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COMMITTEE REPORT

April 13, 2011

**H. 3873**

Introduced by Rep. Vick

S. Printed 4/13/11--H.

Read the first time March 8, 2011.

**THE COMMITTEE ON AGRICULTURE, NATURAL**

**RESOURCES AND ENVIRONMENTAL AFFAIRS**

To whom was referred a Bill (H. 3873) to amend Section 50‑5‑1507, Code of Laws of South Carolina, 1976, relating to the zones, seasons, times, catch and size limits, methods, etc., respectfully

**REPORT:**

That they have duly and carefully considered the same and recommend that the same do pass:

NELSON L. HARDWICK for Committee.

**A** **BILL**

TO AMEND SECTION 50‑5‑1507, CODE OF LAWS OF SOUTH CAROLINA, 1976, RELATING TO THE ZONES, SEASONS, TIMES, CATCH AND SIZE LIMITS, METHODS, AND EQUIPMENT FOR TAKING HERRING, SO AS TO REVISE THE SEASONS, TIMES, AND SIZE AND TAKE LIMITS FOR HERRING, AND THE METHODS AND EQUIPMENT WHICH APPLY AND TO PROVIDE FOR THE AREAS IN WHICH CERTAIN OF THESE PROVISIONS APPLY.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Section 50‑5‑1507 of the 1976 Code is amended to read:

“Section 50‑5‑1507. In addition to other provisions of law, the following provisions govern seasons, times, methods, equipment, size limits, and take limits in commercial fishing for herring in the waters of this State:

(a) ~~Winyah Bay system including~~ the Black River, ~~Sampit River, Great Pee Dee River,~~ Little Pee Dee River, Lynches River, Sampit River and the Waccamaw River from its northern ocean outlet at Little River to Winyah Bay, and Winyah Bay~~, and all tributaries and distributaries thereto as follows~~:

Season: No open season.

(b) Great Pee Dee River

(1) Season: February 15 through April 15;

(2) Times: 7:00 a.m. Wednesday to 7:00 p.m. Saturday, local time;

(3) Methods and equipment: Any lawful method and equipment;

(4) Size and take limits: No limits.

~~(b)~~(c) Santee River below Wilson Dam including the Rediversion Canal below St. Stephen Dam, North Santee River and Bay, South Santee River, and all tributaries and distributaries ~~thereto~~ as follows:

(i) Santee River below the cable and buoys marking the seaward boundary of the Wilson Dam sanctuary designated by the department seaward to Wilson Dam Boat Landing:

(1) Season: February 15 through April 30 for herring only;

(2) Times: Sunrise Monday to sunset Thursday, as locally published;

(3) Methods and equipment: Cast net and seine net. ~~No~~ A seine may not exceed one hundred yards in total length. The mesh of the seine ~~shall~~ must not be less than one‑half inch square. All fish except those used for live bait must be containerized in one bushel units before landing~~.~~;

(4) Size and take limits: Ten U.S. bushels ~~per~~ each boat ~~per~~ each day including lawful incidental catch; harvest ~~may~~ must not be transferred between boats; and ~~no~~ an additional boat ~~may~~ must not be used to increase a person’s daily take.

(ii) Rediversion Canal:

(1) Season: March 1 through April 30;

(2) Times: 7:00 p.m. to 12:00 p.m. EST or 8:00 p.m. to 12:00 p.m. DST;

(3) Methods and equipment: Circular drop nets with a maximum six‑foot diameter, lift nets, and cast nets allowed; other equipment prohibited; nets must be operated by hand; trawling prohibited; culling prohibited; all fish except those used for live bait must be containerized in units of one hundred pounds maximum weight before landing; all fishing is prohibited within one hundred feet of the fish lift exit channel at St. Stephen Powerhouse, except with hook and line from March 1 through April 15;

(4) Size and take limits: Ten U.S. bushels ~~per~~ each boat ~~per~~ each day including lawful incidental catch; harvest ~~may~~ must not be transferred between boats; and ~~no~~ an additional boat ~~may~~ must not be used to increase a person’s daily take.

(iii) Santee River seaward of Wilson Boat Landing:

Season: No open season.

