by drawing.

(ii) Total 1 deer per day, either-sex

(b) No small game hunting

26. Wateree River Heritage Preserve WMA

(a) Data cards are required for hunter access. Completed data cards must be returned daily upon leaving WMA. Designated as a Quality Deer Management Area.

(b) Archery Deer Hunts

(i) Sept. 15 - Oct. 10

(c) Still Gun Hunts for Deer

(i) Hunters selected by drawing

(ii) 3 deer, either-sex but only 1 buck

(d) Small Game (no fox squirrels)

(i) Jan. 2 - Mar. 1

(ii) Game Zone 3 bag limits.

27. South Fenwick Island

(a) Deer hunting by permit only. Primitive camping is allowed by permit within designated areas. Permits available from DNR through the McKenzie Field Station. Property is closed to other users during scheduled deer hunts.

(b) Archery Deer Hunts

(i) October 1–10

(c) No small game hunting

28. Turtle Island

(a) No hunting except waterfowl and marsh hens

D. Game Zone 4

1. Other WMAs

(a) Archery Deer Hunts.

(i) Sept. 15 - Oct. 10

(b) Still Gun Hunts for Deer

(i) Oct. 11 - Jan. 1

(c) Small Game

(i) Game Zone 4 seasons and bag limits apply

2. Marsh WMA

(a) 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. No ATVs allowed.

(b) Special Hunt Area for Youth and Mobility Impaired Hunters

(i) No open season except for hunters selected by drawing

(ii) 1 deer per day, either-sex

(c) Archery Deer Hunts

(i) Sept. 15 - Oct. 31

(d) Still Gun Hunts for Deer

(i) Nov. 1 - Nov. 30

(e) Still Hog Hunts

(i) First full week in Mar.

(f) Hog Hunts with Dogs

(i) 3rd full week in Mar. and 3rd full week in May

(g) Raccoon and Opossum Hunts

(i) Game Zone 4 seasons and bag limits

(h) Other Small Game (no fox squirrels)

(i) Thanksgiving - Mar. 1

(ii) Game Zone 4 bag limits

(i) Quail Hunts

(i) Monday before Thanksgiving, Thanksgiving Day, 1st & 3rd Wed. in December, 1st & 3rd Sat. in December, 2nd Wed. & Sat. in January.

(ii) Game Zone 4 bag limit.

(iii) Shooting hours end 30 minutes prior to official sunset.

3. Sand Hills State Forest WMA

(a) Hunting by the general public closed during scheduled field trials on the Sand Hills State Forest Special Field Trial Area. Hunting allowed during permitted field trials on the Sand Hills State Forest Special Field Trial Area in compliance with R.123–96. No man-drives allowed.

(b) Archery Deer Hunts

(i) Sept. 15 - Oct. 10

(c) Still Gun Hunts for Deer

(i) Oct. 11 - Jan. 1

(d) Small Game

(i) Game Zones 4 seasons and bag limits apply. No daytime fox hunting from Sept. 15 - Jan. 1

4. McBee WMA

(a) All visitors are required to sign in upon entry to the WMA and sign out upon exit and provide any additional information requested on sign-in sheets at the kiosk. No ATVs allowed.

(b) Archery Deer Hunts

(i) Sept. 15 - Oct. 10

(c) Still Gun Hunts for Deer.

(i) Oct. 11 - Saturday before Thanksgiving

(d) Quail

(i) no open season except hunters selected by drawing. Bag limit 10 birds per hunt party.

(e) Other Small Game (no fox squirrels)

(i) Jan. 15 - Mar. 1

(ii) Game Zone 4 bag limits

5. Pee Dee Station Site WMA

(a) All visitors are required to sign in upon entry to the WMA and sign out upon exit and provide any additional information requested on sign in sheets at the kiosk. No ATVs allowed.

(b) Archery Deer Hunts

(i) Sept. 15 - Oct. 31

(c) Primitive Weapons Deer Hunts

(i) Nov. 1 - Nov. 30

(d) Small Game (no fox squirrels)

(i) Game Zone 4 seasons and bag limits

6. Woodbury WMA

(a) All visitors are required to sign in upon entry and sign out upon exit and provide any additional information requested on sign in sheets at the kiosk. No ATVs allowed.

(b) Designated as a Quality Deer Management Area

(c) Archery Deer Hunts

(i) Sept. 15 - Oct. 10

(d) Primitive Weapons Deer Hunts

(i) Oct. 11 - Oct. 20

(e) Still Gun Hunts for Deer

(i) Oct. 21 - Jan. 1

(f) Still Hog Hunts

(i) First full week in Mar.

(g) Hog Hunts with Dogs

(i) 3rd full week in Mar. and 3rd full week in May

(h) Small Game (no fox squirrels)

(i) Game Zone 4 seasons and bag limits

7. Little Pee Dee Complex WMA

(a) Includes Little Pee Dee River HP, Tilghman HP, Dargan HP and Ward HP in Horry and Marion Counties. This also includes the Upper Gunters Island and Huggins tracts in Horry Co. which are part of Dargan HP.

(b) Archery Deer Hunts

(i) Sept. 15 - Oct. 10

(c) Primitive Weapons Deer Hunts

(i) Oct. 11 - Oct. 20.

(d) Still Gun Hunts for Deer

(i) Oct. 21 - Jan. 1.

(e) Still Hog Hunts

(i) First full week in Mar.

(f) Hog Hunts with Dogs

(i) 2nd full week in Mar.

(g) Small Game (no fox squirrels)

(i) Game Zone 4 seasons and bag limits

(h) Bear Season

(i) October 17 - October 30

8. Great Pee Dee Heritage Preserve WMA

(a) All visitors are required to sign in upon entry and sign out upon exit and provide any additional information requested on sign in sheets at the kiosk. No ATVs allowed.

(b) For big game hunting, access is restricted from two hours before sunrise to two hours after official sunset.

(c) Archery Deer Hunts

(i) Sept. 15 - Oct. 31

(d) Still Gun Hunts for Deer

(i) Nov. 1 - Nov. 30

(e) Still Hog Hunts

(i) First full week in March

(f) Hog Hunts with Dogs

(i) 3rd full week in Mar. and 3rd full week in May

(g) Other Small Game (no fox squirrels)

(i) Game Zone 4 seasons and bag limits

9. Longleaf Pine Heritage Preserve WMA

(a) Archery Deer Hunts

(i) Sept. 15 - Oct. 10

(b) Still Gun Hunts for Deer

(i) Oct. 11 - Jan. 1

(c) Small Game (no fox squirrels)

(i) Game Zone 4 seasons and bag limits

10. Manchester State Forest WMA

(a) Deer must be checked at designated check stations. Individual antlerless deer tags are not valid during dog hunts for deer.

(b) Archery Deer Hunts

(i) 3rd Mon. in Sept. - the following Sat.

(c) Primitive Weapons Deer Hunts

(i) 4th Mon. in Sept. - following Sat.

(d) Deer Hunts with Dogs

(i) Clubs selected by drawing.

(ii) 10 antlered deer per day per club, 5 antlerless deer per day per club, 1 deer per person.

(e) Still Gun Hunts for Deer

(i) 5th Mon. in Sept. - following Sat., 1st Mon. in Oct. - following Sat., 2nd Mon. in Oct. - following Sat., 3rd Tues. in Oct. - following Fri., 4th Tues in Oct. - following Fri., 5th Tues. in Oct. - following Thurs., 1st Tues. in Nov. - following Fri., 2nd Tues in Nov. - following Sat., 3rd Tues. in Nov. - following Fri., Mon. - Sat. the week of Thanksgiving, 4th Mon. in Nov. - following Fri., 1st Tues. in Dec. - following Fri., 1st full week following the 1st Tues. in Dec. - following Fri., 2nd full week following the 1st Tues. in Dec. - following Fri., 3rd full week following 1st Tues. in Dec. - following Sat.

(ii) In years when there is a fifth Tues. in Oct., additional deer hunts may be scheduled on Fri. and Sat. during Oct. and Nov.

(iii) In years when there is a fifth Mon. in Dec., additional hunts may be scheduled that week.

(f) Small Game

(i) Game Zone 4 seasons and bag limits

(g) Hog Hunts with Dogs

(i) 2nd full week in Mar.

11. Lynchburg Savanna Heritage Preserve WMA

(a) Small Game Only (no fox squirrels)

(i) Game Zone 4 seasons and bag limits

12. Hickory Top WMA

(a) Data cards required for hunter access. Completed data cards must be returned daily upon leaving. The Greentree Reservoir is open to hunting during the regular Hickory Top seasons during years when the Greentree Reservoir remains unflooded.

(b) Archery Deer Hunts

(i) Sept. 15 - Oct. 31

(c) Primitive Weapons Deer Hunts

(i) Nov. 1 - Jan. 1

(d) Hog Hunts with Dogs

(i) 2nd full week in Mar.

(e) Small Game (no fox squirrels)

(i) Game Zone 4 seasons and bag limits apply.

13. Oak Lea WMA

(a) Data cards required for hunter access during archery deer hunts, turkey hunts and small game hunts. Completed data cards must be returned daily upon leaving the WMA.

(b) Archery Deer Hunts

(i) Sept. 15 - 30

(c) Still Gun Hunts for Deer

(i) Hunters selected by drawing

(ii) Total 20 deer per hunt party, either-sex

(d) Small Game (except quail)

(i) Jan. 2 - Mar. 1 except no small game hunting during scheduled quail hunts

(ii) Game Zone 4 bag limits

(e) Quail

(i) Designated dates within Game Zone 5 season

(ii) Game Zone 4 bag limit

14. Santee Dam WMA

(a) Archery Deer Hunts

(i) Sept. 15 - Oct. 31

(b) Primitive Weapons Deer Hunts

(i) Nov. 1 - Jan. 1

(c) Hog Hunts with Dogs

(i) 2nd full week in March

(d) Small Game (no fox squirrels)

(i) Jan. 2 - Mar. 1

(ii) Game Zone 4 bag limits

15. Wee Tee WMA

(a) Archery Deer Hunts

(i) Sept. 15 - Oct. 10

(b) Still Gun Hunts for Deer

(i) Oct. 11 - Jan. 1

(c) Still Hog Hunts

(i) First full week in March

(d) Hog Hunts with Dogs

(i) 2nd full week in March

(e) Small Game (no fox squirrels, no fox hunting)

(i) Game Zone 4 seasons and bag limits

(ii) Dogs allowed during small game gun season only

(f) Bear Season

(i) October 17 - October 30

16. Santee Delta WMA

(a) Archery Deer Hunts (impoundments only)

(i) Sept. 15 - Oct. 10

(b) Hog Hunts with Dogs

(i) 2nd full week in Mar. (impoundments only)

(c) No small game hunting

17. Samworth WMA

(a) Archery Deer Hunts (impoundments only)

(i) Sept. 15 - Oct. 10

(b) Hog Hunts with Dogs

(i) 2nd full week of Mar. (impoundments only)

(c) No small game hunting except dove hunting during scheduled dove hunts

18. Cartwheel Bay Heritage Preserve WMA

(a) Archery Deer Hunts

(i) Sept. 15 - Jan. 1

(b) Small Game (no fox squirrels)

(i) Game Zone 4 seasons and bag limits

(c) Bear Season

(i) October 17 - October 30

19. Lewis Ocean Bay Heritage Preserve WMA

(a) All deer hunters must sign in and sign out daily and record harvest at the kiosk.

(b) Archery Deer Hunts

(i) Sept. 15 - Oct. 10

(c) Primitive Weapons Deer Hunts

(i) Oct. 11 - Oct. 20

(d) Still Gun Hunts for Deer

(i) Oct. 21 - Jan. 1.

(e) Small Game (no fox squirrels).

(i) Game Zone 4 seasons and bag limits

(f) Bear Season

(i) October 17 - October 30

20. Waccamaw River Heritage Preserve WMA

(a) Archery Deer Hunts

(i) Sept. 15 - Oct. 10

(b) Primitive Weapons Deer Hunts

(i) Oct. 11 - Oct. 20

(c) Still Gun Hunts for Deer

(i) Oct. 21 - Jan. 1

(d) Still Hog Hunts

(i) First full week in March

(e) Hog Hunts with Dogs

(i) 2nd full week in Mar.

(f) Small Game (no fox squirrels)

(i) Game Zone 4 seasons and bag limits

(g) Bear Season

(i) October 17 - October 30

21. Liberty Hill WMA

(a) Designated as a Quality Deer Management Area

(b) Archery Hunts for Deer

(i) Sept. 15 - Sept. 30

(c) Primitive Weapons for Deer

(i) Oct. 1 - Oct. 10

(d) Still Gun Hunts for Deer

(i) Oct. 11 - Jan. 1

(e) Small Game (No fox squirrels)

(i) Zone 4 seasons and bag limits apply.

GENERAL REGULATIONS

2.1 Except as provided in these regulations, no person may hunt or take wildlife on areas designated by the South Carolina Department of Natural Resources (SCDNR) as Wildlife Management Area (WMA) lands.

2.2 Entry onto WMA land is done wholly and completely at the risk of the individual. Neither the landowners nor the State of South Carolina nor the South Carolina Department of Natural Resources accepts any responsibility for acts, omissions, or activities or conditions on these lands which cause personal injury or property damage.

2.3 Entry onto WMA land constitutes consent to an inspection and search of the person, game bag or creel.

2.4 No person may hunt or take wildlife on WMA land unless an individual is in possession of a valid South Carolina license, a valid WMA permit, and other applicable federal or state permits, stamps or licenses.

2.5 No Sunday hunting is permitted on any WMA lands.

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 are permitted provided they are not permanently affixed or embedded in the tree. All stands and temporary climbing devices must be removed by the end of the deer hunting season.

2.8 On WMA lands, any hunter younger than sixteen (16) years of age must be accompanied by an adult (21 years or older). Sight and voice contact must be maintained.

2.9 Notwithstanding any other provision of these regulations, the Department may permit special hunts on any day during the regular hunting season.

2.10 No person may release or attempt to release any animal onto WMA lands without approval from the Department. This regulation does not apply on designated Public Bird Dog Training Areas where pen raised quail and pigeons may be released.

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

2.12 On WMA lands, during the designated statewide youth deer hunt day, only still hunting is allowed. The limit is two deer total, either sex. Tags are not required

2.13 Taking or destroying timber, other forest products or cutting firewood on WMA lands without written permission from the landowner or his agent is prohibited. Users of WMA lands are prohibited from planting, attempting to plant, burning or otherwise attempting to manipulate crops, natural vegetation or openings without written permission from the landowner or his agent.

2.14 On WMA lands, hunting armadillos and coyotes at night is prohibited. Armadillos and coyotes may be hunted during any open season for game during daylight hours with no bag limit. Weapon(s) used to hunt armadillos and coyotes are limited to the weapon(s) that are allowed for the current open season on WMA.

2.15 On WMA lands during special designated hunts, a WMA may be closed to other public access.

2.16 Still hunting for hogs is permitted on WMAs during any open season for game during daylight hours with only the weapons allowed during the hunting season in progress unless otherwise prohibited. No hog may be transported alive from a WMA. Hogs may not be hunted at night. There is no bag limit on hogs. Hunters must wear a hat, coat, or vest of solid international orange while hog hunting. Buckshot is prohibited. During hog hunts with dogs, no still or stalk hunting is allowed and only handguns are permitted. No hog hunting with dogs is allowed except during special designated seasons. During firearms seasons for deer, hog hunters possessing big game weapons must possess licenses, permits, and tags applicable to deer hunting. Big game weapons include centerfire weapons, archery equipment with broad heads, shot larger than No. 2, and muzzle-loading shotguns (larger than 20 gauge) and rifles/muskets (.36 caliber or greater).

2.17 Unless otherwise specified, small game hunting seasons and bag limits on WMA lands are the same as Game Zone seasons and bag limits except no hunting before Sept. 1 or after Mar. 1. The season for hunting beavers on WMA lands shall be October 1 through March 1.

WEAPONS

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. Blow guns, dart guns, drugged arrows or arrows with exploding tips are not permitted. 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/muskets of .40 caliber or smaller. Small game hunters may not possess or use buckshot, slugs or shot larger than No. 2. 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/muskets (.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.

3.3 On WMA lands big game hunters are not allowed to use armor-piercing, tracer, incendiary, or full metal jacket bullets or .22 or smaller rimfire. Buckshot is prohibited during still gun hunts for deer on WMA lands in Game Zones 3 & 4.

3.4 On WMAs all firearms transported in vehicles must be unloaded and secured in a weapons case, or in the trunk of a vehicle or in a locked toolbox. On the Francis Marion Hunt Unit during deer hunts with dogs, loaded shotguns may be transported in vehicles. Any shotgun, centerfire rifle, rimfire rifle or pistol with a shell in the chamber or magazine, or a muzzleloader with a cap on the nipple or a flintlock with powder in the flash pan is considered loaded.

3.5 No target practice is permitted on WMA lands except in specifically designated areas.

3.6 On WMA lands during still gun hunts for deer or hogs there shall be no hunting or shooting from, on or across any road open to vehicle traffic. During any deer or hog hunt there shall be no open season for hunting on any designated recreational trail on U.S Forest Service or S.C. Public Service Authority property.

DEER

4.1 On WMA lands with designated check stations, all deer bagged must be checked at a check station. Deer bagged too late for reporting one day must be reported the following day.

4.2 Unless otherwise specified by the Department, only antlered deer may be taken on all WMA lands. Deer with visible antlers of less than two (2) inches above the hairline are considered antlerless deer and must be tagged with an antlerless deer tag issued by the Department. A point is any projection at least one inch long and longer than wide at some location at least one inch from the tip of the projection.

4.3 On WMA lands, man drives for deer are permitted between 10:00 a.m. and 2:00 p.m. only. A man drive is defined as an organized hunting technique involving two (2) or more individuals whereby an attempt is made to drive game animals from cover or habitat for the purpose of shooting, killing, or moving such animals toward other hunters. On WMA lands, drivers participating in man drives are prohibited from carrying or using weapons.

4.4 For all WMAs combined statewide, the limit for all seasons and methods combined is two deer per day, 5 deer total, no more than two antlered bucks, unless otherwise specified. For WMAs in Game Zone 1, the limit for antlerless deer for all seasons and methods combined is 3. Antlerless deer limit is two deer per day, unless otherwise specified. On special mobility impaired and youth deer hunts sanctioned by the Department and during the statewide youth deer hunt day prescribed by the Department, participants may take two deer total, either sex.

4.5 Individual Antlerless Deer Tags are valid in Game Zone 1 beginning Oct. 1 and in Game Zones 2, 3 & 4 beginning Sept. 15. For all WMAs combined, a maximum of 5 individual antlerless deer tags may be used during primitive weapons or still gun deer seasons in all Game Zones except three individual antlerless deer tags may used in Game Zone 1. Tags do not alter the daily (2 per day) or seasonal limit or change the type of weapons that can be used during special weapons seasons.

4.6 All deer must be tagged immediately after harvest as prescribed by the Department and before being moved from the point of kill and the tag must be validated as prescribed by the Department. A valid tag must remain attached until the deer or carcass is quartered or received by a processor.

4.7 For WMAs designated as Quality Deer Management Areas, all antlered bucks must have a minimum 4 points on one side or a minimum 12-inch inside antler spread except during designated special youth hunts. Inside antler spread is measured at a right angle to centerline of the skull at its widest point between the main beams.

4.8 On WMA lands, deer, hogs, or bear may not be hunted with a firearm within 300 yards of a residence.

DOGS

5.1 On all WMA lands, dogs may be used for small game hunting unless otherwise specified.

5.2 Dogs may be trained for quail, rabbit and squirrel hunting from Sept. 1 - 14 (no guns), except on designated Public Bird Dog Training Areas where bird dog training is allowed from September 15 to March 15 (Sundays excluded).

5.3 On WMA lands, dogs may be used for hunting foxes, raccoons, bobcats or opossums only between thirty (30) minutes after official sunset and 30 minutes before official sunrise.

5.4 Unless otherwise specified, deer hunting with dogs on WMA lands is prohibited. The Department may permit deer hunting with dogs on WMA lands 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.

5.5 Dogs may be used to hunt bear on WMA lands in Game Zone 1 during the special party dog bear season.

5.6 On WMA lands, dogs may be used to hunt hogs only during special designated hog hunts with dogs.

VEHICLES

6.1 On all WMA lands, no hunter may shoot from a vehicle unless permitted by the Department.

6.2 On WMA lands, motor driven land conveyances must be operated only on designated roads or trails. Unless otherwise specified, roads or trails which are closed by barricades and/or signs, either permanently or temporarily, are off limits to motor-driven land conveyances.

6.3 A person may not obstruct or cause to be obstructed travel routes on WMA lands.

VISIBLE COLOR CLOTHING

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. Archery hunters during archery only deer seasons and hunters for dove, turkey, ducks, geese and other hunted migratory birds including crows are exempt from this requirement while hunting for those species.

CAMPING

8.1 Camping is not permitted on WMA lands except in designated camp sites.

TRAPPING

9.1 Trapping on WMA lands is not permitted.

WATERFOWL & DOVE REGULATIONS

10.1 Unless specially designated by the Department as a Wildlife Management Area for Waterfowl or a Wildlife Management Area for Dove, all Wildlife Management Areas are open during the regular season for hunting and taking of migratory birds except where restricted.

10.2 The Department may designate sections of Wildlife Management Areas and other lands and waters under the control of the Department as Designated Waterfowl Management Areas or Designated Dove Management Areas. All laws and regulations governing Wildlife Management Areas apply to these special areas. In addition, the Department may set special shooting hours, bag limits, and

methods of hunting and taking waterfowl and doves on those areas. All State and Federal migratory bird laws and regulations apply. Regulations pertaining to the use of Dove Management Areas will be filed annually.

10.3 On areas where blinds are not provided, only portable blinds which are removed at the conclusion of the hunt or temporary blinds of native vegetation may be used. Temporary blinds once vacated may be used by other hunters.

10.4 On Designated Waterfowl Areas, no species other than waterfowl may be taken during waterfowl hunts. On Designated Dove Management Areas no species other than doves may be taken during dove hunts. Only dove hunting is allowed at Lake Wallace.

10.5 No fishing is permitted in any Category I Designated Waterfowl Area during scheduled waterfowl hunts.

10.6 The Bordeaux Work Center Area is closed to hunting except for special hunts as designated by the SCDNR.

10.7 Impoundments on Bear Island, Bonneau Ferry, Broad River, Donnelley, Samworth, Sandy Beach, Santee Coastal Reserve, Santee Cooper, Wateree River, 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. 9 - Oct. 31 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.

10.8 Potato Creek Hatchery Waterfowl Area is closed to hunting access and fishing during the period one week prior to and two weeks after the Federal waterfowl season except for scheduled waterfowl hunts. All hunters must enter and leave the Potato Creek Hatchery Waterfowl Area through the designated public landing on secondary road 260 and complete a data card and deposit card in receptacle prior to leaving the area No airboats are allowed for hunting or fishing and no hunting from secondary road 260.

10.9 On Hatchery WMA, hunters must leave the area by 1 PM, except on the last Saturday of the waterfowl season when hunters may hunt until sunset. Each hunter is limited to twenty-five Federally-approved nontoxic shot shells per hunt. No airboats are allowed in the Hatchery WMA for hunting or fishing during the period Nov. 15 - Jan. 31. No fishing allowed during scheduled waterfowl hunts.

10.10 On Crackerneck WMA, waterfowl may be hunted only on Fri., Sat. and Thanksgiving Day within the regular migratory bird seasons and no hunting on Dec. 25; 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 the regular migratory bird seasons only on days when small game hunting is allowed.

10.11 Category I Designated Waterfowl Areas include Beaverdam, Bonneau Ferry, Broad River, Clemson, Sandy Beach, Samworth, Santee Coastal Reserve, Santee-Delta, Tibwin, Bear Island, Wateree River Heritage Preserve and portions of Donnelley Wildlife Management Areas. Hunting in Category I Designated Waterfowl Areas is by special permit obtained through annual computer drawing.

10.12 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, Santee Cooper, portions of Donnelley, and 40 Acre Rock Waterfowl Management Areas. Hunting on Category II Designated Waterfowl Areas is in accordance with scheduled dates and times.

1. Biedler Impoundment
   (a) Sat. AM only during regular season
   (b) State bag limits
2. Bear Island
   (a) Hunters selected by drawing during regular season

(b) State bag limits

3. Beaverdam
   (a) Hunters selected by drawing during regular season
   (b) State bag limits
4. Bonneau Ferry
   (a) Hunters selected by drawing during regular season
   (b) State bag limits
5. Broad River
   (a) Hunters selected by drawing during regular season
   (b) State bag limits
6. Carr Creek (bounded by Samworth WMA, no hunting in impoundments)
   (a) Wed. and Sat. AM only during regular season
   (b) State bag limits
7. Little Carr Creek (bounded by Samworth WMA, no hunting in impoundments)
   (a) Wed. and Sat. AM only during regular season
   (b) State bag limits
8. Clemson
   (a) Hunters selected by drawing during regular season
   (b) State bag limits
9. Ditch Pond
   (a) Wed. AM only during regular season
   (b) State bag limits
10. Donnelley
   (a) Category I Area - Hunters selected by drawing during regular season
   (b) Category II Area - Wed. AM only during specified dates.
   (c) State bag limits
11. Dunaway
   (a) Sat. AM only during regular season
   (b) State bag limits
12. Duncan Creek
   (a) Sat. AM only during regular season
   (b) State bag limits
13. Dungannon
   (a) Wed. AM only during regular season
   (b) State bag limits
   (c) No hunting from the Boardwalk
14. Enoree River
   (a) Sat. AM only during regular season
   (b) State bag limits
15. Hatchery
   (a) Sat. AM only and until sunset on the last Sat. of the regular waterfowl season
   (b) State bag limits
16. Hickory Top
   (a) Mon. through Sat. during regular season
   (b) State bag limits

17. Hickory Top Greentree Reservoir
   (a) Sat. AM only during regular season
   (b) State bag limits
   (c) No hunting from roads and dikes
18. Lake Cunningham
   (a) Wed. AM only during the regular season
   (b) State bag limits
19. Lancaster Reservoir
   (a) Mon. and Fri. AM only during the regular season
   (b) State bag limits
20. Marsh
   (a) Fri. and Sat. AM only during regular season
   (b) State bag limits
21. Monticello Reservoir
   (a) Mon. through Sat. AM only during regular season
   (b) State bag limits
22. Moultrie
   (a) Mon. through Sat. during regular season.
   (b) State bag limits
23. Parr Reservoir
   (a) Mon. through Sat. during regular season.
   (b) State bag limits
24. Potato Creek Hatchery
   (a) Fri. and Sat. only during regular season
   (b) State bag limits
25. Russell Creek
   (a) Wed. and Sat. AM only during regular season
   (b) State bag limits
26. Sampson Island Unit (Bear Island)
   (a) Thurs. and Sat. AM only during the regular season
   (b) State bag limits
27. Samworth
   (a) Hunters selected by drawing during regular season
   (b) State bag limits
28. Sandy Beach
   (a) Hunters selected by drawing during regular season
   (b) State bag limits
29. Santee Coastal Reserve
   (a) Hunters selected by drawing during regular season
   (b) State bag limits
30. Santee Cooper
   (a) Sat. AM only during regular season
   (b) State bag limits
31. Santee-Delta
   (a) Hunters selected by drawing during regular season

(b) State bag limits

32. Tibwin

(a) Special hunts by drawing during regular season

(b) State bag limits

33. Turtle Island

(a) Fri. and Sat. AM only during regular season

(b) State bag limits

34. Tyger River

(a) Sat. AM only during regular season

(b) State bag limits

35. Wee Tee

(a) Fri. and Sat. AM only during regular season

(b) State bag limits

36. Woodbury

(a) Fri. and Sat. AM only during regular season

(b) State bag limits

37. Great Pee Dee

(a) Sat. AM only during regular season

(b) State bag limits

38. Little Pee Dee River Complex

(a) Fri. and Sat. AM only during regular season

(b) State bag limits

39. Waccamaw River HP

(a) Fri. and Sat. AM only during regular season

(b) State bag limits

40. 40-acre Rock

(a) Sat. AM only during regular season

(b) State bag limits

41. Wateree River HP

(a) Hunters selected by drawing during regular season

(b) State bag limits

10.13 On Hickory Top WMA public waterfowl hunting without a Wildlife Management Area (WMA) permit is allowed on all land and water below 76.8′. Waterfowl hunting at or above elevation 76.8′ requires a WMA permit. A WMA permit is required for waterfowl hunting in the Hickory Top Greentree Reservoir.

10.14 Designated Dove Management Areas include all dove management areas as published by the Department in the annual listing of WMA public dove fields and are subject to regulations filed annually.

10.15 Hickory Top Greentree Reservoir is closed to hunting access November 1 until March 1, except for special hunts designated by SCDNR. All hunters must accurately complete a data card and deposit card in receptacle prior to leaving the area. Hunting hours are from 30 minutes before legal sunrise until 11:00 am. Hunters may not enter the area prior to 5:00 am on hunt days. No open season on roads and dikes. Hunters may only use electric motors on boats.

10.16 On all State-owned, US Forest Service and other Federally-owned Category I and II Waterfowl Management Areas each hunter is limited to 25 Federally-approved non-toxic shells per hunt.

10.17 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.

10.18 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.

10.19 Donnelley Wildlife Management Area Category II Waterfowl Area is open Wednesday mornings only during the November thru January regular waterfowl season. The Category II area is defined as all wetlands east of Donnelley Drive and Blocker Run Road except those areas south of Blocker Run Road between Stocks Creek Road and the intersection of Mary's Island Road and the property boundary. No trailered boats and no electric or gas motors allowed. No entry before 5:00 AM and all users must sign in and sign out at designated check stations. No hunting is allowed from the dikes.

AMPHIBIANS AND REPTILES

11.1 Taking of any amphibian or reptile, except the bullfrog, is prohibited on any Department-owned Wildlife Management Areas without written permission of the Department.

PUBLIC BIRD DOG TRAINING AREAS

12.1 The Department may establish Public Bird Dog Training Areas on designated portions of the Cliff Pitts WMA in Laurens County, the Campbell's Crossroads and Angelus Tract WMAs in Chesterfield County, the Landsford Canal WMA in Chester County, and the Edisto River WMA in Dorchester County. A valid hunting license and WMA permit is required to train bird dogs on these lands.

12.2 It shall be unlawful to take game by any means while training bird dogs, except during the lawful open seasons for such game; provided, however, that pen raised quail or pigeons may be taken at any time for training bird dogs. The dog trainer must possess proof of purchase of pen raised quail.

12.3 It shall be unlawful for any person to have in his or her possession any firearms or other equipment for taking game while training bird dogs, provided that handguns with blank ammunition or shot cartridges may be used for training bird dogs, and shotguns with number eight shot or smaller shot may be used while training bird dogs using pen raised quail and pigeons.

12.4 All participants in bird dog training must wear either a hat, coat, or vest of solid visible international orange.

HISTORY: Amended by State Register Volume 17, Issue No. 5, Part 3, eff May 28, 1993; State Register Volume 19, Issue No. 5, eff May 26, 1995; State Register Volume 20, Issue No. 4, eff April 26, 1996; State Register Volume 21, Issue No. 3, eff March 28, 1997; State Register Volume 22, Issue No. 5, eff May 22, 1998; State Register Volume 22, Issue 6, Part 3, eff June 26, 1998; State Register Volume 23, Issue No. 4, eff April 23, 1999; State Register Volume 23, Issue No. 5, eff May 28, 1999; State Register Volume 24, Issue No. 3, eff March 24, 2000; State Register Volume 25, Issue No. 3, eff March 23, 2001; State Register Volume 26, Issue No. 2, eff February 22, 2002; State Register Volume 26, Issue No. 4, eff April 26, 2002; State Register Volume 26, Issue No. 5, Part 2, eff May 24, 2002; State Register Volume 27, Issue No. 6, Part 2, eff June 27, 2003; State Register Volume 28, Issue No. 5, eff May 28, 2004; State Register Volume 29, Issue No. 5, eff May 27, 2005; State Register Volume 30, Issue No. 4, eff April 28, 2006; State Register Volume 30, Issue No. 7, eff July 28, 2006; State Register Volume 31, Issue No. 6, eff June 22, 2007; State Register Volume 31, Issue No. 7, eff July 27, 2007; State Register Volume 32, Issue No. 5, eff May 23, 2008; State Register Volume 33, Issue No. 6, eff June 26, 2009; State Register Volume 34, Issue No. 4, eff April 23, 2010; State Register Volume 35, Issue No. 5, eff May 27, 2011; State Register Volume 36, Issue No. 5, eff May 25, 2012; State Register Volume 37, Issue No. 6, eff June 28, 2013; State Register Volume 38, Issue No. 6, Doc. No. 4443, eff June 27, 2014; State Register Volume 39, Issue No. 6, Doc. No. 4546, eff June 26, 2015; State Register Volume 41, Issue No. 6, Doc. No. 4741, eff June 23, 2017; SCSR 42–5 Doc. No. 4799, eff May 25, 2018; SCSR 43–5 Doc. No. 4834, eff May 24, 2019; SCSR 44–6 Doc. No. 4915, eff June 26, 2020.

Editor's Note

This regulation was amended by Document No. 4411, approved May 14, 2014 and Document No. 4443, approved June 11, 2014. Document No. 4443 supersedes Document 4411 with respect to this regulation, as it was approved later in time.

See SCSR 43–9 Doc. No. 4896, effective August 29, 2019, which promulgated an emergency amendment to SC ADC 123–40, establishing the dove seasons and dove limits statewide and establishing seasons, limits, and

special restrictions for dove hunting on Dove Management Areas, starting with the beginning of dove season on September 2.

See SCSR 43–12 Doc. No. 4955, effective November 26, 2019, which promulgated an emergency amendment to SC ADC 123–40, establishing the dove seasons and dove limits statewide and establishing seasons, limits, and special restrictions for dove hunting on Dove Management Areas through January 30, 2020.

123–42.1. **Deleted** by State Register Volume 38, Issue No. 6, Doc. No. 4443, eff June 27, 2014.

Editor's Note

Former R. 123–42.1 was titled **Regulations Concerning the Hunting of Wild Turkeys in Game Zone Nine (9)**.

This regulation was deleted by Document No. 4411, approved May 14, 2014 and Document No. 4443, approved June 11, 2014. Document No. 4443 supersedes Document 4411 with respect to this regulation, as it was approved later in time

123–46. Rules and Regulations governing the Issuance of Deer Depredation Permits.

1. Any person suffering excessive damage to crops and property caused by deer may apply to the Director of Wildlife and Freshwater Fisheries for a deer depredation permit as prescribed in Section 50-11-330, 1976 South Carolina Code of Laws.

2. Applications for deer depredation permits shall be made to the Director in writing signed by the applicant and contain the following information:

a. a concise statement specifically describing damage or destruction being suffered by the applicant;

b. a specific description of the property being farmed or cultivated by the applicant and which is suffering the damage or destruction;

c. if the applicant is not the landowner of the property for which the deer depredation permit application is being made, the applicant must attach documentation signed by the landowner authorizing the applicant to make such application;

d. if the applicant does not intend to remove the deer himself, he must give the complete name of the person whom the applicant has designated to take the deer which are causing damage to the subject property.

3. It is the policy of the Department to restrict the persons allowed to take deer under a deer depredation permit to the permittee, permittee's employees, or permittee's immediate family. And if the permittee desires any other person to take deer under authorization of said permit an explanation for same should be attached to the application.

4. The Director shall give immediate consideration to applications for deer depredation permits and within fourteen (14) days of receipt of same shall either issue the permit or deny the application. Immediate notification of the denial may be given orally provided the Director give written notification of the denial to the applicant within twenty-one (21) days of receipt of the application together with the Director's reason for denial.

5. Deer depredation permits will be issued for each specific parcel of property denoting the names of the individuals designated to take deer thereunder and the hours of the day in which deer may be taken.

6. The applicant or landowner shall allow a Department representative to enter the property for which the application is made for the purpose of inspecting the property to determine the necessity or exigency for issuance of the permit.

7. No deer depredation permit will be issued to any applicant who has been convicted of a game law violation within the year next preceding the date of application for said permit. No person convicted of a game law violation within the year next preceding the application can be designated to take deer under a deer depredation permit. The applicant shall certify in the application that the applicant and the persons designated to take deer under the permit have not been convicted of a game law violation within the year next preceding the application.

8. Any application containing false information therein shall subject the applicant to the penalties as prescribed herein.

9. Any person who takes a deer under a duly authorized deer depredation permit shall notify a conservation officer immediately thereafter.

10. Any deer taken under a duly authorized depredation permit shall be delivered to an eleemosynary institution by Department personnel.

11. The penalty for any person violating any provisions of the within regulation shall be as prescribed in Section 50-1-130, 1976 South Carolina Code of Laws. In addition to said penalty any deer depredation permit issued to the person convicted hereunder must be surrendered to the Director immediately and said person would not be eligible for a deer depredation permit within twelve (12) months of said conviction.

123–47. **Deleted** by State Register Volume 38, Issue No. 6, Doc. No. 4443, eff June 27, 2014.

Editor's Note

Former R. 123–42.1 was titled **Designation of Certain Areas and Times of the Year for Wild Turkey Hunting**.

This regulation was deleted by Document No. 4411, approved May 14, 2014 and Document No. 4443, approved June 11, 2014. Document No. 4443 supersedes Document 4411 with respect to this regulation, as it was approved later in time.

SUBARTICLE 2
CROW HUNTING SEASON

123–50. Crow Hunting Season.

The following rules and regulations shall hereby be provided for the hunting of crows in this State.

1. Crows shall not be hunted from aircraft.

2. The hunting season in this State shall extend from Nov. 1 until Mar. 1 of each year.

3. The penalty for the violation of these rules and regulations is that prescribed by 50–11–10 of the 1976 Code.

4. Crow hunting on WMAs is allowed during the small game season for each WMA. No hunting before Nov. 1 or after Mar. 1.

HISTORY: Amended by State Register Volume 26, Issue No. 5, Part 2, eff May 24, 2002; State Register Volume 37, Issue No. 6, eff June 28, 2013; State Register Volume 38, Issue No. 6, Doc. No. 4443, eff June 27, 2014; State Register Volume 39, Issue No. 6, Doc. No. 4546, eff June 26, 2015; State Register Volume 41, Issue No. 6, Doc. No. 4741, eff June 23, 2017.

SUBARTICLE 3
OTHER BIG GAME

123–51. Turkey Hunting Rules and Seasons.

1. Total limit of 3 turkeys statewide per person for resident hunters and 2 turkeys statewide per person for nonresident hunters, 1 per day, gobblers (male turkeys) only, unless otherwise specified. Total statewide limit includes turkeys harvested on Wildlife Management Areas (WMAs). Small unnamed WMAs in counties indicated are open for turkey hunting. Turkey seasons and bag limits for Wildlife Management Area lands are as follows:

A. Game Zone 1

1. Other WMAs

(a) Apr. 1 - April 30

(b) Bag limit 3 for residents and 2 for nonresidents, no more than one may be taken April 1 - 10.

B. Game Zone 2

1. Other WMAs

(a) Apr. 1 - April 30

(b) Bag limit 3 for residents and 2 for nonresidents, no more than one may be taken April 1 - 10.

2. Keowee WMA

(a) Apr. 1 - April 30

(b) Bag limit 2, no more than one may be taken April 1 - 10.

(c) Shotguns only -north of Hwy 123 and west of the Keowee Arm of Lake Hartwell and west of Hwy 291. Archery only on other sections.

3. Draper WMA

(a) Apr. 1 - April 30

(b) Bag limit 2, no more than one may be taken April 1 - 10.

(c) Thurs through Sat. only

4. Belfast WMA

(a) Apr. 1 - April 30

(b) Bag limit 1

(c) Hunters by drawing only

5. Worth Mountain WMA

(a) Apr. 1 - April 30

(b) Bag limit 2, no more than one may be taken April 1 - 10.

(c) Thurs through Sat. only

6. McCalla WMA

(a) April 1 - April 30

(b) Bag Limit 2, no more than one may be taken April 1 - 10.

7. Fants Grove WMA

(a) April 1 - April 30

(b) Bag Limit 2, no more than one may be taken April 1 - 10.

8. Liberty Hill WMA

(a) April 1 - April 30

(b) Bag Limit 2, no more than one may be taken April 1 - 10.

9. Delta South WMA

(a) Apr. 1 - April 30

(b) Hunters by drawing only

10. Forty Acre Rock HP WMA

(a) April 1 - April 30

(b) Bag Limit 2, no more than one may be taken April 1 - 10.

C. Game Zone 3

1. Other WMAs

(a) Apr. 1 - April 30

(b) Bag limit 3 for residents and 2 for nonresidents.

2. Crackerneck WMA

(a) Apr. 1 - April 30

(b) Bag limit 2

(c) Fri. and Sat. only

(d) Sign in and out at the gate required.

(e) Main gate opens at 4:30 am and closes at 1:00 pm.

3. Aiken Gopher Tortoise HP WMA
   (a) Apr. 1 - April 30
   (b) Bag limit 2
4. Francis Marion National Forest
   (a) Apr. 1 - April 30
   (b) Bag limit 2
   (c) Tibwin Special Use Area
      (1) Apr. 1 - April 30
      (2) Bag limit 2
      (3) Special hunts for youth or mobility impaired hunters as published by SCDNR.
5. Moultrie
   (a) Apr. 1 - April 30
   (b) Bag limit 2
   (c) Thurs through Sat. only
   (d) Bluefield WMA
      (1) Apr. 1 - April 30
      (2) Bag limit 2
      (3) Adult/Youth only
   (e) Hall WMA
      (1) Apr. 1 - April 30
      (2) Bag limit 2
6. Santee Cooper WMA
   (a) Apr. 1 - April 30
   (b) Bag limit 1
   (c) Hunting by public draw only
7. Webb, Palachucola and Hamilton Ridge WMAs
   (a) Apr. 1 - April 30
   (b) Bag limit 2
   (c) All hunters must pick up and return data cards at kiosk and display hangtags on vehicles.
8. Donnelley WMA
   (a) Apr. 1 - April 30
   (b) Bag limit 1
   (c) Hunting by public draw only
9. Bonneau Ferry WMA
   (a) Apr. 1 - April 30
   (b) Bag limit 1
   (c) Hunting by public draw only
   (d) Closed to public access during hunts.
10. Santee Coastal Reserve WMA
   (a) Apr. 1 - April 30
   (b) Bag limit 1
   (c) Youth or mobility impaired hunting by draw only.
11. Edisto River WMA

(a) Apr. 1 - April 30
(b) Bag limit 2
(c) Thurs through Sat. only

12. Tillman Sand Ridge Heritage Preserve WMA
(a) Apr. 1 - April 30
(b) Bag limit 2
(c) Thurs through Sat. only

13. Victoria Bluff Heritage Preserve WMA
(a) Apr. 1 - April 30
(b) Bag limit 2
(c) Thurs through Sat. only

14. Botany Bay Plantation WMA
(a) Apr. 1 - April 30
(b) Bag limit 1
(c) Youth hunting by draw only.

15. Wateree River HP WMA
(a) Apr. 1 - April 30
(b) Bag limit 1
(c) Hunting by public draw only

D. Game Zone 4

1. Other WMAs
(a) Apr. 1 - April 30
(b) Bag limit 3 for residents and 2 for nonresidents.

2. Marsh WMA
(a) Apr. 1 - April 30
(b) Bag limit 2
(c) Thurs through Sat. only
(d) Sign in and out at the kiosk required.

3. Sand Hills State Forest WMA
(a) Apr. 1 - April 30
(b) Bag limit 2

4. McBee WMA
(a) Apr. 1 - April 30
(b) Bag limit 2
(c) Thurs through Sat. only

5. Little Pee Dee Complex WMA
(a) Apr. 1 - April 30
(b) Bag limit 2
(c) Thurs through Sat. only

6. Pee Dee Station Site WMA
(a) Apr. 1 - April 30
(b) Bag limit 2
(c) Thurs through Sat. only
(d) All hunters must sign in and sign out at kiosk.

7. Woodbury WMA
   (a) Apr. 1 - April 30
   (b) Bag limit 2
   (c) Thurs through Sat. only
   (d) All hunters must sign in and sign out at kiosk.
8. Great Pee Dee Heritage Preserve WMA
   (a) Apr. 1 - April 30
   (b) Bag limit 2
   (c) Thurs through Sat. only
   (d) All hunters must sign in and sign out at kiosk.
9. Longleaf Pine Heritage Preserve WMA
   (a) Apr. 1 - April 30
   (b) Bag limit 2
   (c) Thurs through Sat. only
10. Manchester State Forest WMA
   (a) Apr. 1 - April 30
   (b) Bag limit 2
   (c) Thurs through Sat. only
11. Hickory Top WMA
   (a) Apr. 1 - April 30
   (b) Bag limit 2
12. Oak Lea WMA
   (a) Apr. 1 - April 30
   (b) Bag limit 2
   (c) Thurs through Sat.
13. Santee Dam WMA
   (a) Apr. 1 - April 30
   (b) Bag limit 2
14. Wee Tee WMA
   (a) Apr. 1 - April 30
   (b) Bag limit 2
   (c) Thurs through Sat. only
15. Cartwheel Bay Heritage Preserve WMA
   (a) Apr. 1 - April 30
   (b) Bag limit 2
   (c) Thurs through Sat. only
16. Lewis Ocean Bay Heritage Preserve WMA
   (a) Apr. 1 - April 30
   (b) Bag limit 2
   (c) Thurs through Sat. only
17. Waccamaw River Heritage Preserve WMA
   (a) Apr. 1 - April 30
   (b) Bag limit 2
   (c) Thurs through Sat. only

18. Samworth WMA

(a) Apr. 1 - April 30

(b) Bag limit 1

(c) Youth hunting by draw only.

19. Liberty Hill WMA

(a) April 1 - April 30

(b) Bag Limit 2

E. Statewide Turkey Hunting Regulations and Youth Turkey Hunting Day on WMAs

1. The statewide youth turkey hunting day on designated WMA lands shall be the Saturday immediately preceding April 1

(a) The daily bag limit during the statewide youth turkey hunting day on WMAs is one (1) which counts toward the season limit.

(b) A person less than 18 years of age is considered a youth turkey hunter.

(c) Only includes WMAs designated by the Department.

2. The following regulations apply statewide. No turkey hunting permitted on Turkey Restoration Sites which have not been formally opened by the Department.

(a) During the spring turkey hunting season, only turkey gobblers (male birds) may be taken.

(b) Shotguns, muzzleloader shotguns, or archery equipment are permitted. All other weapons and methods of taking are prohibited including rifles, pistols, buckshot and slugs.

(c) Turkeys may not be hunted with dogs.

(d) Live decoys are prohibited.

(e) A tag issued by the Department must be placed around a harvested bird's leg before the bird is moved from the point of kill and the tag must be validated by the hunter as prescribed by the Department. A valid tag must remain on the carcass until it is processed (cut up).

(f) On all WMA lands, it is prohibited to hunt or stalk wild turkeys while holding or using for hunter concealment any of the following items: a tail fan, a partial or full decoy with a tail fan, or a tail fan mounted to a firearm. Tail fans include those made of real or synthetic feathers or an image or likeness of a tail fan applied to any material.

3. Electronic Harvest Reporting of Turkeys on Private and WMA Lands.

(a) Methods of electronic harvest reporting include telephone, internet, and mobile device application. Applicable telephone numbers and internet addresses are as posted on the Department's website and in the annual Hunting and Fishing Regulations Guide.