~~(c)~~(d) Charleston Harbor System including Wando River and Cooper River seaward to the U.S. Highway 17 bridges, Charleston Harbor, Ashley River, and all tributaries and distributaries ~~thereto~~ as follows:

(i) Tailrace Canal from CSX Railroad Bridge to the Jefferies Power Plant Sanctuary line:

(1) Season: March 1 through April 30;

(2) Times: Sunrise as locally published to 10:00 p.m.;

(3) Methods and equipment: Circular drop nets with a maximum six foot diameter, lift nets, and cast nets allowed; other equipment prohibited; nets must be operated by hand; trawling prohibited; culling prohibited; all fish except those used for live bait must be containerized in units of one hundred pounds maximum weight before landing;

(4) Size and take limits: Ten U.S. bushels ~~per~~ each boat ~~per~~ each day; harvest ~~may~~ must not be transferred between boats and ~~no~~ an additional boat ~~may~~ must not be used to increase a person’s daily take.

(ii) Cooper River from CSX Railroad to U.S. Highway 17 bridges:

Season: No open season.

(iii) Charleston Harbor system excluding Tailrace Canal and Cooper River seaward to U.S. Highway 17 bridges:

(1) Season: February 15 through April 15;

(2) Times: No restrictions;

(3) Methods and equipment: Any lawful method and equipment;

(4) Size and take limits: No limits.

~~(d)~~(e) Lake Moultrie, Lake Marion, Diversion Canal, Intake Canal of Rediversion Canal, and all tributaries and distributaries ~~thereto~~ as follows:

(1) Season: No closed season;

(2) Times: No restrictions;

(3) Methods and equipment: Cast net, lift net, and hook and line;

(4) Size and take limits: Two hundred fifty pounds ~~per~~ each boat ~~per~~ each day combined catch of shad and herring and other lawful incidental catch.

~~(e)~~(f) Lake Jocassee and all tributaries and distributaries ~~thereto~~ as follows:

(1) Season: No closed season;

(2) Times: No restrictions;

(3) Methods and equipment: Hook and line;

(4) Size and take limits: No limits.

~~(f)~~(g) Lake Keowee and all tributaries and distributaries ~~thereto~~ as follows:

(1) Season: No closed season;

(2) Times: No restrictions;

(3) Methods and equipment: Cast net and hook and line;

(4) Size and take limits: No limits.

~~(g)~~(h) Lake Hartwell and all tributaries and distributaries ~~thereto~~ as follows:

(1) Season: No closed season;

(2) Times: No restrictions;

(3) Methods and equipment: Cast net and hook and line;

(4) Size and take limits: No limits.

~~(h)~~(i) Lake Richard B. Russell and all tributaries and distributaries ~~thereto~~ as follows:

(1) Season: No closed season;

(2) Times: No restrictions;

(3) Methods and equipment: Cast net and hook and line;

(4) Size and take limits: No limits.

~~(i)~~(j) Lake J. Strom Thurmond and all tributaries and distributaries ~~thereto~~ as follows:

(1) Season: No closed season;

(2) Times: No restrictions;

(3) Methods and equipment: Cast net and hook and line;

(4) Size and take limits: No limits.

(k) Savannah River and all tributaries and distributaries as follows:

Seaward of the Augusta Diversion Dam

Season: No open season.

~~(j)~~(l) Lake Secession, Stevens Creek Reservoir, and all tributaries and distributaries ~~thereto~~ as follows:

(1) Season: No closed season;

(2) Times: No restrictions;

(3) Methods and equipment: Cast net and hook and line;

(4) Size and take limits: No limits.

~~(k)~~(m) Lake Greenwood, Lake Murray, Saluda River between Buzzards Roost (Lake Greenwood Dam) and S.C. Highway 121, and all tributaries and distributaries ~~thereto~~ as follows:

(1) Season: No closed season;

(2) Times: No restrictions;

(3) Methods and equipment: Cast net and hook and line;

(4) Size and take limits: No limits.

~~(l)~~(n) Catawba River impoundments, including Lake Wylie and Lake Wateree, and all tributaries and distributaries ~~thereto~~ as follows:

(1) Season: No closed season;

(2) Times: No restrictions;

(3) Methods and equipment: Cast net and hook and line;

(4) Size and take limits: No limits.

~~(m)~~(o) Lake Monticello and all tributaries and distributaries ~~thereto~~ as follows:

(1) Season: No closed season;

(2) Times: No restrictions;

(3) Methods and equipment: cast net and hook and line;

(4) Size and take limits: No limits.”

SECTION 2. This act takes effect upon approval by the Governor.

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