(b) Hunters must provide their Department issued Customer Identification Number to access the reporting system and provide the county of kill, whether the property on which the turkey was taken was private or WMA land including the name of the WMA, whether the turkey was an adult gobbler or juvenile (jake), and whether the turkey was taken in the morning or afternoon.

(c) As part of the reporting process a Department issued confirmation number will be generated. Hunters must document and maintain this confirmation number as prescribed.

HISTORY: Added by State Register Volume 26, Issue No. 5, Part 2, eff May 24, 2002. Amended by State Register Volume 27, Issue No. 6, Part 2, eff June 27, 2003; State Register Volume 28, Issue No. 5, eff May 28, 2004; State Register Volume 29, Issue No. 5, eff May 27, 2005; State Register Volume 30, Issue No. 4, eff April 28, 2006; State Register Volume 31, Issue No. 6, eff June 22, 2007; State Register Volume 31, Issue No. 7, eff July 27, 2007; State Register 32, Issue No. 5, eff May 23, 2008; State Register Volume 33, Issue No. 6, eff June 26, 2009; State Register Volume 34, Issue No. 4, eff April 23, 2010; State Register Volume 35, Issue No. 5, eff May 27, 2011; State Register Volume 37, Issue No. 6, eff June 28, 2013; State Register Volume 38, Issue No. 6, Doc. No, 4443, eff June 27, 2014; State Register Volume 39, Issue No. 6, Doc. No. 4546, eff June 26, 2015; State Register Volume 41, Issue No. 6, Doc. No. 4741, eff June 23, 2017; SCSR 42–5 Doc. No. 4799, eff May 25, 2018; SCSR 43–5 Doc. No. 4834, eff May 24, 2019; SCSR 44–6 Doc. No. 4915, eff June 26, 2020.

Editor's Note

This regulation was amended by Document No. 4411, approved May 14, 2014 and Document No. 4443, approved June 11, 2014. Document No. 4443 supersedes Document 4411 with respect to this regulation, as it was approved later in time.

123–52. Individual Antlerless Deer Tags, Antlerless Deer Limits for Private Lands in Game Zones 1–4, and Youth Deer Hunting Day.

1. Individual Antlerless Deer Tags are valid in Game Zones 2 - 4 beginning September 15 and in Game Zone 1 beginning October 1. Individual Antlerless Deer Tags are not valid on properties enrolled in the Deer Quota Program. Individual Antlerless Deer Tags do not alter the daily (2 per day) or seasonal limit or change the type of weapons that can be used during special weapons seasons. The 2 free bonus Individual Antlerless Deer Tags that are issued to hunters who purchase 4 individual Antlerless Deer Tags are valid only on private land in Game Zones 3 and 4.

2. Antlerless Deer Limits: Game Zone 1 - Three (3) total for all seasons and weapons combined, no more than 2 per day. Game Zone 2 - Five (5) total for all seasons and weapons combined, no more than 2 per day. Game Zones 3 - 4, eight (8) for all seasons and weapons combined, no more than 2 per day. Game Zone season and daily limits do not apply on properties enrolled in the Deer Quota Program.

3. On special mobility impaired and youth deer hunts sanctioned by the Department and during the statewide youth deer hunt day prescribed by the Department, participants may take 2 deer total, either sex. The Statewide Youth Deer Hunt Day on private land and designated Wildlife Management Areas shall be the Saturday immediately following January 1

4. All antlerless deer must be tagged as prescribed by the Department immediately after harvest and before being moved from the point of kill and the tag must be validated as prescribed by the Department. A valid tag must remain attached until the deer or carcass is quartered or received by a processor.

HISTORY: Added by State Register Volume 26, Issue No. 5, Part 2, eff May 24, 2002. Amended by State Register Volume 29, Issue No. 5, eff May 27, 2005; State Register Volume 31, Issue No. 7, eff July 27, 2007; State Register Volume 32, Issue No. 5, eff May 23, 2008; State Register Volume 33, Issue No. 6, eff June 26, 2009; State Register Volume 37, Issue No. 6, eff June 28, 2013; State Register Volume 38, Issue No. 6, Doc. No. 4443, eff June 27, 2014; State Register Volume 39, Issue No. 6, Doc. No. 4546, eff June 26, 2015; State Register Volume 41, Issue No. 6, Doc. No. 4741, eff June 23, 2017; SCSR 42–5 Doc. No. 4799, eff May 25, 2018; SCSR 43–5 Doc. No. 4834, eff May 24, 2019; SCSR 44–6 Doc. No. 4915, eff June 26, 2020.

Editor's Note

This regulation was amended by Document No. 4411, approved May 14, 2014 and Document No. 4443, approved June 11, 2014. Document No. 4443 supersedes Document 4411 with respect to this regulation, as it was approved later in time.

123–53. Bear Hunting Rules and Seasons.

1. In Game Zone 4, the open season for taking bear in Georgetown County, Horry County, Marion County and Williamsburg County on private and WMA land for still gun hunts is October 17 - October 30. Bear hunting is allowed on the following WMAs in those counties: Cartwheel Bay Heritage Preserve WMA, Lewis Ocean Bay Heritage Preserve WMA, Little Pee Dee River Heritage Preserve Complex, Waccamaw River Heritage Preserve WMA, and Wee Tee WMA.

2. In Game Zone 2 the open season for taking bear on private land in Spartanburg County and those portions of Oconee, Pickens, and Greenville counties south of Game Zone 1 for still gun hunts is October 17 - October 30.

3. Legal weapons for bear hunting on private lands include archery equipment, muzzleloaders (.36 caliber or greater), centerfire rifles, centerfire handguns and shotguns with slugs or buckshot.

4. On WMA lands, weapons used to hunt bear are limited to the weapons that are allowed for the current open season for deer on each WMA.

5. Harvested bear must be reported to SCDNR by midnight of the day of harvest as prescribed by the Department.

6. All harvested bears must be tagged immediately after harvest and before being moved from the point of kill and the tag must be validated as prescribed by the SCDNR.

7. The harvest quota for areas open in Game Zone 4 is 30 bears for all counties and WMAs combined. The harvest quota for areas open in Game Zone 2 is 20 bears for all counties combined. If the bear quota is met in a Game Zone prior to October 30, the season will close in that Game Zone 24

hours following a season closure notice. Hunters are responsible for monitoring the season status as prescribed by the Department.

HISTORY: Added by State Register Volume 38, Issue No. 6, Doc. No. 4443, eff June 27, 2014; State Register Volume 39, Issue No. 6, Doc. No. 4546, eff June 26, 2015; SCSR 42–5 Doc. No. 4799, eff May 25, 2018; SCSR 43–5 Doc. No. 4834, eff May 24, 2019.

Editor's Note

This regulation was amended by Document No. 4411, approved May 14, 2014 and Document No. 4443, approved June 11, 2014. Document No. 4443 supersedes Document 4411 with respect to this regulation, as it was approved later in time.

123–54. Chronic Wasting Disease Prevention, Unauthorized Cervid Parts, Use and Possession of Excretions and Carcass Importation Regulations.

Section 1. Definitions.

1. "Cervid" means a member of the family Cervidae.

2. "Chronic wasting disease (CWD)" means a fatal neurological disease of cervids belonging to a group of diseases called transmissible spongiform encephalopathies.

3. "Clean" means having no meat or other tissues attached to the carcass part.

4. "Infected state" means a state of the United States or province of Canada that has a known case of chronic wasting disease.

5. "Importation" means the transportation of a cervid carcass or carcass part into this State.

6. "Whole" means the entire carcass whether eviscerated or not, prior to the carcass being processed.

Section 2. Prohibition on the Importation and Possession of a Whole Cervid Carcass or Carcass Part from an Infected State.

1. No person may import or possess a whole cervid carcass or carcass part from an infected state unless the carcass or part has been converted as specified in subsections (2) or (3) of this section.

2. A person may import a cervid carcass or a carcass part from an infected state if:

(a) Quarters or other portions of meat have no part of the spinal column or head attached; or

(b) Meat has been boned out.

3. A person may import or possess the following inedible parts of a cervid carcass from an infected state:

(a) Antlers;

(b) Antlers that are attached to a clean skull plate;

(c) A clean skull;

(d) Clean upper canine teeth;

(e) A finished taxidermy product; or

(f) The hide.

Section 3. Prohibition on the Use of Natural Cervid Excretions

1. No person shall for the purposes of taking or attempting to take, attracting, or scouting any wild animal in South Carolina possess or use any substance or material that contains or purports to contain any excretion collected from a cervid, including feces, urine, blood, gland oil, or other bodily fluid. This does not prohibit the use of synthetic products or substances collected by a hunter from deer legally harvested in South Carolina.

Section 4. Penalty.

The penalty for a violation of this regulation shall be as provided in Section 50–1–130.

HISTORY: Added by State Register Volume 28, Issue No. 5, eff May 28, 2004. Amended by SCSR 43–5 Doc. No. 4834, eff May 24, 2019.

123–55. Regulations for the use of fertility control or other chemical substances in wildlife (50–11–96).

A permit is not required by a licensed pesticide applicator using registered pesticides for the control of English sparrows, feral pigeons, and European starlings.

HISTORY: Added by State Register Volume 33, Issue No. 6, eff June 26, 2009.

123–60. Homemade Watercraft.

A. To title and register a homemade watercraft, the vessel must first meet the definition of a watercraft and must have an operator's position from which the operator is afforded unobstructed forward visibility to each side of center line for at least seventy degrees and the operator must have unobstructed lateral visibility to each side of centerline at ninety degrees from the operator's position.

B. Any watercraft that is capable of being used as a homemade houseboat must also comply with any legal requirements for a marine toilet.

C. A floating dock cannot be titled or registered as a watercraft.

HISTORY: Added by State Register Volume 38, Issue No. 6, Doc. No. 4428, eff June 27, 2014.

SUBARTICLE 9
VICTORIA BLUFF NATURAL AREA

123–96. Field Trial Regulations.

(Statutory Authority: 1976 Code § 50-11-2100)

1. It shall be unlawful for any person to conduct or participate in any field trial unless a permit for such trial has been obtained from the Department.

2. No wildlife may be taken during a field trial except during the open season for such species, except as permitted during specially permitted bird dog trials according to § 50-11-3481 of South Carolina state law.

3. Requests for field trial permits must be submitted to the Department at least fourteen (14) days prior to the proposed trial date. Requests shall include payment of five dollars ($5.00) per trial, the time and location of the proposed trial.

4. Field trial permittees may be required to maintain records and file reports with the Department.

5. Field trial permits may be issued by the Department for private lands outside of the regular season.

6. There shall be no field trials conducted on Wildlife Management Areas outside of the regular season, except as permitted by the Department on the Sandy Hills State Forest special field trial area.

7. Any non-resident participating in any field trial permitted by the Department shall not be required to procure a hunting license if the participant is not carrying a firearm and no game is taken.

8. The Department may restrict or deny permits for field trials at its discretion.

HISTORY: Amended by State Register Volume 19, Issue No. 5, eff May 26, 1995.

ARTICLE 4
GAME AND FRESH WATER FISHERIES DIVISION—FISHING DIVISION

(Statutory Authority: 1976 Code §§ 50-3-100, 50-19-1920, 50-19-1960)

123–104. Taking Gizzard Shad and Herring in Certain Waters.

I. That the Rules and Regulations concerning the harvesting of blueback herring and gizzard shad from Lake Moultrie, Lake Marion and the Diversion Canal shall be, to wit:

(1) That gizzard shad and blueback herring may be taken with dip net or drop net not exceeding six (6) feet in diameter. All nets must be operated by hand without the use of mechanical devices such as winches, cranes, pulleys, etc.

(2) That a numerical limit of two hundred fifty pounds (625) herring per boat per day may be taken.

(3) All herring or shad except those used for live bait must be in boxes or containers with a maximum capacity of 100 pounds.

(4) That all gizzard shad or herring taken by net shall be retained up to the permitted limit. The sorting, picking or grading of herring and gizzard shad as to size or quality is prohibited.

(5) That it shall be unlawful to sell herring or gizzard shad within one hundred (100) yards of the Pinopolis grates.

II. That the Rules and Regulations concerning the harvesting of gizzard shad and blueback herring from the Tailrace Canal shall be, to wit:

(1) That the season for taking herring with nets shall be from March 1 to May 1.

(2) A limit of five hundred pounds or one hundred dozen per boat per day be taken between March 1 and May 1 in the Tailrace Canal.

(3) All herring or shad except those used for live bait must be in boxes or containers with a maximum capacity of 100 pounds.

(4) That gizzard shad and herring may be taken with a dip net or drop net not exceeding six (6) feet in diameter. All nets must be operated from boats by hand without the use of mechanical devices such as winches, cranes, pulleys, etc.

(5) That fishing between the sanctuary line (fence) and the Seaboard Coastline Railroad Bridge is permitted from sunrise until 10:00 p.m. only during the designated herring season. This area otherwise shall be closed to fishing from sunset to sunrise.

III. For purposes of this regulation a "boat" shall be defined as one separate and un-tandomed, motorized, manned vessel.

IV. That the Tailrace Canal is hereby designated as a striped bass spawning area and the use of set gill nets shall be prohibited.

V. All persons actively involved in the taking of shad and herring must have a valid South Carolina fishing license.

VI. That except as modified or changed hereby, all prevailing laws, rules and regulations concerning fishing and boating in South Carolina shall remain in full force and effect.

123–107. Live Trout in Eating Establishments.

The following rules shall pertain for any eating establishment which obtains a special permit for the sale of artificially reared trout on its premises which are kept alive in tanks thereon:

1. Such trout, when shipped, shall be clearly marked on the outside of the tank or vehicle used therefor.

2. A copy of invoice, along with the special permit obtained by the eating establishment hereunder, shall accompany any such trout being transported from commercial hatchery to such an eating establishment.

3. Notification as required under § 50-13-1700 shall be prominently displayed on any holding tank or the like used for keeping such live trout on the premises of the eating establishment.

4. Such live trout shall be sold only after being cooked and prepared.

5. The Department may specify in any such permit granted hereunder any additional restrictions or regulations for the keeping of such live trout.

123–108. Sale of Trout at Fairs.

1. The Department shall have authority to issue a special permit to any state, county or local fair, circus or temporary or travelling amusement center or show to allow the sale of hatchery raised trout to patrons thereof whereby such fish are displayed in a tank or holding apparatus taken by rod and reel or hook and line by customers and kept by the taker.

2. The Department may specify the conditions under which the activity may be conducted including but not limited to the type of tank and method of display that may be utilized, method by

which such fish may be taken, hours of operation, records that must be kept, marking or identification procedures required including wrapping and packaging of any fish so taken. The Department may grant or deny any application for such a permit, and may revoke any permit so issued upon breach of any condition or requirement established.

3. No fishing license shall be required of customers and patrons of such an activity when the required special permit has been obtained.

4. The Department shall have authority at all times to inspect the premises whereupon said activity is to be or is being conducted for inspection purposes.

5. All other State laws pertaining to the raising, selling and shipping of trout shall be in effect.

123–118. Lake Warren Management Area (Hampton County).

The following applies to Lake Warren Management Area (Hampton County):

1. Landowners abutting the perimeter may make such beautification efforts as relate to lawns, including sprigging, sodding, fertilizing, and mowing; and the planting of annual flowers as long as borders do not interfere with foot traffic, or with maintenance operations within the strip. No shrubbery or hedges will be permitted.

2. Maintenance of the perimeter shall be a function of the Department and, in this regard, workers, together with vehicles, equipment and other apparatus, must be free of handicap in carrying out their assigned duties. Care shall be taken to minimize damage to any improved lawns.

3. Boats owned by adjacent property holders may be left tied or anchored in the lake immediately opposite the landowners property. Mooring shall be by a single post of minimum profile. It is intended here that a post may be installed if done in such a way as not to detract from the overall appearance of the lake nor to interfere with mowing or maintenance operations. The installation of multiple and varied piling and posts is to be avoided.

4. Walkways, piers, docks, launching ramps, and boat houses, either stationary or floating, will not be permitted in the lake or within the limits of the perimeter strip.

5. Adjacent landowners are admonished to assist in keeping the community asset free from pollution by the provision of adequate and effectively operating sewage disposal systems, elimination of sources of deleterious runoff, and avoidance of the use of injurious chemicals, pesticides and herbicides in the vicinity of the project area.

6. The fisheries management program underway is the best that can be devised for the lake and is designed to produce the utmost in recreational enjoyment. Scenic beauty of the waters is also taken into account. Users can be of great assistance by refraining from introducing noncompatible fish or other organisms into the waters or any plant species which creates noxious conditions.

7. Building of brush piles as fish attractors (or the use of electric lights except portable lamps or lights) will not be permitted.

8. Hunting of waterfowl or other animals will not be permitted due to the disturbance factor among other residents and to the general safety factor in the community.

9. Harvest regulations for fish will be prescribed from time to time. Ample notice will be given of changes. Adjacent landowners who utilize the lake will be required to abide by whatever rules or regulations as may be promulgated.

10. Swimming or bathing in the waters of the lake shall be at the risk of the participant and shall take place in designated areas only.

11. Developers of residential tracts, trailer parks or camping areas shall be of service in notifying their customers, leasees or tenants of the use-requirements in practice at any given time.

12. In any circumstance not previously mentioned, a prospective user shall contact local Department authorities to initiate rulings pertinent to his situation.

13. Use of reservoir water for irrigation or other purposes will be prohibited except by special permission.

14. The adjacent landowners shall not erect any fence within or across the limits of the lake or the perimeter strip.

123–123. Fishing in Lake Jocassee and Lake Richard B. Russell.

(Statutory Authority: 1976 Code § 50-13-250)

A. Lake Jocassee

1. It shall be lawful to fish for trout in Lake Jocassee, Pickens and Oconee Counties, South Carolina, subject to special schedules and regulations.

2. It shall be unlawful to take or possess rainbow trout, brown trout, brook trout or any other species of cold-water trout in Lake Jocassee less than fifteen (15) inches in length.

3. On Lake Jocassee in Oconee and Pickens Counties, not more than five (5) cold-water trout may be taken or held in possession by a person on any day and use of corn, cheese, fish eggs, or imitations of them as bait to take trout is unlawful.

B. Lake Richard B. Russell hard

1. It shall be lawful to fish for trout in Lake Richard B. Russell, Anderson and Abbeville Counties, South Carolina, subject to special schedules and regulations.

2. It shall be unlawful to take or possess rainbow trout, brown trout, brook trout or any other species of cold-water trout less than twelve (12) inches in length in that portion of Lake Richard B. Russell (not to include that portion of the lake from State highway 181 to the Lake Hartwell Dam known as the Hartwell tailrace).

3. On Lake Richard B. Russell not more than eight (8) cold-water trout may be taken or held in possession by a person on any one day.

123–124. Reciprocal Agreement Between the State of Georgia and the State of South Carolina.

1. The provisions of this agreement shall be applicable to the waters which lie adjacent to or within both the State of South Carolina and the State of Georgia, to wit:

All channels of the Savannah River, from its mouth to the confluence of the Tugaloo (Toogaloo) and the Seneca Rivers; the Tugaloo (Toogaloo) River from its mouth to the confluence of the Tugaloo (Toogaloo) and the Chattooga Rivers; and the Chattooga River to the point where such river intersects with the 35th Parallel of North latitude, which is the boundary line between Georgia and North Carolina. This agreement is also applicable to the impoundments of the Clark Hill Dam, the Hartwell Dam, Yonah Lake, Tugaloo (Toogaloo) Lake, Stevens Creek, and the New Savannah Bluff Lock and Dam, but not applicable to any tributary streams to said impoundments nor tributary streams to the Savannah, Tugaloo (Toogaloo) and Chattooga Rivers.

The purpose and effect of this agreement is that valid freshwater sport fishing licenses and permits issued by the States of Georgia and South Carolina shall be recognized and honored by agents of both States for the benefit, use, and enjoyment of citizens of both States, and further, that residents of both States shall be permitted to launch boats and remove the same as freely as if they were citizens at the point of launching or landing or both.

2. The following provisions, until changed by law, rules and regulations or agreement of the parties hereto, shall govern all fishing in the waters covered by this agreement, as set forth in Paragraph 1 above:

(a) Since the laws relating to the requirements for licenses differ in Georgia and South Carolina, it is agreed that all persons holding a valid license and meeting the license requirements of the State of Georgia will be allowed to fish on the banks and in the waters as herein described as being covered by this agreement, without the necessity of obtaining any other license; and, all persons holding a valid license and meeting the requirements for license of the State of South Carolina will be allowed to fish on the banks and in the waters as herein described as being covered by this agreement, without the necessity of obtaining any other license.

(b) No person may carry to either state or possess in such state more fish than the laws of that state permit, even though the fish may have been caught in the waters of the other state.

(c) The creel and possession limit for the taking of fish from the waters covered by this agreement shall be as follows:

Largemouth Bass	10
Spotted Bass	10
Coosa Bass	10
Striped Bass	10
Striped Bass–White Bass Hybrid	10
White Bass	30
Trout	8
Crappie (White and/or Black)	30
Sunfish (Bream)-All Species	30
Walleye	8
Sauger	8

It shall be unlawful for any persons to possess more than forty (40) of the above listed species in the aggregate; no more than ten (10) in the aggregate of Largemouth, Spotted, and Coosa Bass; no more than ten (10) in the aggregate of Striped Bass and Striped Bass-White Bass Hybrid; and no more than eight (8) in the aggregate of trout.

(d) During the period from December 1 through March 31 of the following year, the minimum size limit for all species of trout taken from the Hartwell and Clark Hill reservoirs covered by this agreement shall be fourteen (14) inches. There shall be no minimum size limit for trout during the period of April 1 through November 30 of each year. A minimum size of twelve (12) inches for largemouth bass shall apply at all times in all Georgia waters covered by this agreement.

(e) Any person using baskets, minnow seines and trot lines for the taking of fish from said waters, regardless of his residence, shall comply with the laws, rules and regulations of the state in which the waters of the herein described area may be located in using such method of taking fish.

(f) No person shall have a rifle in his possession nor in a boat in the waters of South Carolina.

3. The parties hereto agree that the provisions included shall be published and shall otherwise meet the legal requirements of their state, and the public will be adequately advised of this agreement before it becomes effective so that the citizens and residents of both states may be fully informed on this subject.

4. Except as modified or changed herein all prevailing laws, rules and regulations of each state shall remain in full force and effect over all waters lying within the boundaries of the respective states.

5. It is mutually understood and agreed that this agreement shall apply only to freshwater sport fishing and shall not apply to freshwater commercial fishing, to saltwater sport fishing, or to saltwater commercial fishing.

6. The parties hereto agree that this reciprocal agreement shall become effective immediately after the proper legal requirements have been met.

7. The holder of a valid non-resident freshwater sport fishing license issued by either Georgia or South Carolina shall be entitled to fish anywhere in the waters covered by this agreement.

8. It is further understood and agreed that either state party to this agreement may abrogate and cancel the same upon ninety (90) days written notice to the other party of such intention to abrogate and cancel, such notice to be delivered to the Director of the Game and Fish Department of the respective state to be so notified.

9. It is further understood and agreed that this agreement relates only to the enforcement of fishing laws and regulations in the waters bordering on both the states of Georgia and South Carolina, and that this agreement shall in no way be construed as an interpretation of the boundary line between the States of Georgia and South Carolina; no party hereto shall be deemed to have waived by this agreement any rights or any disputes concerning the boundary line between the States of Georgia and South Carolina.

123–125. Alexander Sprunt, Jr., Wildlife Refuge and Sanctuary.

1. The Deveaux Islands (Banks) wildlife refuge and sanctuary shall be and are hereby designated the "Alexander Sprunt, Jr., Wildlife Refuge and Sanctuary".

2. The Alexander Sprunt, Jr., Wildlife Refuge and Sanctuary shall be operated, managed and patrolled by the National Audubon Society, Inc., under the direction and supervision of the S.C.W.M.R.D.

3. No person shall trespass on the Alexander Sprunt, Jr., Wildlife Refuge and Sanctuary.

4. The penalty for violating any of the Rules and Regulations herein cited shall be as prescribed by § 50-11-2610, 1976 S.C. Code of Laws.

123–126. Fishing in Portions of Howard Creek, Corbin Creek and Devil's Fork Creek.

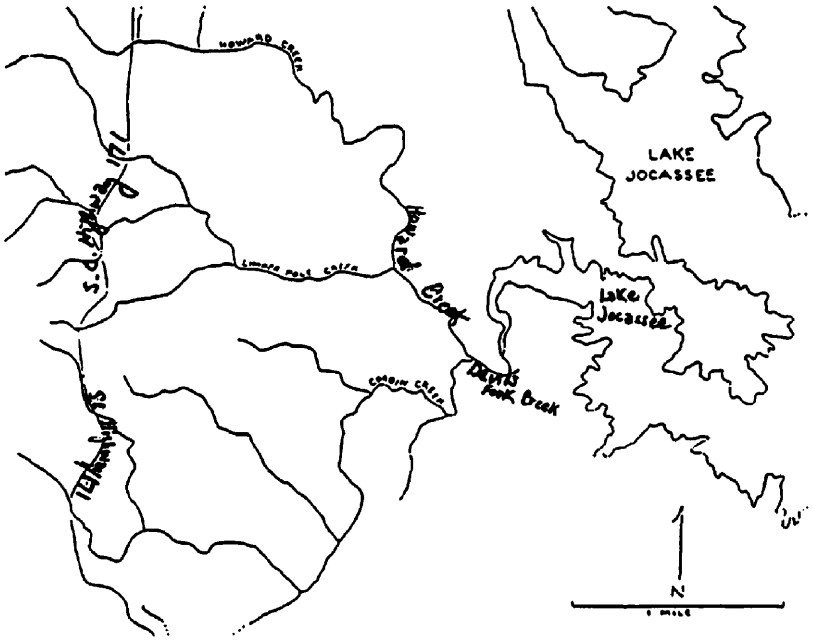
1. It shall be unlawful to fish in the following portions of Howard Creek, Corbin Creek and Devil's Fork Creek, Oconee County, South Carolina, during the period of November 1 through March 30 to wit:

a. That portion of Howard Creek from the confluence of Limber Pole Creek and Howard Creek downstream to the confluence of Corbin Creek and Howard Creek. (At their confluence Howard Creek and Corbin Creek from Devil's Fork Creek).

b. Devil's Fork Creek from the confluence of Howard Creek and Corbin Creek to the mouth of Devil's Fork Creek, at which point Devil's Fork Creek flows into Lake Jocassee.

c. Corbin Creek and all its tributaries located between S.C. Highway Number 171 and the confluence of Corbin Creek and Howard Creek (at which point Devil's Fork Creek is formed).

2. The penalty for violating this Rule and Regulation shall be as prescribed by Section 50-13-60.



HISTORY: Amended by State Register Volume 16, Issue No. 6, eff June 26, 1992.

123–127. Taking Eels and Catfish in Certain Waters.

1. This rule and regulation regulates the taking of eels in the following waters of this State: In Lake Marion, Lake Moultrie, the Diversion Canal connecting the lakes and the Tail Canal down to the Seabord Coastal Railroad Bridge located three thousand three hundred (3,300′) feet downstream from the lock and deck of the Jeffries Hydro Plant.

2. There shall be no limit on the number of eels taken.

3. All persons actively engaged in the taking of eels in such waters are required to have a valid S. C. statewide fishing license as provided for under § 50-9-450.

4. Eels may be taken legally from those waters subject to this rule and regulation only with the following equipment and gear:

a. Pots and baskets not to exceed two (2′) feet in diameter and four (4′) feet in length with bar mesh of not less than one (1″) inch square. Each such pot or basket shall be tagged and marked in accordance with the provisions of §§ 50-19-2910 and 50-19-2920, with the cost of each such tag being one ($1.00) dollar.

Provided, that no pots or baskets may be set or used in the Tail Canal and the tributaries thereto; and no pots or baskets shall be allowed to be set or used within one-quarter (¼) of a mile of shore in Lake Marion and Lake Moultrie.

b. Hand operated dip nets not to exceed two (2′) feet in diameter.

5. Those types of equipment and gear authorized for use in taking eels from such waters shall be used only where fishing is legal; and any eel basket, pot or dip net which is used in any manner in violation of this rule and regulation, and any device or equipment which is used in such waters for the taking of eels which is not authorized herein, shall be confiscated by the S.C. Wildlife and Marine Resources Department; and the Department shall dispose of such equipment and any catch found therein in the manner it deems appropriate.

6. Any game fish taken by use of eel pots, baskets or dip nets in such waters shall be returned immediately to the waters from whence they came.

7. All of the provisions of this rule and regulation shall be applicable in full to the taking of catfish from such waters.

8. The penalty for the violation of this Rule and Regulation shall be that prescribed by § 50-19-1930.

123–130. Lake Murray–Daily Creel and Size Limit of Striped Bass (Rockfish).

1. It is unlawful to take or possess striped bass in Lake Murray and any part of the Saluda River between the Lake Murray Dam and the Lake Greenwood Dam less than 21 inches in length.

2. In Lake Murray and the Saluda River between Lake Greenwood Dam and Lake Murray Dam, not more than five striped bass may be taken or held in possession by a person on any day.

3. The penalty for violating the rules and regulations herein cited shall be as prescribed by Section 50-13-285.

123–131. Creel Limits and Bait/Lure Restrictions in Portions of Chattooga River, Cheohee Creek (Oconee County) and Middle Saluda River (Greenville County).

(Statutory Authority: 1976 Code § 50–13–250)

1. It shall be lawful to use or possess <u>only</u> artificial lures with single hooks, and <u>all</u> coldwater trout caught must be released immediately, during the period November 1 through May 14 inclusive to wit:

a. That portion of Chattooga River from South Carolina Highway 28 upstream (approx. 2-miles) to the confluence of Reed Creek (Big Creek) and Chattooga River. That portion of Cheohee Creek (approximately 1 stream mile) within the property boundary(s) of Piedmont Forestry Center, owned and operated by South Carolina Forestry Commission.

2. General state trout fishing regulations for the Chattooga River, and Cheohee Creek will apply during the period May 15 through October 31 inclusive.

3. It shall be unlawful to access this portion of Cheohee Creek except as prescribed and posted at Piedmont Forestry Center Office.

4. It shall be lawful to use or possess <u>only</u> artificial lures with single hooks, and <u>all</u> coldwater trout caught must be released immediately during the period January 1 through December 31 inclusive to wit:

a. That portion of Middle Saluda River (approximately 1.5 river miles) from Hugh Smith Road (Bridge) upstream to the foot-bridge at Jones Gap State Park.

5. This regulation shall be effective only during such time that the SCDNR has fishing rights leased from the landowner.

6. It shall be unlawful to access this portion of Middle Saluda River except as prescribed and posted at Jones Gap State Park Office.

7. The penalty for violating any of these Rules and Regulations shall be as prescribed by 50–13–60 of the 1976 Code.

HISTORY: Added by State Register Volume 26, Issue No. 5, Part 2, eff May 24 2002.

ARTICLE 5
NON-GAME AND ENDANGERED SPECIES

(Statutory Authority: S.C. Code §§ 50–15–30, 50–15–40, 50–15–50, and 50–15–70)

123–150. Non-Game and Endangered Species.

1. The following list of species or subspecies of non-game wildlife are faced with extinction in the foreseeable future and are added to the official State List of Endangered Wildlife Species of South Carolina.

I. Birds

1. Bachman's Warbler (Vermivora bachmanii)
2. Bewick's Wren (Thryomanes bewickii)
3. Eskimo Curlew (Numenius borealis)
4. Kirtland's Warbler (Dendroica kirtlandii)
5. Piping Plover (Charadrius melodus)
6. Red-cockaded Woodpecker (Picoides borealis)
7. Swallow-tailed Kite (Elanoides forficatus)
8. Wood Stork (Mycteria americana)

II. Fish

1. Shortnose Sturgeon (Acipenser brevirostrum)
2. Pinewoods Darter (Etheostoma mariae)

III. Mammals

1. Atlantic Right Whale (Eubalaena glacialis)
2. Blue Whale (Balaenoptera musculus)
3. Bowhead Whale (Balaena mysticetus)
4. Eastern Cougar (Felis concolor cougar)
5. Finback Whale (Balaenoptera physalus)
6. Florida Manatee (Trichechus manatus)
7. Humpback Whale (Megaptera novaengliae)
8. Indiana Bat (Myotis sodalis)
9. Sei Whale (Balaenoptera borealis)
10. Sperm Whale (Physeter catodon)
11. Rafinesque's Big-eared Bat (Plecotus rafinesquii)

IV. Reptiles

1. Atlantic Leatherback Turtle (Dermochelys c. coriacea)
2. Atlantic Ridley Turtle (Lepidochelys kempii)
3. Gopher Tortoise (Gopherus polyphemus)
4. Atlantic Hawksbill Sea Turtle (Eretmochelys imbricata)

V. Amphibians

1. Flatwoods Salamander (Ambystoma cingulatum)
2. Webster's Salamander (Plethodon websteri)
3. Carolina Gopher Frog (Rana c. capito)

VI. Molluscs

1. Atlantic Pigtoe Mussel (Fusconaia masoni)
2. Brother Spike Mussel (Elliptio fraterna)

2. It shall be unlawful for any person to take, possess, transport, export, process, sell, or offer for sale or ship, and for any common carrier knowingly to transport or receive for shipment any species or subspecies of wildlife appearing on the list of "Endangered Wildlife Species of South Carolina", except by permit for scientific and conservation purposes issued by the South Carolina Department of Natural Resources.

Permits for conservation purposes shall be issued only for relocation, if warranted, and the incidental take of Red-cockaded Woodpeckers as part of the statewide Habitat Conservation Plan for Safe Harbor and for other mitigation purposes approved by the U.S. Fish and Wildlife Service.

3. The penalty for the violation of this Rule and Regulation shall be that prescribed by 50–15–80, 1976 S.C. Code of laws.

HISTORY: Amended by State Register Volume 18, Issue No. 5, eff May 27, 1994; State Register Volume 22, Issue No. 4, eff April 24, 1998; State Register Volume 26, Issue No. 6, Part 2, eff June 28, 2002; State Register Volume 31, Issue No. 6, eff June 22, 2007; State Register Volume 33, Issue No. 8, eff August 28, 2009.

123–150.1. Cheloniidae and Dermochelyidae (Sea Turtles).

1. The remaining species of the families Cheloniidae and Dermochelyidae (sea turtles) not listed in South Carolina Wildlife and Marine Resources Department Regulation 123-150 are considered threatened and in need of management.

2. That is shall be unlawful for any person to take, possess, barter, trade, transport, export, process, sell or offer for sale or ship, and for any contract carrier knowingly to transport or receive for shipment any such species or products or parts or eggs thereof except by permit for scientific or educational purposes issued by the South Carolina Wildlife and Marine Resources Department, except that incidental catch of sea turtles while engaged in otherwise legal fishing, trawling or research activities at sea would be exempt under the taking clause of this regulation.

3. Sea turtles captured incidentally to legal fishing and/or research activities which appear vigorous when removed from the net, will be immediately returned to the water, exercising due care to prevent injury. Release should be from a location on the vessel which will minimize the possibility of the turtle being damaged by the vessel's propeller. The release will be made only when all sets of trawl doors or otter boards are hanging from the boom or outriggers.

4. Sea turtles which show no sign of life or those that are obviously weak, will be turned on their back and held on deck until they regain their strength or it appears that the turtle is definitely dead. In no cases, will weakened or apparently dead turtles be released until they have been held on deck for 30 minutes and attempts at revival have been made, i.e., pressing or pumping plastron (belly shell) to expel water and stimulate breathing.

5. That the penalty for the violation of this Rule and Regulation shall be prescribed by Section 50-15-80, 1976 South Carolina Code of Laws, as amended.

6. That except as modified or changed hereby, all prevailing laws, rules and regulations concerning wildlife in South Carolina shall remain in full force and effect.

123–150.2. Birds, Fish, Reptiles, Amphibians and Mammals.

The following list of species or subspecies of non-game wildlife are considered to be threatened and are added to the official state list of Non-game Species in Need of Management.

I. Birds

1. American Peregrine Falcon (Falco peregrines anatum)
2. Bald Eagle (Haliaeetus leucocephalus)

3. Bewick's Wren (Thryomanes bewickii)
4. Common Ground Dove (Columbina passerina)
5. Least Tern (Sterna albifrons)
6. Wilson's Plover (Charadrius wilsonia)

II. Fish

1. Carolina Pygmy Sunfish (Elassoma boehlkei)
2. Broadtail Madtom (Noturus sp.)

III. Reptiles

1. American Alligator (Alligator mississippiensis)
2. Atlantic Loggerhead Sea Turtle (Caretta caretta)
3. Atlantic Green Sea Turtle (Chelonia mydas)
4. Coal Skink (Eumeces anthracinus)
5. Bog Turtle (Clemmys muhlenbergii)
6. Spotted Turtle (Clemmys guttata)
7. Southern Hognose Snake (Heterodon simus)

IV. Amphibians

1. Dwarf Siren (Pseudobranchus striatus)
2. Pine Barrens Treefrog (Hyla andersonii)

V. Mammals

1. Small-footed Bat (Myotis leibii)

HISTORY: Amended by State Register Volume 18, Issue No. 5, eff May 27, 1994; State Register Volume 26, Issue No. 6, Part 2, eff June 28, 2002; State Register Volume 31, Issue No. 6, eff June 22, 2007; State Register Volume 33, Issue No. 8, eff August 28, 2009.

123–150.3. Scientific Collecting Permit Required.

That a scientific collecting permit under the terms of § 50-11-2190, 1976 Code of Laws, shall be required for the collecting of all nongame species or subspecies of the Classes Pices (Fish), Amphibia (Amphibians), Reptilia (Reptiles), Aves (Birds) and Mammalia (Mammals).

123–151. Regulations for Species or Subspecies of Non-game Wildlife.

A. Alligator Harvest

1. The size and number of all alligators to be taken will be specified by the Department on permits provided with harvest tags. A permit holder may only take and/or possess alligators identified by the Department and only in the manner specified by the Department.

2. All who take or attempt to take an alligator must have a copy of the harvest permit along with an unused harvest tag with them while afield.

3. Once an alligator is killed and before it is transported, a harvest tag must be attached and locked within six inches of the tip of the tail. In the event that an alligator harvest tag is defective and is not usable for the purpose intended, or becomes detached from the alligator hide, the Department must be notified immediately. The Department will be responsible for the replacement of defective, but not lost, tags. The alteration of harvest tags is strictly prohibited.

4. Alligator meat may be used by the harvester but cannot be bought, sold or bartered except as provided in this regulation. All packages of meat not to be sold must have a tag or label with the name of the harvester and the harvest tag number attached.

5. Before shipping or transporting outside of the USA, carcasses or hides must have CITES tags attached. Anyone desiring to ship or transport such items from the country must contact select Department offices for CITES validation and tagging.

6. Any alligator carcass, hide or part that is not tagged, labeled or marked as required in this regulation is declared contraband and must be confiscated.

B. Depredation Program

1. Depredation permits for alligator removal will be issued to property owners or control agents. There is no fee for participation in this program.

2. Qualifications and liability of Control Agents:

a. Control agents must possess the experience and ability to handle alligators.

b. Control agents must supply all equipment necessary to take alligators.

c. Control agents assume personal liability for their health, safety and welfare and that of their assistants.

d. Control agents are not employees of the Department, they are independent contractors.

e. Applications for selection as control agents will be reviewed by the Department. The number of appointed control agents will be based upon the need as determined by the Department.

3. Operation of Department designated alligator control agents:

a. Alligators may be skinned only at designated sites and in accordance with specific instructions provided by the Department.

b. The meat of alligators may be used by the control agents or his/her immediate family and may also be given to others, but must not be bought, sold or transferred except as provided in this regulation. All packages of meat not to be sold, transferred or bartered must have a label attached that includes the name of the person who harvested the alligator and the harvest tag number.

c. Each control agent may be assisted by not more than two assistant control agents approved by the Department, provided that no such assistant shall operate or conduct any alligator trapping or transportation activity except under supervision of the control agent.

d. Alligator harvest tags issued to control agents are the property of the Department and shall remain the property of the Department.

e. Designation as an alligator control agent is discretionary with the Department and such designation may be revoked at any time.

C. Private Lands Alligator Program

1. Alligators may be taken from lands that are in the Private Lands Alligator Program. The season for taking alligators under this program is from September 1 until May 31. The Department will establish a quota and issue tags for each specific application. Alligators taken under this program must be at least 4 feet in length. Alligators less than 4 feet taken incidentally must be tagged with a harvest tag, but cannot be disposed of commercially.

2. Applications for participation in the Private Lands Program are due August 1 of each year for the subsequent September 1 to May 31 season. Applications received by the Department after August 1st of that year may be denied participation based on the number of harvest tags available or at the discretion of the Department. All participants must report all harvested alligators and harvest information to the Department not later than the following July 1st. No renewal application for a property previously enrolled in the Private Lands Alligator Program will be processed until such time as an accurate and complete harvest report is submitted to the Department.

3. If the application is approved by the Department for participation in the Private Lands Alligator Program and a permit is issued, alligators may be taken only from that area and only by a licensed hunter. In order to participate in the Private Lands Alligator Program, an alligator control agent as defined in Section B must also be a licensed hunter. Participants in the Private Lands Alligator Program must maintain accurate records for inspection by Department personnel and the records must be made available for immediate inspection at any and all reasonable hours at the request of the Department.

4. All areas identified in the Private Lands Alligator Program and facilities used for processing alligators must be open to Department personnel for inspection to determine compliance with the program and laws and regulations protecting alligators and to allow collection of biological information.

5. During the designated private lands season, alligators may only be taken by firearms, hand-held snares, set snares, hand-held harpoons, archery equipment, crossbows, snatch hooks and as otherwise permitted by the Department. If devices other than firearms are used, a line must be

securely attached to the hook, arrow or head of the device in such a manner to prevent separation from the hook, arrow or head until the carcass is retrieved. The other end of the line must be held by the hunter or be attached to a stationary or floating object capable of maintaining line above water when an alligator is attached. Rimfire firearms and shotguns are prohibited for taking alligators except that these firearms can be used to dispatch an alligator secured by a line. No alligator may be taken by use of baited hooks or by pole hunting. Pole hunting is defined as the act of taking an alligator from a den with a hook or snagging device of any type secured to the end of a pole and includes any device used to induce an alligator to move from a den prior to taking. All alligators taken under this program must be killed prior to transport off of the property named on the permit.

6. No person may use alligator harvest tags issued for privately-owned habitat on publicly-owned property.

7. A Department-supplied alligator harvest report form must be updated by the applicant or the person taking alligators on the property within 24 hours of the taking of each alligator. Alligator hunters, while on property designated under the Private Lands Alligator Program, must possess tags for that property. Completed harvest forms must be returned to the Department by July 1st of each year. A participant who does not report is not eligible to participate in the program the following season.

8. Unless otherwise specifically allowed by Department permit, alligator hides, parts or products may be retained and sold only in accordance with this regulation.

D. Alligator Hunting Season

1. The Department may issue a prescribed number of Alligator Hunting Season permits for the harvest of alligators. Those applicants randomly selected shall be issued instructions along with harvest tag(s). Alligators may be taken pursuant to permits from public and private areas where the person has legal access for the taking of alligators. Alligators taken under this program must be at least 4 feet in length. The season for hunting alligators under this program is from 12:00 noon on the 2nd Saturday in September until 12:00 noon on the 2nd Saturday in October and is open in Game Zones 3 and 4. These harvest permits cannot be used on property approved under the Private Lands Alligator Program. The Department may close, extend, delay or reopen the season if biological needs warrant.

2. During the designated season, alligators may only be taken by hand-held snares, hand-held harpoons, archery equipment, crossbows, snatch hooks and as otherwise permitted by the Department. Any device may only be used when a line is securely attached to the hook or head of the device in such a manner as to prevent separation from the hook, arrow or head until the carcass is retrieved. The other end of the line must be held by the hunter or attached to a stationary or floating object capable of maintaining line above water when an alligator is attached. Only a handgun, a bangstick or sharp instrument used to sever the spine may be used for dispatch and only if a restraining line is attached to the alligator. A hand-held snare must be used to hold the alligator boatside or on land before it can be dispatched. Firearms may not be used to take free-swimming or basking alligators. The possession of a rifle or shotgun while taking or attempting to take alligators under this program is prohibited. All alligators taken under this program must be killed prior to transport by boat or vehicle. No alligator may be taken by use of baited hooks or by pole hunting. Pole hunting is defined as the act of taking an alligator from a den with a hook or snagging device of any type secured to the end of a pole and includes any devices used to induce an alligator to move from a den prior to taking.

3. A Department-supplied alligator harvest report form must be updated by the person taking alligators within twenty-four (24) hours of taking each alligator and prior to transporting the alligator carcass to a processing facility. Completed harvest forms must be returned to the Department by November 1st of each season.

4. A person who does not report is not eligible to participate in the program or hunt alligators the following season.

5. Alligator meat may be retained by the harvester but cannot be bartered or sold. Alligator hides may be retained and sold only in accordance with this regulation.

E. Sale of Alligator Meat

1. The sale or barter of alligator meat taken under the alligator hunting season program is prohibited.

2. Meat taken from alligators harvested under the authority of depredation tags and the private lands program tags may be sold only under the following conditions:

a. Each package must be labeled to indicate the state, the number of pounds of meat enclosed, the date of packaging, the name of harvester, the processor, the State Food Inspection Department's inspection number, and the tag number corresponding to the alligator hide from which the meat was taken.

b. All cartons of alligator meat imported from other states shall bear an official marking from that state's wildlife agency or other agency charged with food inspection.

c. Persons handling alligator meat for human consumption must comply with the sanitation requirements of all applicable federal, state and local authorities.

d. Those who harvest alligators must maintain accurate records of all alligator meat sales on standard forms supplied by the Department and such records shall be open to inspection by Department personnel.

3. No person may bring any alligator meat into this State, or possess alligator meat unless authorized by this regulation.

4. Alligator meat transported into the State must bear evidence of having been legally taken.

5. Restaurants, canneries, nonfood meat processors and alligator meat wholesalers shall retain all alligator meat purchased in the original packages until the meat is prepared for consumption or processing. Such businesses and/or individual shall detach the original label with the accompanying data from each package when all meat from that carton has been prepared or processed and retain that label for the period of at least six months from the date of sale indicated on the label.

F. Sale, Barter or Transfer of Alligator Hides and Other Parts

1. Alligator skulls not discarded must be permanently marked with the alligator harvest tag number under which it was taken. Skulls not yet processed into a finished product may be marked with a temporary label denoting tag number under which it was taken. Possession of any skull without the tag number is prohibited. Skulls that are found may be retained, sold, bartered or transferred but the finder must contact the Department to obtain a tag number to permanently tag or mark the part. Parts other than skulls or hides may be sold, bartered or transferred, but records must be kept indicating to whom the parts were sold, bartered or transferred

2. Hides or alligators taken with Department issued permits may be sold but must be properly tagged and reported as provided in this regulation. Alligator hides and parts transported into this state for sale or processing must bear evidence of having been legally taken. Parts of hides taken from a legally tagged alligator hide, must be tagged or packaged with a label, receipt, or other document indicating harvester's name, date, and the harvest tag number and this documentation retained until such time as the partial hide is tanned or otherwise processed into other finished goods or discarded.

3. No person shall accept or possess an untagged alligator hide or unmarked or untagged alligator skull for any purpose.

G. Sale of Finished Alligator Products

1. Products made from legally acquired crocodilians may be offered for sale in the State in accordance with the following:

a. Products made from the American alligator must be visibly labeled American alligator.

b. Products made from Caiman must be visibly labeled Caiman.

c. Products made from other crocodilians must be visibly labeled Crocodile.

2. Final end users of these finished products are not required to maintain this labeling requirement.

H. Alligator Propagation

1. Alligator Propagators Permit Applications.

a. Only persons who are at least 18 years old at the time of application are eligible for an Alligator Propagators Permit.

b. All applicants must submit a copy of a deed or leaseholder agreement along with a detailed map of the property on where the alligator propagation facility will be located. Map must show the boundaries of the facility, and the locations of every structure, pond, or other property feature used to hold, house, and or process alligators.

c. The permit application must state the source and approximate number of alligators to be held at the facility. Applicant must notify the Department of any changes to the source stock and numbers.

Alligator propagation facilities must meet the standards herein in order to procure or maintain an Alligator Propagator's Permit. The Department has 15 business days from receipt of a new alligator propagator permit application to inspect the facility for initial compliance.

d. The Department will notify the applicant in writing of any inspection deficiencies and the work needed to remedy the listed deficiencies.

e. Any applicant who does not meet initial facility standards must notify the Department after remedying the listed deficiencies on the inspection report.

f. The Department has 15 business days from receiving notification of these remedies to re-inspect the facility for compliance.

2. Alligator Propagation Facilities

a. The minimum setback separation distance required between an outdoor alligator holding tank, pen, or pond, and real property owned by another person is 1,000 feet. The minimum setback separation distance required between an indoor alligator holding tank or pen is 500 feet. Setbacks from property lines may be waived with written consent of the adjacent affected property owners.

b. The minimum separation distance between an alligator facility and a public or private drinking water well is 500 feet.

c. The minimum separation distance required between an alligator holding tank, pen, or pond and waters of the State is 1,320 feet or 1/4 mile. If the waters of the State are designated Outstanding Resource Waters, Critical Habitat Waters of Federally Endangered Species, or Shellfish Harvesting Waters, the minimum separation distance required between an alligator holding tank, pen, or pond, and waters of the State is 2,640 feet or 1/2 mile.

d. The premises must be secure and have adequate barriers to prevent escape of enclosed alligators, entry onto the premises from alligators outside of the facility, and to deter theft of enclosed alligators.

e. There must be an adequate supply of fresh water at each permitted facility, including each enclosure, or each holding area on the property.

f. Except for outside pens or ponds, all holding tanks and pens shall have smooth walls.

g. All areas where alligators are housed must contain enough water for every animal to completely submerge and enough area for each animal to completely exit the water.

h. Outdoor pens, tanks, or ponds must be constructed with a fence a minimum of five feet in height utilizing 11 1/2 gauge chain-link fence with a minimum of 11 1/2 gauge ties secured to posts, rails, or other structural parts to prevent escape.

i. All enclosures must be constructed to prevent alligators from going under or over the enclosure.

j. Provisions must be made to protect alligators held outside from freezing cold temperatures with adequate denning space.

k. Outside holding facilities must provide adequate covering or natural vegetation for shade as well as direct sunlight areas for basking to allow temperature regulation.

l. Indoor pens and tanks.

i. Alligator eggs located outside of a nest must be kept in an incubator with air and water temperature ranges between 85 and 91 degrees Fahrenheit.

ii. Alligators less than 48″ in total length must be kept inside in a controlled environment with a minimum temperature of 80 degrees Fahrenheit.

iii. Alligators less than 48″ in total length must be kept in rearing tanks constructed in such a manner to allow complete submersion or exit from the water.

iv. All indoor facilities must have temperature monitors and a backup power system in order to maintain correct water and air temperatures.

v. All rearing tanks must be constructed of fiberglass, plastic, metal, or other material approved by the Department to ensure secure and humane confinement. Tanks and pens must allow water to be readily drained to allow water changes or cleaning.

m. Alligators must be kept segregated from other alligators by the following size classes:

i. Less than 2 feet.

ii. 2 to 4 feet.

iii. 4–6 feet.

iv. Greater than 6 feet.

n. Minimum pen, tank, pond, or other holding area space requirements.

i. One half (0.5) square feet of space for every alligator less than 24 inches in total length.

ii. One and a half (1.5) square feet of space for every alligator 24 to 48 inches in total length.

iii. Three (3) square feet of space for every alligator greater than 48 inches in total length.

iv. For all alligator sizes, the pen, tank, or pond must allow at least the largest animal to orient in any direction without touching the sides of the pen, tank, or pond.

3. Harvest and processing of alligators at a propagation facility.

a. Any alligator killed under the authority of an alligator propagation permit or that dies at a permitted alligator propagation facility must be tagged with a Department supplied harvest tag within 24 hours or properly disposed of in accordance with local waste disposal requirements.

b. An alligator propagation facility may process alligators reared on the facility or purchased from any other legal source provided:

i. The building or structure where alligators are processed for human consumption meets and maintains all applicable state and federal food handling and storage requirements and are licensed or certified to process alligator meat.

ii. All meat processed for consumption must be packaged in suitable containers which clearly identifies the package as alligator meat, and marked with the facility permit number, and as required by any other federal or state food labeling laws or regulations.

iii. Records are maintained on forms provided by SCDNR in regards to the origin of the alligators and the associated harvest tag numbers.

iv. A tag or label affixed to any package or container of alligators or alligator parts must specify the contents, quantity contained, and applicable license and permit numbers.

c. Tagged, unskinned alligator carcasses may be sold or otherwise disposed of.

d. All tags issued to an alligator propagation facility remain the property of the Department and may be revoked for violations of these regulations.

e. Requests for CITES tags must be made to the Department at least 10 business days in advance.

f. Alligators taken under the authority of the public hunting program cannot be sold or given to an alligator propagation facility.

g. Alligator carcasses taken under the authority of the Private Lands Alligator Program may be sold or given to a propagation facility for the purpose of processing provided that the animals are tagged as required by the Private Lands Program.

h. No live alligators taken under any of the State's other alligator harvest programs can be sold or given to an alligator propagation facility except with a separate permit issued by the Department.

4. Reporting Requirements.

a. All alligator propagation facilities must submit an annual report on Department issued forms with the following information:

i. The number of eggs purchased and their origin.

ii. The number of alligators hatched.

iii. The number of live alligators purchased by size class and origin.

iv. The number of live alligators currently in possession.

v. The number of alligators that died.

vi. The number of alligators killed.

vii. The disposition of alligator parts and meat sold during the year.

viii. Names of persons or companies to whom alligators, alligator meat, or alligator parts were sold or otherwise transacted.

ix. A completed record for each tag used.

x. A record of the number of alligator carcasses purchased from others and the complete tag numbers from those alligator carcasses.

b. Any tags issued and not used and accounted for on harvest reports must be returned with the annual report.

c. No live alligators may be transported off of the alligator propagator facilities without a permit issued by the Department.

d. Alligator propagators must follow all permit conditions printed on or accompanying the alligator propagator's permit. This permit must be prominently displayed on site at the alligator propagation facility.

HISTORY: Amended by State Register Volume 20, Issue No. 5, eff May 24, 1996; State Register Volume 22, Issue No. 6, Part 3, eff June 26, 1998; State Register Volume 34, Issue No. 4, eff April 23, 2010; State Register Volume 39, Issue No. 7, Doc. No. 4560, eff July 24, 2015.

123–151.1. Regulations for Spotted Turtle.

A. Spotted Turtle Program

1. It is unlawful for any person to take, possess, transport, import, export, process, sell, offer for sale, ship, or receive for shipment any spotted turtle without a permit from the department.

B. Spotted Turtle Permits

1. The department has the authority to grant or deny spotted turtle permits at no cost. Application must be made to the department for a spotted turtle permit.

2. The permits are valid for five (5) years from the date of issue.

3. The permits must be renewed every five years at the discretion of the department.

4. The department may set permit conditions consistent with the protection of spotted turtles. Permit conditions include but are not limited to:

a. Sale of adult spotted turtles is prohibited

b. An individual may take and possess no more than nine wild-caught adult spotted turtles.

c. An individual may sell captive bred spotted turtles under four inches in carapace length for educational purposes.

C. Permit Reporting Requirements

1. Spotted turtle permit holders will report the following information to the department every five years.

a. Number of wild-caught adult spotted turtles in possession (not to exceed 9).

b. Number of captive-bred spotted turtles in possession.

c. Number of captive-bred spotted turtles produced during calendar year.

d. Number of captive-bred, juvenile spotted turtles sold in the calendar year.

D. The penalty for violations of this regulation is prescribed in Section 50–15–80a, Code. Each spotted turtle taken or possessed in violation of these regulations shall constitute a separate offense.

HISTORY: Added by State Register Volume 26, Issue No. 6, Part 2, eff June 28, 2002. Amended by State Register Volume 31, Issue No. 6, eff June 22, 2007.

123–151.2. Regulations for Southern Hognose Snake.

1. It is unlawful for any person to take, possess, transport, import, export, process, sell, offer for sale, ship, or receive for shipment any southern hognose snake without a permit from the department. Permits will be issued only for research and educational purposes.

HISTORY: Added by State Register Volume 31, Issue No. 6, eff June 22, 2007.

123–153. Sea Turtle Protection.

(1) This regulation applies to all shrimp trawlers which are defined as fishing vessels equipped with shrimp trawl nets and fish for shrimp.

(2) During the period of May 1 through August 31 of each year, any shrimp trawler of 25 feet or more in length must carry and use in each net a qualified turtle excluder device (TED) when trawling for shrimp in the waters of this State. Any shrimp trawler of less than 25 feet in length trawling for shrimp in the waters of this State is exempt from using TEDS provided each tow or trawl drag made is limited to 90 minutes or less.

(3) Only TEDS which are qualified or certified by NOAA, National Marine Fisheries Service may be used by shrimp trawlers operating in State waters.

(4) A single test or try net having a headrope length of 20 feet or less is exempt from the TED requirement of this regulation provided such net is pulled immediately in front of another net and is not connected to another net in any way.

(5) The Department may issue a special permit exempting a vessel engaged in research or testing.

123–160. Vultures, Kites, Hawks, Eagles, Ospreys, Falcons, and Owls.

1. The following list of species or subspecies of nongame wildlife are in need of management, to wit: All species of the Order Falconiformes (vultures, kites, hawks, eagles, ospreys, falcons) and all species of the Order Strigifornes (owls).

2. It shall be unlawful for any person to take, possess, transport, export, process, sell or offer for sale or ship, and for any contract carrier knowingly to transport or receive for shipment any such species or products or parts thereof except by permit for scientific, educational or falconry purposes issued by the South Carolina Wildlife and Marine Resources Department.

3. The penalty for the violation of this section shall be that prescribed by § 50-15-80 of the 1976 Code.

123–170. South Carolina State Falconry Regulations.

A. Definitions

(1) ''Raptor''—means a live migratory bird of the Order Falconiformes or the Order Strigiformes, other than a bald eagle (*Haliaeetus leucocephalus*).

(2) ''Take''—means to trap or capture, or attempt to trap or capture a raptor for the purpose of falconry.

(3) ''Falconry''—means the hunting of wild quarry in its natural state and habitat by means of a trained bird of prey or raptor (Order Falconiformes or Order Strigiformes) other than a bald eagle.

(4) ''Service''—means the U.S. Fish and Wildlife Service, U.S. Dept. of Interior.

(5) ''Department''—means the South Carolina Department of Natural Resources.

(6) ''Permitted Wildlife Rehabilitator''—means a person or organization that has been permitted by the state or federal government to possess and rehabilitate raptors.

B. Any person who possesses or uses any raptor or hybrid raptor species for falconry must comply with these regulations.

C. A state hunting license, applicable stamps and permits are required before any person may take, or attempt to take, quarry by means of trained raptor.

D. Practicing falconry

(1) A permit is required before any person may take, transport, or possess wild-taken or captive-bred raptors for falconry purposes.

(2) Birds held under permits must be used primarily for falconry.

(3) A person's raptor facilities must pass inspection by the Department before a permit may be granted.

(4) If a person resides for more than 120 consecutive days in South Carolina his or her falconry facilities must meet the standards of these regulations and the facilities must be listed on the falconry permit.

(5) There are three classes of permits to practice falconry: Apprentice, General, and Master Falconer levels.

(6) Anyone who applies for a falconry permit must include the following information:

(a) The completed application.

(b) Proof that the applicant has passed the falconry test administered by the Department, or proof that a falconry permit has previously been held at the level sought.

(c) An original, signed certification that reads as follows: *I certify that I have read and am familiar with the regulations in title 50, part 13, of the Code of Federal Regulations and the other applicable parts of title 50, and that the information I have submitted is complete and accurate to the best of my knowledge and belief.*

(7) Apprentice Falconer

(a) Requirements and possession options for an Apprentice Falconer.

(i) An applicant must be at least 12 years of age.

(ii) If an applicant for an Apprentice Permit is less than 18 years of age, a parent or legal guardian must sign the application.

(iii) An applicant must have a letter from a Master Falconer or a General Falconer with a valid State falconry permit who is at least 18 years old and has at least 2 years experience at the General Falconer level, stating that he or she will assist the Apprentice applicant in:

a. Learning about the husbandry and training of raptors held for falconry;

b. Learning about relevant wildlife laws and regulations, and

c. Deciding what species of raptor is appropriate to possess while an Apprentice.

(iv) An applicant must correctly answer at least 80 percent of the questions on an examination administered by the Department. The examination must cover care and handling of falconry raptors, Federal and State laws and regulations relevant to falconry, and other appropriate subject matter.

(b) An Apprentice may take raptors less than 1 year old, except nestlings, from the wild during any period or periods specified herein. A person may take any raptor species from the wild except a federally listed threatened or endangered species or the following species: Bald eagle *(Haliaeetus leucocephalus),* white-tailed eagle *(Haliaeetus albicilla),* Steller's sea-eagle *(Haliaeetus pelagicus),* golden eagle *(Aquila chrysaetos),* American swallow-tailed kite *(Elanoides forficatus),* Swainson's hawk *(Buteo swainsoni),* peregrine falcon *(Falco peregrinus),* flammulated owl *(Otus flammeolus),* elf owl *(Micrathene whitneyi),* and short-eared owl *(Asio flammeus).*

(i) Regardless of the number of State falconry permits an Apprentice has, he or she may possess no more than one raptor for use in falconry.

(ii) An Apprentice may possess a raptor of any Falconiform or Strigiform species, including wild, captive-bred, or hybrid individuals, except a federally listed threatened or endangered species, a bald eagle (*Haliaeetus leucocephalus*), a white-tailed eagle (*Haliaeetus albicilla*), a Steller's sea-eagle (*Haliaeetus pelagicus*), or a golden eagle (*Aquila chrysaetos*).

(iii) Capture of a wild raptor is not required; it can be transferred by another falconry permittee.

(iv) An Apprentice may not possess a raptor that was taken from the wild as a nestling.

(v) An Apprentice may not possess a bird that is imprinted on humans.

(8) General Falconer

(a) A General Falconer permit applicant must provide the following:

(i) Information documenting his or her experience maintaining falconry raptors, including a summary of what species he or she held as an Apprentice Falconer and how long each bird was possessed, and

(ii) A letter from a General Falconer or Master Falconer (preferably the sponsor) attesting that the applicant has practiced falconry with raptor(s) at the Apprentice Falconer level for at least 2 years, including maintaining, training, flying, and hunting the raptor(s) for at least 4 months in each year.

(b) Requirements and possession options for a General Falconer.

(i) A General Falconer must be at least 16 years of age.

(ii) If 16 or 17 years of age, a parent or legal guardian must sign the application.

(iii) An applicant must submit a document from a General Falconer or Master Falconer (preferably the sponsor) to the Department stating that the applicant has practiced falconry with raptor(s) at the Apprentice Falconer level or equivalent for at least 2 years, including maintaining, training, flying, and hunting the raptor(s) for least 4 months in each year. That practice may include capture and release of falconry raptors.

(iv) An applicant may not substitute any falconry school program or education to shorten the period of 2 years at the Apprentice level.

(v) A General Falconer may take and possess any species of Falconiform or Strigiform except a golden eagle, a bald eagle, a white-tailed eagle, or a Steller's sea-eagle. A General Falconer may use captive-bred individuals and hybrids of the species he or she is allowed to possess.

(vi) Regardless of the number of State falconry permits he or she has a General Falconer may possess no more than 3 raptors.

(9) Master Falconer

(a) A Master Falconer permit applicant must attest that he or she has practiced falconry at the General Falconer level for at least 5 years.

(b) Requirements and possession options for a Master Falconer.

(i) A Master Falconer must have practiced falconry with raptors he or she possessed at the General Falconer level for at least 5 years.

(ii) A Master Falconer may take and possess any species of Falconiform or Strigiform except a bald eagle. However, a Master Falconer may take and possess a golden eagle, a white-tailed eagle, or a Steller's sea eagle only if he or she meets the qualifications set forth under these regulations.

(iii) Regardless of the number of State falconry permits a person has, a Master Falconer may possess no more than 5 wild raptors, including golden eagles.

(iv) A Master Falconer may possess any number of captive-bred raptors. However, the falconer must train them in the pursuit of wild game and use them in hunting.

(c) If a Master Falconer meets the requirements of this section for falconry he or she may possess up to 3 eagles of the following species: golden eagle, white-tailed eagle, or Steller's sea eagle. The Department must document the following before approving any requests to possess an eagle for use in falconry:

(i) Experience in handling large raptors, including information about the species previously handled and the type and duration of the activity.

(ii) At least two letters of reference from people with experience handling and/or flying large raptors such as eagles, ferruginous hawks, goshawks (*Accipiter gentilis*), or great horned owls

(*Bubo virginianus*) must be provided. Each must contain a concise history of the author's experience with large raptors, which can include, but is not limited to, handling of raptors held by zoos, rehabilitating large raptors, or scientific studies involving large raptors. Each letter must also assess the person's ability to care for eagles and fly them in falconry.

(iii) A golden eagle, white-tailed eagle, or Steller's sea-eagle counts as one of the possessed raptors allowed for use in falconry.

(e) Reinstatement of a lapsed falconry permit.

(i) If a permit has lapsed for fewer than 5 years, it may be reinstated at the level held previously if proof of certification at that level is provided.

(ii) If a permit has lapsed for 5 years or longer, a person one must correctly answer at least 80 percent of the questions on an examination administered by the Department. If the person passes the exam, the permit may be reinstated at the level previously held. The facilities must pass State inspection before a falconry bird may be possessed.

(10) Experience and Testing

(a) A person may qualify for the falconry permit appropriate for his/her experience. To demonstrate knowledge of U.S. falconry laws and regulations, a person must correctly answer at least 80 percent of the questions on the supervised examination for falconers administered by the Department. If a person passes the test, the Department will decide for which level of falconry permit he or she is qualified, consistent with the class requirements in of these regulations. To do so, the Department shall base its decision on documentation of experience. The falconry facilities must meet the standards in these regulations before a person may keep a raptor to use in falconry.

(11) Banding or tagging raptors used in falconry.

(a) If a person takes a goshawk, Harris's hawk (*Parabuteo unicinctus*), peregrine falcon (*Falco peregrinus*), or gyrfalcon (*Falco rusticolus*) from the wild or acquires one from another falconer or a rehabilitator, and if the raptor is not already banded, the person must band it with a permanent, nonreusable, numbered U.S. Fish and Wildlife Service leg band that the Department will provide. If a person wishes, he or she may purchase and implant an ISO (International Organization for Standardization)-compliant (134.2 kHz) microchip in addition to the band. A person must report the band number when he or she reports acquisition of the bird. Contact the Department for information on obtaining and disposing of bands. Within 10 days from the day on which a person takes the raptor from the wild, he or she must report take of the bird by entering the required information (including the band number) in the electronic database at *http://permits.fws.gov/186A* or, if required by the permitting agency, by submitting a paper form 3-186A to the Department. A person may request an appropriate band from the Department in advance of any effort to capture a raptor.

(b) A raptor bred in captivity must be banded with a seamless metal band (*see* §21.30). If a person must remove a seamless band or if it is lost, within 10 days from the day the band is removed or lost, the person must report it and request a replacement U.S. Fish and Wildlife Service nonreusable band from the Department. A person must submit the required information electronically immediately upon rebanding the raptor at *http://permits.fws.gov/186A* or, if required by the permitting agency, by submitting a paper form 3-186A to the Department. A person must replace a seamless band that is removed or lost. A person may implant an ISO-compliant (134.2 kHz) microchip in a falconry raptor in addition to the seamless band.

(c) If the band must be removed or is lost from a raptor, the person who possesses the bird must report the loss of the band within 5 days, and must then do at least one of the following:

(i) Request a U.S. Fish and Wildlife Service nonreusable band from the Department. A person must submit the required information within 10 days of rebanding the raptor at *http://permits.fws.gov/186A* or by submitting a paper form 3-186A to the Department.

(ii) Purchase and implant an ISO-compliant (134.2 kHz) microchip in the bird and report the microchip information at *http://permits.fws.gov/186A* or by submitting a paper form 3-186A form to the Department.

(d) A person may not alter, deface, or counterfeit a band. A person may remove the rear tab on a band on a raptor taken from the wild, and may also smooth any imperfect surface if the integrity of the band or the numbering on it is not affected.

(e) If health or injury problems for a raptor is documented that are caused by the band, the Department may provide an exemption to the requirement for that raptor. In that case, a copy of the exemption paperwork must be kept with the falconer when transporting or flying the raptor. If the bird is a wild goshawk, Harris's hawk, peregrine falcon, or gyrfalcon, the falconer must replace the band with an ISO-compliant microchip that the Service will supply to the Department. The Department will not provide a microchip for a wild goshawk, Harris's hawk, peregrine falcon, or gyrfalcon unless the falconer has demonstrated that a band causes an injury or a health problem for the bird.

(f) A person may not band a raptor removed from the wild with a seamless numbered band.

(12) Possession of Permits.

(a) A falconer must have his or her permit(s) or legible copies of them in his/her immediate possession if he or she is not at the location of the falconry facilities and he or she is trapping, transporting, working with, or flying a falconry raptor(s).

(b) If a person has a valid falconry permit, he or she may possess and transport for falconry purposes a lawfully possessed raptor within this state.

(13) Facilities that must be possessed and maintained.

(a) A person must keep all raptors held under a falconry permit in humane and healthful conditions.

(b) Whether the raptor facilities are indoors (a "mews") or outdoors (a "weathering area"), the raptor facilities must protect raptors from the environment, predators, and domestic animals. A falconer is responsible for the maintenance and security (protection from predators) of raptors possessed under his/her permit.

(c) A person must have raptor housing facilities approved by the Department before he or she may obtain a bird to use in falconry.

(d) The facility must have a suitable perch for each raptor, at least one opening for sunlight, and must provide a healthy environment for raptors inside.

(e) A person may house un-tethered raptors together if they are compatible with each other.

(f) Each raptor must have an area large enough to allow it to fly if it is untethered or, if tethered, to fully extend its wings or bate (attempt to fly while tethered) without damaging its feathers or contacting other raptors.

(g) Each falconry bird must have access to a pan of clean water unless weather conditions, the perch type used, or some other factor makes access to a water pan unsafe for the raptor.

(h) An indoor facility must be large enough to allow easy access for the care and feeding of raptors kept there.

(i) If raptors housed in this indoor facility are not tethered, all walls that are not solid must be protected on the inside. Suitable materials may include vertical bars spaced narrower than the width of the body of the smallest raptor housed in the enclosure. However, heavy-duty netting or other such materials may be used to cover the walls or roof of the enclosure.

(j) Acceptable indoor facilities include shelf perch enclosures where raptors are tethered side by side. Other innovative housing systems are acceptable if they provide the enclosed raptors with protection and allow them to maintain healthy feathers.

(k) An eyas raptor may be kept in any suitable container or enclosure until it is capable of flight.

(*l*) A person may keep a falconry raptor or raptors inside his or her place of residence if a suitable perch or perches are provided. If a raptor(s) is housed inside a home, the windows or other openings of the structure do not have to be modified. Raptors kept in a home must be tethered when they are not being moved into or out of the location in which they are kept.

(m) An outdoor facility must be totally enclosed, and may be made of heavy-gauge wire, heavy-duty plastic mesh, slats, pipe, wood, or other suitable material.

(n) The outdoor facility must be covered and have at least a covered perch to protect a raptor held in it from predators and weather.

(*o*) The facility must be large enough to insure that the birds cannot strike the enclosure when flying from the perch.

(p) Falconry raptors may be kept outside in the open if they are under watch, by a falconer or a family member at any location or, for example, by a designated individual in a weathering yard at a falconry meet.

(q) A falconer must inform the Department within 5 business days if he or she changes the location of the facilities.

(r) The falconry facilities may be on property owned by another person where a falconer resides, or at a different location. Regardless of location, the facilities must meet the standards indicated in these regulations.

(s) A falconer must submit to the Department a signed and dated statement showing that that the falconry facilities and raptors may be inspected without advance notice by the Department at any reasonable time of day, but the falconer must be present. If the facilities are not on property owned by the falconer, he or she must submit a signed and dated statement showing that the property owner agrees that the falconry facilities and raptors may be inspected by the Department at any reasonable time of day in the presence of the property owner; except that the authorities may not enter the facilities or disturb the raptors unless the falconer is present.

(t) The following equipment must be possessed by the falconer: jesses or the materials and equipment to make them, leash and swivel, bath container, and appropriate scales or balances for weighing raptor(s) possessed.

(u) The bird must have a suitable perch and be protected from extreme temperatures, wind, and excessive disturbance. A "giant hood" or similar container is acceptable for transporting or housing a raptor when the falconer is away from the permanent facility where it is housed.

(14) Temporary Facilities and Care of Raptors by other falconers.

(a) A falconer may house a raptor in temporary facilities for no more than 120 consecutive days if the bird has a suitable perch and is protected from predators, domestic animals, extreme temperatures, wind, and excessive disturbance.

(b) Another falconry permittee may care for a raptor or raptors at another person's facilities for up to 120 consecutive days. The other person must have a signed and dated statement from the falconer who owns the birds plus a copy of FWS form 3-186A that shows the possessor of each of the raptors. The statement must include information about the time period for which he or she will keep the raptor(s), and about what he or she is allowed to do with it or them.

(i) The raptor(s) will remain on the original falconry permit, and will not be counted against the possession limit of the person caring for the raptors.

(ii) If the person caring for the raptor(s) holds the appropriate level falconry permit, he or she may fly the raptor(s) in whatever way authorized, including hunting.

(iii) This care of the raptors may be extended indefinitely in extenuating circumstances, such as illness, military service, or for a family emergency. The Department shall consider such instances on a case-by-case basis.

(c) A person other than a falconer may care for falconry birds possessed at another falconer's facilities for up to 45 consecutive days.

(i) The raptor(s) will remain on the original falconry permit.

(ii) The raptors must remain in the original facilities.

(iii) This care may be extended indefinitely in extenuating circumstances, such as illness, military service, or for a family emergency.

(iv) The person(s) caring for the raptors may not fly them for any reason.

(d) If a falconer resides in South Carolina for more than 120 consecutive days, he or she will be required to obtain a SC Falconry Permit and the facilities must be inspected before the permit is issued.

(e) Falconry equipment and records may be inspected in the presence of the permittee during business hours on any day of the week by the Department.

(15) Taking falcons.

(a) A person may not intentionally capture a raptor species that the classification as a falconer does not allow the person to possess for falconry. If a person captures a bird he or she is not allowed to possess, he or she must release it immediately.

(b) The Department is authorized to revoke or suspend a falconry permit if the permittee:

(i) Does not provide proper care for the raptor.

(ii) Allows the raptor to become a public nuisance.

(iii) Violates established South Carolina game laws or regulations.

(iv) Does not comply with the terms of the permit.

(v) All State hunting seasons, fees and bag limits apply to falconry.

(vi) The suspension for a period not to exceed 6 months will be determined by the Department.

(c) Upon request of the person whose permit has been suspended, the Department may restore the person's falconry permit at the end of the suspension period if the conditions have been met.

(d) A General or Master Falconer, may take only raptors less than 1 year of age from the wild during the period of August 1 through January 31 of each year. However, he or she may take an American kestrel or great horned owl of any age from the wild during this period. These falconers may take no more than two raptors from the wild each year to use in falconry. Legal trapping methods are limited to the following: Bal Chatri (noose cage), Swedish Goshawk trap, Noose Harness, Phai or noose ring, Dig-in method, Dho-Gaza Net or Bow-net.

(e) If a bird is taken from the wild and is transferred to another permittee in the same year in which the bird is captured, the bird will count as one of the raptors allowed to be taken from the wild that year by the falconer who caught the bird; it will not count as a capture by the recipient, though it will always be considered a wild bird.

(f) Only a General or Master Falconer, may remove nestlings from a nest or aerie. Eyases may be taken from May 1 through June 30 only of each year and may occur only on private lands with permission of the landowner. Only one eyas may be removed from each nest and one healthy eyas must remain in the nest from which a nestling is removed. An Apprentice Falconer may not take a nestling from the wild.

(g) Falconers responsible for reporting the take of a raptor from the wild, can report by entering the required information in the electronic database at *http://permits.fws.gov/186A* and by submitting a paper form 3-186A to the Department. This must be done at the first opportunity to do so, but no later than 10 days after the capture of the bird.

(h) If a falconer is present at the capture site, even if another person captures the bird for the falconer, the falconer is considered the person who removes the bird from the wild. The falconer is responsible for filing a 3-186A form reporting take of the bird from the wild. This would occur, for example, if another person climbs a tree or rappels down a cliff and takes a nestling for the falconer and gives it to the falconer at the tree or cliff.

(i) If the falconer who will receive the bird is not at the immediate location where the bird is taken from the wild, the person who removes the bird from the wild must be a General or Master Falconer, and must report take of the bird. If that person then transfers the bird to another falconer, both must file 3-186A forms reporting the transaction at the first opportunity to do so, but no later than 10 days after the transfer. The bird will count as one of the two raptors the person who took it from the wild is allowed to capture in any year. The bird will not count as a bird the recipient falconer took from the wild. The person who takes the bird from the wild must report the take even if he or she promptly transfers the bird to another falconer.

(j) If a falconer has a long-term or permanent physical impairment that prevents him or her from attending the capture of a species one can use for falconry, a General or Master Falconer may capture a bird for the impaired falconer. The impaired and recipient falconer is then

responsible for filing a 3-186A form reporting take of the bird from the wild, and the bird will count against the take of wild raptors that a falconer is allowed in any year.

(k) A falconer must promptly release any bird captured unintentionally.

(*l*) A falconer may recapture a falconry bird lost at any time. Recapture of a wild bird is not considered to be taking a bird from the wild.

(m) A falconer may recapture a raptor if the bird is wearing falconry equipment or a captive-bred bird at any time - even if the falconer is not allowed to possess the species. The bird will not count against the possession limit of the falconer who recaptures the bird, nor will its take from the wild count against his or her limit. The recapture of the bird must be reported to the Department no more than 5 working days after the recapture. A recaptured falconry bird must be returned to the person who lost it, if that person may legally possess it. Disposition of a bird whose legal possession cannot be determined will be at the discretion of the Department.

(n) A falconer may take any raptor that he or she is authorized to possess from the wild if the bird is banded with a Federal Bird Banding Laboratory aluminum band except that a banded peregrine falcon may not be taken from the wild.

(*o*) If a falconer captures a raptor (including a peregrine falcon) that is marked with a seamless metal band, a transmitter, or any other item identifying it as a falconry bird, the capture must be reported to the Department no more than 5 working days after the capture. A recaptured falconry bird must be returned to the person who lost it. If that person cannot possess the bird or does not wish to possess it, the falconer who recaptured the bird may keep it. Otherwise, disposition of a bird whose legal possession cannot be determined will be at the discretion of the Department. While the falconer keeps a bird for return to the person who lost it, the bird will not count against the possession limit or the limit on take of raptors from the wild if the the bird has been reported to the Department.

(p) If a peregrine falcon is captured and has a research band (such as a colored band with alphanumeric codes) or a research marking attached to it, the bird must be released immediately, except that if the falcon has a transmitter attached to it, the falconer is authorized to possess the bird up to 30 days if he or she wishes to contact the researcher to determine if he or she wishes to replace the transmitter or its batteries. If the researcher wishes to do so, or to have the transmitter removed, the researcher or his or her designee can make the change or allow the falconer to do so before the bird is released. If the researcher does not wish to keep the transmitter on the falcon, the falconer may keep the bird if captured under circumstances in which capture of wild peregrines is allowed.

(q) If a raptor that is captured has any other band, research marking, or transmitter attached to it, the falconer must promptly report the band numbers and all other relevant information to the Federal Bird Banding Laboratory at 1–800–327–2263.

(r) A falconer may contact the researcher and determine if he or she wishes to replace a transmitter attached to a bird captured. If so, the falconer is authorized to possess the bird up to 30 days until the researcher or his or her designee does so, or until the falconer can replace it. Disposition of the bird will be at the discretion of the researcher and the Department. If the falconer possesses such a bird temporarily, it will not count against the possession limit for falconry raptors.

(s) A Master Falconer with a permit to do so, may take, transport, or possess up to three eagles, including golden eagles, white-tailed eagles, or Steller's sea-eagles, subject to the requirements in this section and 50 CFR 22.24. A golden eagle, white-tailed eagle, or Steller's sea-eagle possessed counts as a bird to be included under the falconer's possession limit.

(t) A falconer has two options for dealing with a bird injured by his or her trapping efforts. In either case, the falconer is responsible for the costs of care and rehabilitation of the bird.

(i) The bird may be recorded on his or her falconry permit. The falconer must report take of the bird by entering the required information in the electronic database at *http://permits.fws.gov/186A* and by submitting a paper form 3-186A to the Department at the first opportunity to do so, but no more than 10 days after capture of the bird. The falconer must then have the bird treated by a veterinarian or a permitted wildlife rehabilitator. The bird will count against the falconer's possession limit.

(ii) The bird may be given directly to a veterinarian, or a permitted wildlife rehabilitator, or an appropriate wildlife agency employee. If a falconer does so, it will not count against his or her allowed take or the number of raptors he or she may possess.

(u) If a falconer acquires a raptor; transfers, rebands, or microchips a raptor; if a falconer's raptor is stolen; if a falconer loses a raptor to the wild and it is not recovered within 30 days; or if a bird a falconer possesses for falconry dies; the falconer must report the change within 10 days by entering the required information in the electronic database at *http://permits.fws.gov/186A* or by submitting a paper form 3-186A to the Department.

(v) If a raptor possessed by a falconer is stolen, the falconer must report the theft to the Department and to the Fish and Wildlife Service Regional Law Enforcement office within 10 days of the theft of the bird.

(w) A falconer must keep copies of all electronic database submissions documenting take, transfer, loss, rebanding or microchipping of each falconry raptor until 5 years after he or she has transferred or lost the bird, or it has died.

(x) A falconer may acquire a raptor of any age of a species that one is permitted to possess directly from a rehabilitator. Transfer to the falconer is at the discretion of the rehabilitator.

(i)) If a bird is acquired from a rehabilitator, within 10 days of the transaction the falconer must report it by entering the required information in the electronic database at *http://permits.fws.gov/186A* or by submitting a paper form 3-186A to the Department.

(ii) If a bird is acquired from a rehabilitator, it will count as one of the raptors the falconer is allowed to take from the wild that year.

(16) Flying and releasing falconry birds.

(a) When flown free, a hybrid raptor must have attached at least two functioning radio transmitters to help the falconer locate the bird.

(b) A falconer must follow all applicable State and Federal laws and regulations before releasing a falconry bird to the wild.

(c) If the raptor the falconer wishes to release is not native to the State or territory, or is a hybrid of any kind, it may not be permanently released to the wild. It may be transferred to another falconry permittee.

(d) If the species the falconer wishes to release is native to the State or territory and is captive-bred, it may not be released to the wild unless the falconer has permission from the Department. If permitted to do so, the bird must be hacked (allow it to adjust) to the wild at an appropriate time of year and an appropriate location. The falconry band (if it has one) must be released and the falconer must report release of the bird by entering the required information in the electronic database at *http://permits.fws.gov/186A* or by submitting a paper form 3-186A to the Department.

(e) If the species to be released is native to the State and was taken from the wild, the bird may be released only at an appropriate time of year and an appropriate location. The falconry band must be removed and the falconer must report release of the bird by entering the required information in the electronic database at *http://permits.fws.gov/186A* or by submitting a paper form 3-186A to the Department.

(f) The number of wild-caught or captive-bred raptors transferred to a falconer is not restricted, but he or she may not exceed the possession limit.

(g) No matter how long such a bird is held in captivity or whether it is transferred to another permittee or permit type, it is always considered a "wild" bird. However, it is considered to be taken from the wild only by the person who originally captured it. If transferred to another permittee, the bird is not considered to be taken from the wild.

(17) Hacking

(a) Hacking (temporary release to the wild) is an approved method for falconers to condition raptors for falconry. A General Falconer or a Master Falconer may hack a falconry raptor or raptors.

(i) Any bird hacked counts against the falconer's possession limit and must be a species he or she is authorized to possess.

(ii) Any hybrid hacked must have two attached functioning radio transmitters during hacking.

(iii) A falconry bird may not be hacked near a known nesting area of a Federally threatened or endangered bird species or in any other location where the raptor is likely to harm a Federally listed threatened or endangered animal species that might be disturbed or taken by the falconry bird. The falconer can contact the State Fish and Wildlife Service office in South Carolina for information on Federally-listed species.

(iv) The falconer may use other acceptable falconry practices, such as, but not limited to, the use of creance (tethered) flying, lures, balloons, or kites in training or conditioning falconry raptors. He or she may also fly falconry birds at bird species not protected under the Migratory Bird Treaty Act or at pen-raised animals.

(18) Sale or transfer of falconry birds

(a) A falconer may sell, purchase, or barter, or offer to sell, purchase, or barter captive-bred raptors marked with seamless bands to other permittees who are authorized to possess them.

(b) A falconer may not purchase, sell, trade, or barter wild raptors. He or she may only transfer them.

(c) A falconer may transfer a raptor to another permit type if the recipient of the bird (which could be the same falconer) possesses the necessary permits for the other activity.

(d) A falconer may transfer a wild-caught falconry bird to an individual who holds a raptor propagation permit after the bird has been used in falconry for at least 2 years (1 year for a sharp-shinned hawk, a Cooper's hawk, a merlin, or an American kestrel). When he or she transfers the bird, they must provide a copy of the 3-186A form documenting acquisition of the bird by the propagator to the Federal migratory bird permit office that administers the propagation permit and provide a copy to the Department.

(e) A falconer may transfer a wild-caught bird to another permit type in less than 2 years (1 year for a sharp-shinned hawk, a Cooper's hawk, a merlin, or an American kestrel) if the bird has been injured and a veterinarian has determined that the bird can no longer be flown for falconry.

(i) Within 10 days of transferring the bird, the falconer must provide a copy of the 3-186A form documenting acquisition of the bird to the Federal migratory bird permit office that administers the other permit type and provide a copy to the Department.

(ii) When the falconer transfers the bird, he or she must provide a copy of the certification from the veterinarian or rehabilitator that the bird is not useable in falconry to the Federal migratory bird permits office that administers the other permit type.

(f) A falconer may transfer captive-bred falconry raptors if the holder of the other permit type is authorized to possess the bird(s). Within 10 days he or she must report the transfer by entering the required information in the electronic database at *http://permits.fws.gov/186A* and by submitting a standard paper form 3-186A to the Department.

(19) Use or falconry birds for propagation and education.

(a) A falconer may use raptors possessed for falconry in captive propagation if the falconer or the person overseeing the propagation has the necessary permit(s) (see 50 CFR 21.30). This falconer does not need to transfer a bird from his or her falconry permit if the bird is used for fewer than 8 months in a year in captive propagation, but the bird must be transferred if it is to be used permanently for propagation. The bird must then be banded as required in 50 CFR 21.30.

(b) General or Master Falconers may use a bird possessed in conservation education programs presented in public venues.

(i) Apprentice Falconers may present conservation programs if he or she is under the supervision of a General or Master Falconer when they do so.

(ii) The falconer may charge a fee for presentation of a conservation education program. The fee may not exceed the amount required to recoup the falconer's costs.

(iii) In conservation education programs, the falconer must provide information about the biology, ecological roles, and conservation needs of raptors and other migratory birds, although not all of these topics must be addressed in every presentation. He or she may not give presentations that do not address falconry and conservation education.

(20) The falconer may allow photography, filming, or other such uses of falconry raptors to make movies or other sources of information on the practice of falconry or on the biology, ecological roles, and conservation needs of raptors and other migratory birds, though he or she not be paid for doing so.

(a) The falconer may not use falconry raptors to make movies, commercials, or in other commercial ventures that are not related to falconry

(b) The falconer may not use falconry raptors for commercial entertainment; for advertisements; as a representation of any business, company, corporation, or other organization; or for promotion or endorsement of any products, merchandise, goods, services, meetings, or fairs, with the following exceptions:

(i) The falconer may use a falconry raptor to promote or endorse a nonprofit falconry organization or association.

(ii) The falconer may use a falconry raptor to promote or endorse products or endeavors related to falconry, including, but not limited to items such as hoods, telemetry equipment, giant hoods, perches, materials for raptor facilities, falconry training and education materials, and scientific research and publication.

(21) General or Master Falconers may assist a permitted migratory bird rehabilitator to condition raptors in preparation for their release to the wild. He or she may keep a bird being rehabilitated in his or her facilities.

(a) The rehabilitator must provide the falconer with a letter or form that identifies the bird and explains that he or she is assisting in its rehabilitation.

(b) The falconer does not need to meet the federal rehabilitator facility standards. He or she need only meet the facility standards in this section; his or her facilities are not subject to inspection for compliance with the standards in 50 CFR 21.31.

(c) The falconer does not have to add any raptor he or she possesses for this purpose to the falconry permit; it will remain under the permit of the rehabilitator.

(d) The falconer must return any such bird that cannot be permanently released to the wild to the rehabilitator for placement within the 180-day timeframe in which the rehabilitator is authorized to possess the bird, unless the issuing office authorizes the falconer to retain the bird for longer than 180 days.

(e) Upon coordination with the rehabilitator, the falconer must release all releaseable raptors to the wild or return them to the rehabilitator for release within the 180-day timeframe in which the rehabilitator is authorized to possess the birds, unless the issuing office authorizes he or she to retain and condition a bird for longer than 180 days, or unless the rehabilitator transfers the bird to the falconer to hold under his or her falconry permit.

(22) A Master Falconer may conduct abatement activities with a bird or birds possessed for falconry, if the falconer has a Special Purpose Abatement permit. General Falconers may conduct abatement activities only as a sub-permittee of the holder of the abatement permit.

(a) Falconers may receive payment for providing abatement services if he or she has a Special Purpose Abatement permit.

(23) Possession of falconry bird feathers and disposition of such.

(a) For imping (replacing a damaged feather with a molted feather), a falconer may possess tail feathers and primary and secondary wing feathers for each species of raptor possessed or previously held for as long as he or she has a valid falconry permit. A falconer may receive feathers for imping from other permitted falconers, wildlife rehabilitators, or propagators in the United States, and he or she may give feathers to them. A falconer may not buy, sell, or barter such feathers.

(i) The falconer may donate feathers from a falconry bird, except golden eagle feathers, to any person or institution with a valid permit to have them, or to anyone exempt from the permit requirement under 50 CFR 21.12.

(ii) Except for primary or secondary flight feathers or retrices from a golden eagle, a falconer is not required to gather feathers that are molted or otherwise lost by a falconry bird. He or

she may leave the feathers where they fall, store them for imping, or destroy them. However, he or she must collect molted flight feathers and retrices from a golden eagle. If the falconer chooses not to keep them for imping, he or she must send them to the National Eagle Repository.

(iii) All feathers (including body feathers) that are collected from any falconry golden eagle and not needed for imping should be sent to the National Eagle Repository at the following address: U.S. Fish and Wildlife Service, National Eagle Repository, Rocky Mountain Arsenal, Building 128, Commerce City, Colorado 80022. The telephone number at the Repository is 303–287–2110.

(b) If the falconer's permit expires or is revoked, he or she must donate the feathers of any species of falconry raptor except a golden eagle to any person or any institution exempt from the permit requirement under § 21.12 or authorized by permit to acquire and possess the feathers. If the feathers are not donated, they must be burned, buried, or otherwise destroyed.

(24) A falconer must send the entire body of a golden eagle held for falconry, including all feathers, talons, and other parts, to the National Eagle Repository.

(a) A falconer may donate the body or feathers of any other species of falconry raptor to any person or institution exempt under 50 CFR 21.12 or authorized by permit to acquire and possess such parts or feathers.

(b) If the bird was banded or microchipped prior to its death, the falconer may keep the body of any falconry raptor except that of a golden eagle. He or she may keep the body so that the feathers are available for imping, or may have the body mounted by a taxidermist. He or she may use the mount in giving conservation education programs. If the bird was banded, the band must be left on the body. If the bird has an implanted microchip, the microchip must be left in place.

(c) If a falconer wishes to donate the bird body or feathers or keep it, he or she must burn, bury, or otherwise destroy it or them within 10 days of the death of the bird or after final examination by a veterinarian to determine cause of death. Carcasses of euthanized raptors could pose a risk of secondary poisoning of eagles and other scavengers. The falconer must take appropriate precautions to avoid such poisonings.

(d) If the bird body or feathers is not donated or the body is mounted by a taxidermist, the flight feathers may be possessed for as long as a valid falconry permit is held. However, the feathers may not be bought, sold or bartered. The falconer must keep the paperwork documenting his or her acquisition of the bird.

(25) Visiting falconers

(a) A visitor to the United States may qualify for a temporary falconry permit appropriate for his or her experience.

(i) The permit may be valid for any period specified by the Department.

(ii) To demonstrate knowledge South Carolina falconry laws and regulations, the visitor must correctly answer at least 80 percent of the questions on the supervised examination for falconers administered by the Department. If the visitor passes the test, the Department will decide for what level of temporary permit the person is qualified. The decision should be based on the individual's documentation of his or her experience.

(iii) If the falconer holds a temporary falconry permit, he or she may possess raptors for falconry if he or she have approved falconry facilities.

(iv) A holder of a temporary falconry permit may fly raptors held for falconry by a permitted falconer.

(v) A holder of a temporary falconry permit may not take a bird from the wild to use in falconry.

(vi) For the duration of a permit from the Department, a visitor may use any bird for falconry that he or she possess legally in his or her country of residence for that purpose, provided that import of that species to the United States is not prohibited, and provided that he or she has met all permitting requirements of his or her country of residence.

(vii) A visitor must comply with the provisions in this section, those of the State, tribe or territory where he or she wishes to conduct falconry, and all States through which he or she will travel with the bird.

(viii) The visitor may transport registered raptors. He or she may need one or more additional permits to bring a raptor into the United States or to return home with it (*see* 50 CFR part 14 (importation, exportation, and transportation of wildlife), part 15 (Wild Bird Conservation Act), part 17 (endangered and threatened species), part 21 (migratory bird import and export permits), and part 23 (endangered species convention)).

(ix) Unless the visitor has the necessary permit(s) to bring a raptor into the United States and leave it here, he or she must take raptors brought into the country for falconry out of the country when he or she leaves. If a raptor brought into the United States dies or is lost while in this country, the visitor must document the loss before leaving the United States by reporting the loss to the Department.

(x) When flown free, any bird brought to this country temporarily must have two attached radio transmitters that will allow the falconer to locate it.

(xi) If the raptor dies or is lost, the falconer is not required to bring it back but must report the loss immediately upon return to the United States in the manner required by the falconry regulations of the State, and any conditions on the CITES certificate.

(26) A falconer does not need special or written permission for any of these activities on public lands if it is authorized. However, he or she must comply with all applicable Federal, State laws regarding falconry activities, including hunting. The falconry permit does not authorize him or her to capture or release raptors or practice falconry on public lands if it is prohibited on those lands, or on private property, without permission from the landowner or custodian.

(27) If a falconry bird kills prey without the falconer's intent, including an animal taken outside of a regular season, he or she may allow the falconry bird to feed on the animal, but the falconer may not take the animal into possession. The falconer must report take of any federally listed threatened or endangered species to the local USFWS Ecological Services Field Office.

(28) With a falconry bird, the falconer may take any species listed in 50 CFR parts 21.43, 44, 45, or 46 of this subchapter at any time in accordance with the conditions of the applicable depredation order, as long as he or she is are not paid for doing so.

(29) A surviving spouse, executor, administrator, or other legal representative of a deceased falconry permittee may transfer any bird held by the permittee to another authorized permittee within 90 days of the death of the falconry permittee. After 90 days, disposition of a bird held under the permit is at the discretion of the Department.

(30) If the falconer moves outside the jurisdiction of the Department and takes falconry birds with him or her, he or she must inform the Department within 30 days.

HISTORY: Amended by State Register Volume 17, Issue No. 2, eff Feb 26, 1993. Amended by State Register Volume 38, Issue No. 10, Doc. No. 4467, eff October 24, 2014

ARTICLE 5.5
REGULATION OF REAL PROPERTY OWNED AND LEASED BY THE DEPARTMENT

(Statutory Authority: S.C. Code §§ 50–11–2200, 50–11–2210 and 50–11–2215)

123–200. Regulations Applicable to Wildlife Management Areas, Heritage Preserves and other lands owned by the Department of Natural Resources.

Applicability and Scope.

A. The purpose of this regulation is to govern the conduct and activities of visitors to Wildlife Management Areas, Heritage Preserves and other lands owned or leased by the Department of Natural Resources. This regulation applies to all property owned or leased by the Department of Natural

Resources, including but not limited to wildlife management areas, heritage preserves, boat landings, and game preserves or reserves. Consistent with the restriction in Section 50–11–2215, the application of this regulation shall not interfere with the use and management of lands by a state agency charged with the management of those lands as part of the functions of the agency authorized by law or with the management and use by a landowner of his lands within the Wildlife Management Area program. Application of this regulation to privately owned lands is limited to those matters, uses, profits, or activities which the Department has acquired through lease or other authorized means.

B. Regulations for the establishment of open and closed seasons, bag limits, and methods for hunting and taking wildlife on all Department owned wildlife management area lands, and for the protection, preservation, operation, maintenance, and use of wildlife management area lands not owned by the Department are stated in R.123–40. The regulations below will apply to wildlife management area lands in addition to R.123–40. In case of any conflict with R.123–40, this regulation will prevail.

HISTORY: Added by State Register Volume 26, Issue No. 5, Part 2, eff May 24, 2002. Amended by State Register Volume 34, Issue No 6, eff June 25, 2010.

123–201. Definitions.

For purposes of this regulation:

"All terrain vehicle" means a motorized vehicle, regardless of the number of wheels, designed or constructed primarily for use off of paved or improved roads.

"Boats" mean any watercraft, including but not limited to motorboats, sailboats, personal watercraft, canoes, kayaks, sailboards, rafts, inflatable boats, shells, and rowboats.

"Camping" means the overnight occupancy of land owned or leased by the Department.

"Department" means the South Carolina Department of Natural Resources.

"Department land" means real property, including any buildings, structures, or improvements, owned by the Department in fee simple, including but not limited to game preserves or reserves, heritage preserves, boat landings, and Department land designated as wildlife management area land.

"Ecofacts" are carbonized plant remains, animal bones, and shells utilized as food by historic and prehistoric peoples. "Fireworks" means any device for producing any display, such as light, noise, or smoke, by the combustion of explosive or flammable compositions.

"Fishing" means all activity and effort involved in taking or attempting to take fish.

"Hiking" means traversing land by foot for the purpose of pleasure or exercise, except traversing in connection with any other activity regulated by this regulation.

"Horse riding" means any equestrian activity.

"Hunting" means the act of trying to find, seek, obtain, pursue, or diligently search for wildlife for sport, regardless of whether wildlife is taken or not. The act of seeking wildlife or the pursuit of wildlife as sport, such as but not limited to raccoon hunting and training hunting dogs shall be deemed hunting. Any person accompanying a hunter or hunters and participating in a hunt in any regard shall be deemed to be hunting.

"Motorized vehicle" means a device incorporating a motor or an engine. "Nonmotorized vehicle" means a device not incorporating a motor or an engine of any type for propulsion, and with wheels, tracks, skids, skis, air cushion, or other contrivance for traveling on or adjacent to land. It shall include such vehicles as bicycles, skates, and in-line skates.

"Off road vehicle" means a motorized vehicle that includes stock enhancements to improve its ability for use off of paved or improved roads or a vehicle that has been modified from its stock condition to enhance its ability for use off of paved or improved roads.

"Pack animal" means any beast, including but not limited to horses, mules, donkeys, and llamas, used for the purpose of transporting equipment, gear, or other articles.

"Pets" mean any domesticated animal which is kept for the pleasure of the owner; however, for purposes of this regulation, pets may not include dangerous or venomous animals or any animal classified as threatened, endangered, or in need of management by any state or the federal government. A raptor, permitted as provided under R.123–170, will be deemed a pet.

"Pollution" or "polluting" means the direct or indirect act of throwing, draining, depositing, or otherwise discharging organic or inorganic matter in or on land.

"Primitive Camping" means the overnight occupancy of land, utilizing nothing more than temporary shelter such as a tent or tarp transported to the camping site by backpacking or by watercraft.

"Rock climbing" means the sport of ascending or descending rock faces of such vertical angle that the climber must use technical climbing techniques to safely negotiate the climb. This includes all free, aided, and friction climbing where ropes, pitons, nuts, chocks, screws, carabiners, snap links, chalk, ropes, fixed or removable anchors, or other similar climbing equipment is used.

"Rocks, artifacts, or ecofacts" shall include but not be limited to arrowheads, spear points, scrapers, drills, soapstone and soapstone objects, pottery sherds and vessels, bottles, beads, brick, tabby, metal objects (such as buttons, buckles, ordnance, insignia), charcoal, shells, plant remains, animal remains, and bone tools.

"Shells" mean the hard rigid, usually calcareous, covering of an animal.

"Specialty animals" mean all animals other than domestic pets; those native and imported animals which have been removed from the wild and are being bred, raised or kept for research, food, fur or skins, or for the production of income. Reptiles and amphibians are included in this category. "Service animals" are not considered "Specialty animals".

"Taking" means to shoot, wound, kill, trap, capture, or collect, or attempt to shoot, wound, kill, trap, capture, or collect any wildlife.

"Weapon" means an instrument of offensive or defensive combat, including firearms, capable of injuring human beings or animals; provided, however, implements such as small pocket or kitchen knives normally will not be considered as weapons.

"Wildlife" means all wild birds, wild game, fish, and any wild mammal, bird, amphibian, reptile, fish, mollusk, crustacean, or other wild animal not otherwise legally classified by statute or regulation of this State as a game species.

"Wildlife management area land" means those lands leased or otherwise established by the Department for the protection, propagation, and promotion of fish and wildlife and for public hunting and fishing.

HISTORY: Added by State Register Volume 26, Issue No. 5, Part 2, eff May 24, 2002. Amended by State Register Volume 34, Issue No. 6, eff June 25, 2010.

123–202. Hazard of Outdoor Activities and Liability.

Department land is made available to the general public for reasonable uses not prohibited by statute or regulation. These lands are held and maintained in a natural condition, except for uses requiring modification. Outdoor activities are not risk free. All members of the public using Department land and wildlife management area land must exercise due care in planning and carrying out any activities. Any person making use of Department land and wildlife management area land for any purpose does so at his own risk, and the Department shall not be liable in any respect for any loss, damage, or injury to person or property caused or occasioned thereby.

HISTORY: Added by State Register Volume 26, Issue No. 5, Part 2, eff May 24, 2002. Amended by State Register Volume 34, Issue No. 6, eff June 25, 2010.

123–203. General Regulation.

This section shall apply to all Wildlife Management Areas, Heritage Preserves and other lands owned by the Department.

A. Hunting, fishing, and taking game animals, birds, fish, or other wildlife is allowed on Wildlife Management Areas that have been designated as part of the Wildlife Management Area program. Hunting, fishing, and taking shall be subject to all applicable statutes and regulations, specifically including Reg.123–40.

B. All firearms must be unloaded and secured in a weapons case except while legally hunting, unless otherwise legally permitted. Target, skeet, trap, plinking, or any other type of shooting with any firearm or weapon is allowed on designated shooting ranges. Except as otherwise specifically authorized by South Carolina statute or this regulation, weapons and firearms are not allowed on any

heritage preserve. Possession of a weapon or firearm is allowed on any heritage preserve designated by the Department as a wildlife management area subject to the regulations.

C. Hiking is allowed subject to the following restrictions or conditions:

(1) Hiking is allowed. The Department may post or place signs declaring any area closed to hiking;

(2) The use of all designated hiking trails, except for posted multi-use trails is restricted solely to foot travel and the legitimate activities associated with the pursuit of hiking.

D. Operation of motorized, nonmotorized vehicles, all terrain vehicles, and off road vehicles.

The operation of motorized vehicles is allowed subject to the following restrictions or conditions:

(1) Motorized vehicles, all terrain vehicles, and off road vehicles may be operated only on open maintained roads and parking areas except as otherwise established by posted notice or as approved by the Department. All terrain vehicles are not allowed on any heritage preserve.

(2) Motorized vehicles, all terrain vehicles, and off road vehicles shall not exceed speed limits posted on Department signs.

(3) No person may operate any motorized, all terrain vehicle, off road vehicle or non-motorized vehicle in a reckless or negligent manner. The operation of any vehicle in such a manner as to indicate either a willful or wanton disregard for the safety of persons or property shall be deemed to be operating in a reckless manner.

(4) The operation of motorized vehicles, all terrain vehicles, and off road vehicles must comply with any posting or signs. Obstructing vehicular traffic is not allowed.

(5) All motorized vehicles, all terrain vehicles, and off road vehicles must be equipped with properly working mufflers, brakes, mirrors and spark arresters (if the vehicle was originally factory equipped with spark arresters and/or mirrors).

(6) Charter buses or other vehicles engaged in transporting persons for compensation are only allowed by permit.

(7) The numbers of motorized vehicles, nonmotorized vehicles, horses, or boats allowed on any area at one time may be limited by the Department through a permitting system.

(8) The operation of nonmotorized vehicles are allowed subject to the following restrictions or conditions:

(a) Bicycles may be ridden on roads open to motorized vehicles, established roadbeds and designated bicycle trails unless otherwise posted.

(b) Using roller skates, in-line skates, skateboards, roller skis, coasting vehicles, or similar devices is allowed only in designated areas.

(c) Motorized, self-propelled, unmanned electric cargo carriers (“deer carts”) may be used for the purposes of hauling cargo and harvested game only.

E. Swimming.

Swimming is allowed only in designated areas, which includes any State or federal navigable waterway abutting or flowing through Department land.

F. Camping.

(1) Camping is allowed only within areas designated as campsites by the Department. The Department will designate campsites by placement of signs or by other means such as maps or brochures.

(2) Camping in one location for more than four nights is prohibited except under permit.

(3) All camping supplies must be removed from camping sites.

(4) No organized group of ten or more individuals may camp at a single designated camp site at any time except under permit.

(5) Permanent structures must not be erected.

G. Horse riding.

(1) Horse riding is allowed, except during any open hunting periods.

(2) The riding of horses is allowed on roads open to motorized vehicular traffic, unless posted as closed to horseback riding.

(3) Horse riding is allowed on firebreaks or trails if specifically posted as open to horseback riding.

(4) The Department may restrict the number of horses and horse trailers and may require permits on specific areas. Restrictions shall be posted at the offices and/or entrances to Department lands or in published brochures.

(5) The owner of any horse brought onto Department property is responsible for the payment of any expense for the removal of injured or dead horses.

(6) Horses must be attended.

(7) Only pelletized feed may be used, no hay.

(8) Access to a Department property by horseback is limited to a designated public entrance. A public entrance is a day-use parking area. For ride-on users (without vehicles or trailers) only, entrance is allowed where a road open to motorized vehicular traffic or firebreak designated for horseback riding intersects a public or private road.

(9) When not being ridden, horses must be led by halter or reins, confined in a trailer, or tied to a trailer tie or hitching rail. Horses may not be confined using portable corrals or electric fences.

(10) Within a day-use parking area, horses must be kept at a flat walk.

(11) The Department may require a person with an unruly horse, which is causing a disturbance or safety hazard, to remove the horse from Department property.

H. Operation of boats.

(1) Boats may be used on Department land only on a watercourse or water body which has been designated by the Department for the use of boats. The Department may restrict the type, size, or number of boats and motors or the use of motors. Any restrictions shall be posted at the entrances to Department land. This restriction shall not apply to any State or federal navigable waterway.

(2) Motorized boats may only be launched at launch sites designated by the Department.

I. Possession of pets or specialty animals.

(1) Pets may enter Department land and accompany an individual on allowed activities if each pet is under the actual control of the owner or possessor.

(2) Neither dangerous pets nor pets with a propensity toward aggressive behavior are allowed.

(3) The requirements of this subsection do not apply to dogs while being used during and as a part of any of the following activities:

(a) Hunting when use of dogs is authorized by statute or regulation.

(b) The training of dogs to hunt is deemed hunting; training of dogs to hunt on lands and waters may be undertaken only during periods when hunting with dogs is authorized by statute or regulation.

(c) Authorized field trial events.

(d) Special events or activities as authorized by the Department.

(4) Raptors are allowed on Department land in compliance with R.123–170.

J. Consumption of alcohol.

Alcoholic beverages may be consumed by a person of lawful age only at a designated campsite, designated facility, residence or other designated location.

K. Gathering, damaging, or destroying rocks, minerals, fossils, artifacts, geological formations or ecofacts.

(1) The Department may authorize the collection of certain material upon issuance of a permit.

L. Gathering, damaging, or destroying plants, fallen vegetation, animals and fungi.

(1) The Department may authorize the collection of certain material upon issuance of a permit.

(2) Shed antlers at ground surface may be collected.

M. Use of fire, fireworks, or explosives.

(1) Open fires may only be started at campsites designated by the Department. Gas grills, gas lanterns, and portable charcoal grills may be operated at designated campsites.

(2) No fire may be left unattended. Prior to leaving the site, any fire must be completely extinguished, leaving neither flames nor embers.

(3) No wood, except from dead and down trees or from supplies as may be furnished by the Department shall be used for fuel.

(4) On any land where camp fires are permitted, the Department may prohibit the use of fires for any purpose by posting a notice at entrances to individual parcels of land.

(5) No person may deposit lighted matches, cigars, cigarettes or other burning tobacco where they will cause fire.

N. Hours of Operation.

(1) The Department may restrict the hours of operation on any Department land by publication in Department brochures and pamphlets or by posting on site specific hours of operation.

(2) Heritage preserves are open for public use from one hour before sunrise to one hour after sunset. On any preserve that is designated as a wildlife management area, the hours of operation shall be the same as are authorized for hunting as stated in R.123–40.

O. Shooting onto or across WMA land closed to hunting.

(1) Shooting onto or across WMA land closed to hunting is allowed provided the shooter and the game being shot at are physically outside the boundary of the WMA. The airspace above the WMA is considered within the boundary of the WMA.

P. Emergency closure of Department properties.

(1) The Department may close all or part of any WMA, state lake, shooting range or any other property for a special event, in cases of emergency or catastrophe, or any time human health and/or safety may be at risk.

HISTORY: Added by State Register Volume 26, Issue No. 5, Part 2, eff May 24, 2002. Amended by State Register Volume 34, Issue No. 6, eff June 25, 2010; State Register Volume 41, Issue No. 5, Doc. No. 4686, eff May 26, 2017; SCSR 44–6 Doc. No. 4914, eff June 26, 2020.

123–204. Additional Regulations Applicable to Specific Properties.

A. Aiken County Gopher Tortoise Heritage Preserve.

(1) Bicycles may be ridden on hiking trails. Bicyclists may ride in groups no larger than five (5).

B. Bay Point Heritage Preserve.

(1) No dogs are allowed.

(2) No person may enter any area of the preserve designated as a nesting area for birds.

C. Bear Branch Heritage Preserve.

Public visitation is by permit only. The preserve is closed to use except by permit.

D. Bear Island.

(1) Except when closed for scheduled hunts, the area is open from 1/2 hour before sunrise to 1/2 hour after sunset.

(2) The property is closed to all public access from November 1 through February 8, except for scheduled hunts.

(3) All terrain vehicles are prohibited.

(4) Camping is allowed only at designated sites and only during scheduled big game hunts.

(5) The area is closed to general public access during scheduled hunts.

(6) Fishing is allowed in designated areas from April 1 through September 30.

E. Bird-Key Stono Heritage Preserve.

(1) No dogs are allowed.

(2) No person may enter any area of the preserve designated as a nesting area for birds.

(3) March 15 through October 15 the area is closed to all access including the intertidal zone between low and high tide waterlines.

(4) October 16 through March 14 access is allowed only in the intertidal zone between low and high tide waterlines.

(5) No motorized vehicles, bicycles or horses.

F. Caper's Island Heritage Preserve.

(1) Overnight Camping on Capers Island is by permit only. Permit may be obtained from the DNR Charleston office. No more than 80 people will be allowed to camp per night. These 80 people may be divided into no more than 20 different groups.

(2) Permits will be issued on a first come first served basis.

(3) Campsites will be occupied on a first come first served basis.

(4) Permits are not required for day use.

(5) Persons without permits must be off the island by one hour after sunset.

(6) No trash is to be placed in any fire or buried.

(7) Department maintenance facilities on the island are not open to the public.

(8) No crab or fish pots or traps are allowed in impoundments.

(9) No motorized vehicles, non-motorized vehicles, off road vehicles, or all-terrain vehicles are allowed on Capers Island.

(10) No fishing is allowed from the impoundment tide gate.

G. Crab Bank Heritage Preserve.

(1) No dogs are allowed.

(2) No person may enter any area of the preserve designated as a nesting area for birds.

(3) March 15 through October 15 the area is closed to all access including the intertidal zone between low and high tide waterlines.

(4) October 16 through March 14 access is allowed only in the intertidal zone between low and high tide waterlines.

(5) No motorized vehicles, bicycles or horses.

H. Daws Island Heritage Preserve.

Camping is allowed only by permit issued by the Department. Primitive camping only is allowed. Daws Island camping is limited to two groups of no more than eight people in each group.

I. Deveaux Bank.

(1) No dogs are allowed.

(2) No person may enter any area of the preserve designated as a nesting area for birds.

(3) Closed all year above the high tide line (no seasonal closure) except in the recreation area.

(4) No motorized vehicles, bicycles or horses.

J. Donnelley WMA.

(1) Horseback riders must obtain a permit from the Donnelley WMA office prior to riding.

(2) All terrain vehicles are prohibited.

(3) Camping is prohibited.

K. Dungannon Plantation Heritage Preserve.

(1) No person may enter any area of the preserve designated as a nesting area for birds.

(2) Entrance to the preserve is through a designated parking area. Each person must sign in and out of the preserve at a designated entrance/exit.

L. Gopher Branch Heritage Preserve.

Public visitation is by permit only.

M. Great Pee Dee River Heritage Preserve.

(1) Primitive camping only is allowed. Camping may occur only along riverbanks and on sandbars, which may be approached only by backpacking or boat.

(2) Each person entering the preserve other than by boat must sign in and out at a designated entrance/exit.

N. Jim Timmerman Natural Resources Area at Jocassee Gorges.

This subsection shall apply to all Department owned and leased land within the boundaries of the Jim Timmerman Natural Resources Area at Jocassee Gorges (hereinafter referred to as Jocassee Gorges).

(1) Camping.

(a) Backcountry camping by permit will be allowed at any time during the year that the main roads allowing access to the Jocassee Gorges are not opened in connection with big game hunting. Backcountry camping is allowed by permit only at any location within the Jocassee Gorges, except for any area closed for camping by the Department. Backcountry camping is defined as minimal impact camping. No fires are allowed and each permitted camper is responsible for camping in a manner that results in no trace of the camping activity being left after breaking camp. Backcountry campers must apply for camping permits over the Department internet site. No camping is permitted within twenty-five (25) feet of a stream, lake, or as posted by the Department.

(b) The Foothills Trail and the Palmetto Trail pass through portions of the Jocassee Gorges. Use of the Foothills Trail and the Palmetto Trail shall be limited to hiking and primitive camping. Camping is allowed at any point along the trails and within one hundred feet of either side of the trails. Camping along the Foothills Trail and the Palmetto Trail is restricted to hikers while engaged in backpacking.

(2) Operation of motorized, non-motorized vehicles, all-terrain vehicles, and off-road vehicles. Motorized and non-motorized vehicle access to the Jocassee Gorges is limited. Highway 178 and Cleo Chapman Road (county road 143) are the only paved roads that access the property. Access by the general public to the Jocassee Gorges by motorized vehicles will follow a seasonal schedule with the exception of portions of Horsepasture and Camp Adger Roads. Road opening and closing schedules written below are given as general information. The Department may open and close any road at any time and for such duration as deemed necessary by the Department to manage the property.

(a) The operation of a motorized vehicle behind any closed gate is prohibited. Motorized, self-propelled, unmanned electric cargo carriers (“deer carts”) may be used for the purposes of hauling cargo and harvested game only.

(b) Roads open to year-round public access include a section of Horsepasture Road to Jumping Off Rock (from Highway 178 only) and a section of Camp Adger Road.

(c) All roads with Green gates are seasonally open. All roads with red gates are closed to vehicular traffic. This information will be posted at all major entrances.

(d) Motorized vehicles, all terrain vehicles, and off road vehicles may be operated only on open maintained roads and parking areas except as otherwise established by posted notice or as approved by the Department.

(e) Motorized vehicles, all terrain vehicles, and off road vehicles shall not exceed speed limits posted on Department signs. On any land where no speed limit signs are posted the speed limit shall be 15 miles per hour.

(f) Subject to the authority in subsection (d) above, the operation of all terrain vehicles is restricted as follows: Operation of all terrain vehicles is restricted to one hour before sunrise to one hour after sunset each day beginning on Monday and continuing through the following Friday. A person may use an all terrain vehicle while actually engaged in hunting at any time hunting is allowed; provided, however, the operation of an all terrain vehicle is restricted to one hour before sunrise to one hour after sunset with the exception of game retrieval, and an all terrain vehicle may be used only on open roads. All terrain vehicles and off-road vehicles may not be operated on Horsepasture Road or Camp Adger Road during the periods January 16 - March 19 and May 11 - September 14 when the main roads are closed.

(g) All terrain vehicles having three (3) wheels and motorcycles constructed or intended primarily for off road use, such as dirt bikes and motocross bikes, are prohibited within the Jim Timmerman Natural Resources Area at all times.

(h) Bicycles may be ridden on any road or area that is not posted as closed to bicycles except that the Foothills Trail and Palmetto Trail are closed to bicycles.

(3) The use of hang gliders, parachutes, or similar devices is not allowed and may be deemed abuse of Department land.

(4) Sassafras Overlook Site. These regulations apply to the portion of Jocassee Gorges designated as the overlook site by the Department.

(a) No camping is allowed on the site.

(b) No fires are allowed on the site.

(c) The hours of operation are one hour before official sunrise to one hour after official sunset, except as permitted by the Department.

(d) No alcohol is allowed on the site.

(e) No motor vehicles are allowed except on public roads and in the designated parking area. Motorized scooters or similar vehicles designed specifically for use by disabled persons may only be used by disabled persons on the site. No ATVs, UTVs or similar vehicles are allowed on the site.

(f) No skateboards, hoverboards or similar devices are allowed on the site.

(g) No exclusive use of the site will be allowed by any party.

(h) No drones may be allowed on the site.

(i) No horses, mules, donkeys or other animals may be allowed on the site except pets as defined below.

(j) No pets will be allowed on the site except for dogs and cats. All pets must be restrained by a leash at all times and may not cause any disruption to other visitors, wildlife or the site. All pet waste must be picked up and removed from the site.

(k) Commercial vending is prohibited on the site.

(*l*) Special permits may be issued by the Department to allow activities prohibited herein.

(m) All other laws, regulations, and ordinances that apply to the site are also in effect.

(5) Abner Creek Falls Trail

(a) Human foot traffic only is permitted.

(b) No horses, mountain bikes or motor conveyance is permitted, except for motorized scooters or similar vehicles designed specifically for use by disabled persons that may only be used by disabled persons on the site.

(c) No access is allowed from the trail or platform to adjacent areas within 300 feet of the platform.

O. Joiner Bank Heritage Preserve.

(1) No dogs are allowed.

(2) No person may enter any area of the preserve designated as a nesting area for birds.

P. Little Pee Dee Heritage Preserve.

(1) Primitive camping only is allowed. Camping may occur only along riverbanks and on sandbars, which may be approached only by backpacking or boat.

Q. Nipper Creek Heritage Preserve.

Public visitation is by permit only. The preserve is closed to use except by permit.

R. North Santee Bar Heritage Preserve.

(1) No dogs are allowed.

(2) No person may enter any area of the preserve designated as a nesting area for birds.

S. St. Helena Sound Heritage Preserve (Ashe Island, Beet Island, Big Island, Warren Island, and South Williman).

Camping is restricted to primitive camping in designated areas only.

T. St. Helena Sound Heritage Preserve (Otter Island).

(1) No dogs are allowed.

(2) Primitive camping only is allowed by permit issued by the Department. Primitive camping is restricted to designated areas and will be allowed only between November 1 and March 31.

U. Samworth WMA.

(1) Managed wetlands will be open for wildlife observation, bird watching, photography or nature study during daylight hours (1/2 hour before sunrise to 1/2 hour after sunset) from February 9 through October 31 each year. Between November 1 and February 8 these activities will be restricted to designated areas on Butler Creek and the Big Pee Dee River. All public use of this type will be by foot travel only after arriving by watercraft.

(2) The mainland nature trail will be open during daylight hours (1/2 hour before sunrise to 1/2 hour after sunset) to foot traffic only.

(3) All terrain vehicles, bicycles, and horses are prohibited.

(4) Temporary primitive camping will be available to organized groups by permit. No camping will be allowed that may conflict with organized hunts.

(5) Dirleton grounds are open to the public from 8:30 a.m. until 5:00 p.m., Monday through Friday.

V. Santee Coastal Reserve.

(1) The Santee Coastal Reserve is open during daylight hours (1/2 hour before sunrise to 1/2 hour after sunset) for limited public use year round except as listed below.

(2) Managed wetlands will be open for wildlife observation, bird watching, photography, or nature study during daylight hours (1/2 hour before sunrise to 1/2 hour after sunset) from February 9 through October 31 each year except during special hunts and events regulated by the Department.

(3) The dikes around the waterfowl impoundments will be closed, except by prior arrangement, during the period of November 1 through February 8 of the next year.

(4) Prior arrangements must be made with the Reserve Manager to use observation blinds for waterfowl.

(5) Upland trails will be available during open periods stated above.

(6) The beaches on Cedar and Murphy Islands will be open year round, seven days a week.

(7) Bicycles may be ridden on upland trails year round and on dikes from February 9 - October 31.

(8) Fishing is permitted from the Santee River dock and the Hog Pen impoundment except during scheduled waterfowl hunts. Fishing will be allowed during daylight hours (1/2 hour before sunrise to 1/2 hour after sunset). Fishing is permitted on Murphy and Cedar Island beaches at any time on a year round basis.

(9) Primitive camping is allowed year round with no registration on the beaches of Murphy and Cedar Islands. Camping on the mainland portion is restricted to the designated campground. Registration is required at the campground self-serve kiosk. Advance registration is required for groups greater than 15 people.

W. Santee-Delta WMA.

(1) Managed wetlands will be open for wildlife observation, bird watching, photography or nature study during daylight hours (1/2 hour before sunrise to 1/2 hour after sunset) from February 9 through October 31 each year except during special hunts and events regulated by the Department. Area closed to all public access from November 1 through February 8 except for special hunts and events regulated by the Department. All public use of this type will be by foot travel only.

(2) All terrain vehicles, bicycles, and horses are prohibited.

(3) Camping is prohibited.

X. Shealy's Pond Heritage Preserve.

Gasoline powered motors on boats are prohibited.

Y. Tillman Sand Ridge Heritage Preserve.

(1) Camping is allowed in designated campsites during designated hunts only.

Z. Tom Yawkey Wildlife Center.

The Center is a wildlife sanctuary. Boating, fishing and wildlife viewing in or upon navigable waters is allowed.

(1) Public visitation is by pre-scheduled educational field trips only. The scheduling of educational field trips is at the discretion of SCDNR.

(2) Primitive camping is allowed by permit only. Requests for permits should be no less than 2 weeks prior to their effective date. Primitive camping is allowed only at Department designated locations along the beach front from September 16 - May 14. Only one permit will be issued for each location at a time. Camping is allowed for a period of not more than 4 consecutive nights per individual permit holder.

AA. Victoria Bluff Heritage Preserve.

(1) No campfires or any other use of fire shall be allowed.

BB. Waccamaw River Heritage Preserve.

Primitive camping only is allowed. Camping is allowed only along riverbanks and on sandbars; campers may approach only by backpacking or boat.

CC. Watson Cooper Heritage Preserve.

Camping is restricted to primitive camping. No live plants may be cut or cleared to improve or expand a campsite. No campsites or campfires within 25 feet of a stream or creek.

DD. Webb WMA.

(1) Webb WMA is closed to the general public from one hour after official sunset to one hour before official sunrise.

(2) Overnight visitors to the Webb Center are not restricted in hours of access.

(3) No camping without a permit except for deer, turkey, and hog hunters on nights before a designated hunt.

(4) Bicycles may be ridden on any area that is not marked or posted as restricted to bicycles. No bicycle may be operated in any manner or place that will damage or degrade any feature or habitat. During scheduled big game hunts, bicycles and all terrain vehicles are prohibited except as used by legal hunters and anglers.

EE. Laurel Fork Heritage Preserve.

(1) All terrain vehicles may be ridden on the portions of Cane Break and Horsepasture roads on the Preserve subject to the same rules as the Jim Timmerman Natural Resources Area at Jocassee Gorges.

FF. Botany Bay Plantation WMA.

(1) No camping is allowed.

(2) All terrain vehicles are prohibited except those permitted by the Department for special management activities.

(3) The Fig Island shell rings are closed to all public access except organized scientific, management or educational activities permitted by the the Department.

(4) Access to the beach is by foot, bicycle or boat; no horses allowed on the beach. No dogs allowed on the beach. No collection, removal or possession of shells, fossils, driftwood or cultural artifacts is permitted.

(5) Sea Cloud Landing on Ocella Creek and all other designated access points are restricted to non-trailered watercraft.

(6) All hunters, fishermen and visitors must obtain and complete a day use pass upon entering the area and follow instructions on the pass.

(7) Botany Bay Plantation WMA is closed to public access 1/2 hour after sunset until 1/2 hour before sunrise except for special events regulated by the Department.

(8) No person may gather, collect, deface, remove, damage, disturb, destroy, or otherwise injure in any manner whatsoever the plants, animals (except lawful hunting), fungi, rocks, minerals, fossils, artifacts, or ecofacts including but not limited to any tree, flower, shrub, fern, moss, charcoal, plant remains, or animal remains. The Department may authorize the collection of certain material upon issuance of a permit as provided in 123–206.

(9) Shorebased fishing, shrimping, and crabbing, is allowed only on the front beach and in designated areas only.

(10) The Department reserves the right to close specific areas as needed for management purposes.

(11) Alcoholic beverages are prohibited on the area.

GG. McBee WMA.

(1) All terrain vehicles are prohibited.

HH. Campbells Crossroads and Angelus Tract.

(1) All terrain vehicles are prohibited.

II. Pee Dee Station WMA.

(1) All terrain vehicles are prohibited.

JJ. Daily use cards are required for all users of Hamilton Ridge WMA, Palachucola WMA, Webb WMA, Tillman Sand Ridge Heritage Preserve, Bonneau Ferry WMA, Bear Island WMA, Donnelley WMA, Great Pee Dee River Heritage Preserve, Belfast WMA, Congaree Bluffs Heritage Preserve, Marsh WMA, Woodbury WMA, Worth Mountain WMA, Liberty Hill WMA and Santee Cooper WMA. Cards must be in possession while on the property and completed cards must be returned daily upon leaving the property.

KK. Liberty Hill WMA

(1) All-terrain vehicles are prohibited.

(2) The area is closed to public access 1/2 hour after sunset until 1/2 hour before sunrise except for hunts and special events regulated by the Department.

LL. Wateree River HP WMA

(1) All-terrain vehicles are prohibited.

(2) The waterfowl impoundments are closed to all public access from November 1 through March 1, except for scheduled hunts.

(3) The area is closed to public access 1/2 hour after sunset until 1/2 hour before sunrise except for special events regulated by the Department.

(4) All users, including hunters and anglers must obtain and possess a day use pass upon entering the area and follow instructions on the pass. The completed form must be deposited in the designated container before leaving the area.

(5) Special events may be permitted by the Department.

(6) Horseback riding is prohibited except by special permit.

MM. Lewis Ocean Bay HP WMA

(1) Horseback riding is also allowed during the period January 2 through March 1, subject to the restrictions in Regulation 123–203, Paragraph G, sections (2) through (11).

HISTORY: Added by State Register Volume 26, Issue No. 5, Part 2, eff May 24, 2002. Amended by State Register Volume 34, Issue No. 6, eff June 25, 2010; State Register Volume 38, Issue No. 6, Doc. No. 4414, eff June 26, 2014; State Register Volume 41, Issue No. 5, Doc. No. 4686, eff May 26, 2017; SCSR 43–5 Doc. No. 4860, eff May 24, 2019; SCSR 44–6 Doc. No. 4914, eff June 26, 2020.

123–205. Special Events, Permit Requirements and Procedures, and Exceptions.

A. A special event permit is required for all events occurring on Department land if one of the following conditions exists:

(1) the exclusive use of a facility or a specified land or water area is required;

(2) an organized or advertised competition will be conducted;

(3) sound will be amplified which may disrupt area users; or

(4) temporary structures, other than blinds or common camping equipment, will be erected.

B. Permits may not be issued for events that are commercial in nature, where entrance or similar fees are charged, or where vendors are present for the purpose of selling any items.

C. An event sponsored in part or in total by the Department shall not require a special event permit.

D. Permit procedures:

(1) Each application for a special event permit must be submitted to the Department not less than 30 weekdays before the event is to be held;

(2) Performance deposit may be required as a condition of special event permit issuance;

(3) The deposit will be returned by the Department, provided the special event permittee has performed all permit conditions;

(4) The permittee is responsible for cleaning and safekeeping the land during and following any event, and the permittee is responsible for any damage and for clean-up costs incurred by the Department in connection with the event;

(5) Permit holders may tag or mark wildlife only as allowed under permit conditions.

E. The Department may refuse to issue a special event permit if the proposed event would:

(1) not be compatible with intended uses of the area;

(2) result in misuse or damage to facilities, structures or the natural environment; or

(3) pose a threat to public health, safety or welfare.

F. In addition to other penalties prescribed by law, failure to comply with all rules and regulations and permit conditions is grounds for revocation of a special event permit or refusal to issue a special event permit.

HISTORY: Added by State Register Volume 26, Issue No. 5, Part 2, eff May 24, 2002. Amended by State Register Volume 32, Issue No. 5, eff May 23, 2008; State Register Volume 34, Issue No. 6, eff June 25, 2010.

123–206. Permits to Collect Plants, Animals, or Minerals or to Undertake Archeological Activities.

A. The Department may issue permits to collect plants, animals, or minerals or to undertake research, survey, or archeological activities on Department land. Permits may be issued only for activities relating to educational or scientific purposes. Permits may be issued subject to the following conditions:

(1) Each application for a permit must be submitted to the Department not less than 30 weekdays before the proposed activity is to commence;

(2) A performance deposit may be required as a condition of permit issuance;

(3) The deposit will be returned by the Department, provided the permittee has performed all permit conditions;

(4) The permittee is responsible for cleaning and safekeeping the land during and following the activity, and the permittee will be responsible for any damage and for clean-up costs incurred by the Department in connection with the activity;

(5) Permit holders may tag or mark wildlife only as allowed under permit conditions.

B. The Department may refuse to issue a permit if the activity would:

(1) not be compatible with intended uses of the area;

(2) result in misuse or damage to facilities, structures or the natural environment; or

(3) pose a threat to public health, safety or welfare.

HISTORY: Added by State Register Volume 26, Issue No. 5, Part 2, eff May 24, 2002. Amended by State Register Volume 34, Issue No. 6, eff June 25, 2010.

123–207. Exception for Non-Public Use Properties.

This regulation shall not be applicable to Department owned land used for such purposes as fish hatcheries, maintenance facilities, storage facilities, offices, residences, or similar facilities which are not open generally for public use or recreational purposes.

HISTORY: Added by State Register Volume 26, Issue No. 5, Part 2, eff May 24, 2002. Amended by State Register Volume 34, Issue No. 6, eff June 25, 2010.

123–208. Law Enforcement, Fire Fighting, and Emergency Activities.

This regulation shall not be construed or applied to prevent any authorized law enforcement, fire fighting, emergency, or rescue personnel from carrying out their official responsibilities.

HISTORY: Added by State Register Volume 26, Issue No. 5, Part 2, eff May 24, 2002. Amended by State Register Volume 34, Issue No. 6, eff June 25, 2010.

123–209. Term and Conditions for the Public's Use of State Lakes and Ponds Owned by the Department of Natural Resources.

A. Pursuant to the conditions provided in 1976 Code Section 50–11–2200 prohibiting certain acts and conduct on state lakes owned or leased by the department, regulations defining the terms and conditions for public use of state lakes owned by the Department are as follows:

a. Draper WMA State Lakes in York County

i. The lakes are 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, 15 bream, and 3 catfish. Statewide limits apply for all other fish species, except no size limit for crappie.

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 from 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 3 largemouth bass, 20 bream, and 3 catfish. Statewide limits apply for all other fish species, except no size limit on crappie.

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 from 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 3 largemouth bass 16 inches or longer, 20 bream, and 3 catfish. Statewide limits apply for all other fish species, except no size limit on crappie.

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 from 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 3 largemouth bass, 20 bream, and 3 catfish. Statewide limits apply for all other fish species, except no size limit on crappie.

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 from 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 3 largemouth bass, 10 bream, and 3 catfish. Statewide limits apply for all other fish species, except no size limit on crappie.

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 from the department.

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 1 largemouth bass, 10 bream, and 3 catfish. Statewide limits apply for all other fish species, except no size limit for crappie.

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 from 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, except no size limit for crappie.

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 from the department.

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

x. The department may issue to the Lake Paul Wallace Authority (the Authority) permits with conditions whereby the Authority may provide for fireworks shows and/or designate a public swimming area on the Lake Paul Wallace property provided that the Authority ensures that such actions comply with all local and state laws, regulations and ordinances applicable to fireworks displays and/or public swimming areas.

xi. 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.

xii. 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 3 largemouth bass, 20 bream, and 3 catfish. Statewide limits apply for all other fish species, except no size limit on crappie.

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 from 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 statewide limit on the number of these devices applies.

iii. Daily fish limits are 10 largemouth bass, and 30 bream. Statewide limits apply for all other fish species, except no size limit on crappie.

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 from the department.

HISTORY: Added by State Register Volume 37, Issue No. 6, eff June 28, 2013. Amended by Register Volume 39, Issue No. 7, Doc. No. 4547, eff July 24, 2015; State Register Volume 41, Issue No. 6, Doc. No. 4727, eff June 23, 2017.

123–210. Term and Conditions for the Public's Use of State Lakes and Ponds Leased by the Department of Natural Resources.

A. Pursuant to the conditions provided in 1976 Code Section 50–11–2200 prohibiting certain acts and conduct on state lakes owned or leased by the department, regulations defining the terms and conditions for public use of state lakes leased by the Department are as follows:

a. Lake Ashwood in Lee County

i. The lake is 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. Daily fish limits are 3 largemouth bass, 15 bream, and 3 catfish. Statewide limits apply for all other fish species, except no size limit for crappie.

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 10 horsepower of less.

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

ix. Lake Ashwood is closed to fishing until July 1, 2019. The Department may reopen Lake Ashwood prior to July 1, 2019 if conditions allow.

b. Dargan's Pond in Darlington County

i. The lake is open on Wednesday and Saturday only from March 1 through September 30 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 3 largemouth bass with only one being 16 inches or longer, 20 bream, and 3 catfish. Statewide limits apply for all other fish species.

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

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

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

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

viii. Dargan's Pond is closed for repairs. Dargan's Pond will reopen for public use July 1, 2019. The Department may reopen Dargan's Pond prior to July 1, 2019 if conditions allow.

c. Lake Edwin Johnson in Spartanburg County

i. Lake is open for fishing from one-half hour before official sunrise to one-half hour after official sunset seven days a week.

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. Daily fish limits are 3 largemouth bass, 10 bream, and 3 catfish. Statewide limits apply for all other fish species except no size limit on crappie.

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 from the department.

d. Jonesville Reservoir in Union County

i. Lake is open on Monday, Wednesday and Saturday only, 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. No minnows allowed for bait.

iv. Daily fish limits are 3 largemouth bass, 10 bream, and 3 catfish. Statewide limits apply for all other fish species, except no size limit on crappie.

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 from the department.

e. Lancaster Reservoir in Lancaster County

i. Lake is open on Thursday and Saturday 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. No minnows allowed for bait.

iv. Daily fish limits are 2 largemouth bass 16 inches or longer, 20 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. 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 from the department.

f. Lake Oliphant in Chester County

i. Lake is open Monday, Wednesday and Saturday 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. No minnows allowed for bait.

iv. Daily fish limits are 3 largemouth bass, 10 bream, and 3 catfish. Statewide limits apply for all other fish species, except no size limit on crappie.

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 from the department.

ix. Lake Oliphant will be closed at all times for renovation and restocking from July 1, 2015 through June 30, 2017. Lake Oliphant will reopen July 1 2017.

g. Star Fort Pond in Greenwood County

i. Lake is open for fishing on Wednesday, Friday and Saturday between April 1 and November 1, 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. No minnows allowed for bait.

iv. Daily fish limits are 3 largemouth bass, 10 bream, and 3 catfish. Statewide limits apply for all other fish species, except no size limit on crappie.

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 from the department.

h. Sunrise Lake in Lancaster County

i. Lake is open for fishing on Monday, Wednesday and Saturday 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. No minnows allowed for bait.

iv. Daily fish limits are 2 largemouth bass, 10 bream, and 3 catfish. Statewide limits apply for all other fish species, except no size limit on crappie.

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 from the department.

ix. Sunrise Lake will be closed at all times for renovation and restocking from July 1, 2015 through June 30, 2018. Sunrise Lake will reopen July 1, 2018. The Department may reopen Sunrise Lake prior to July 1, 2018 if conditions allow.

HISTORY: Added by State Register Volume 37, Issue No. 6, eff June 28, 2013. Amended by State Register Volume 39, Issue No. 7, Doc. No. 4547, eff July 24, 2015; State Register Volume 41, Issue No. 6, Doc. No. 4727, eff June 23, 2017.

123–211. Terms and Conditions for the Public's Use of Department Shooting Ranges.

A. The Department may construct shooting ranges on property it owns or leases for the purpose of providing public shooting opportunity. The following rules apply to Department firearm and archery ranges:

(1) Ranges may only be used during open days and hours of operation. Open days and hours of operation shall be designated on signs and at least one of such signs will be posted at the entrance to each Department range.

(2) Where suitable, the Department may offer clay target shooting opportunities for the public. The Department may charge up to $5.00 per 25 clay targets on shotgun ranges to recoup the cost of clay targets.

(3) Approved eye and ear protection must be used at all times by shooters and spectators.

(4) Visitors may not be under the influence of or in possession of alcoholic beverages, drugs, or other controlled substances. No alcoholic beverages, drugs, or any other controlled substances are allowed.

(5) All firearms entering or leaving the range must be unloaded and properly cased until on the firing line. All firearms must be unloaded and properly cased before leaving the firing line.

(6) Loading and unloading of the firearm may only be completed at the firing line with the muzzle pointed down range.

(7) All firearms must be unloaded and actions open while targets are being hung or checked.

(8) Persons under the age of 16 must be accompanied by an adult (age 21 or older) who is responsible for their actions. Persons under the age of 16 are not allowed to be on the firing line at any pistol range contained within a Department range facility. In addition, persons under the age of 21 in possession of a pistol on a Department range must be accompanied by an adult age 21 or older.

(9) Only paper or cardboard targets may be used.

(10) Incendiary or explosive targets are prohibited.

(11) All targets must be located so that a bullet will strike between the base of and halfway up the backstop/berm, so that no bullet strikes the ground in front of the backstop/berm.

(12) All visitors must clean up their areas. All targets, litter, and spent ammunition cases must be removed by the shooter before leaving.

(13) No shooter may fire from points other than designated firing points. Shooters may shoot targets in their lane only.

(14) Food, drinks, and tobacco products are prohibited on the firing line at all times.

(15) Climbing on berms or benches is prohibited.

(16) Open toed shoes are prohibited on the firing line.

(17) No firearm of a .50 caliber or greater may be used. Muzzle loaders above .50 caliber are allowed.

(18) The following ammunition types are prohibited: tracer, incendiary, explosive, armor piercing, or penetrator rounds.

(19) The possession of a fully automatic weapon is prohibited.

(20) Arrows with broadheads are prohibited on Department archery ranges.

(21) Any activity that would be considered to present a safety hazard is prohibited.

HISTORY: Added by State Register Volume 41, Issue No. 5, Doc. No. 4686, eff May 26, 2017.

ARTICLE 6
ISSUANCE OF WARNING TICKETS

(Statutory Authority: 1976 Code § 50-3-395)

123–601. Use of Warning Tickets.

The use of warning tickets is limited to misdemeanor cases under Title 50 in which the Conservation Officer in his judgment determines that the enforcement of the law, the education of the public, and the protection of the resources of this state will best be served by the issuance of a warning ticket in lieu of a summons ticket.

The form prescribed for such warning ticket shall be substantially as below and the ticket shall be issued in triplicate with one copy to the violator, one copy retained by the officer and one copy forwarded to the Chief of Law Enforcement or his designee.

The form of the South Carolina Wildlife and Marine Resources Department Warning Ticket shall have the following information:

1. Name of Department -S.C. Wildlife & Marine Res. Dept.
2. Name of Form -Violation Warning Notice
3. Name of violator
4. Social Security number of violator
5. Address of violator
6. Date of birth of violator
7. Date of warning
8. Violation
9. Code section
10. Location
11. The following statement: "This warning carries with it a request to learn and abide by all Fish, Game and Boating Laws so that our natural resources can be safely enjoyed by present and future generations."
12. Signed by Conservation Officer
13. Radio call number of Conservation Officer
14. County of violation
15. A listing as follows with a box to mark type of violation:

i.e. Game and Fish

Boating

Commercial Fishing