Agency Name: Department of Natural Resources

Statutory Authority: 50‑11‑2200

Document Number: 5172

Proposed in State Register Volume and Issue: 46/11

House Committee: Regulations and Administrative Procedures Committee

Senate Committee: Fish, Game and Forestry Committee

120 Day Review Expiration Date for Automatic Approval: 05/10/2023

Final in State Register Volume and Issue: 47/5

Status: Final

Subject: Term and Conditions for the Public’s Use of State Lakes and Ponds Leased by the Department of Natural Resources

History: 5172

By Date Action Description Jt. Res. No. Expiration Date

‑ 11/25/2022 Proposed Reg Published in SR

‑ 01/10/2023 Received President of the Senate & Speaker 05/10/2023

S 01/10/2023 Referred to Committee

H 01/11/2023 Referred to Committee

S 02/02/2023 Resolution Introduced to Approve 489

‑ 05/10/2023 Approved by: Expiration Date

‑ 05/26/2023 Effective Date unless otherwise

 provided for in the Regulation

Document No. 5172

**Department of Natural Resources**

CHAPTER 123

Statutory Authority: 1976 Code Section 50‑11‑2200

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

**Synopsis:**

The Department of Natural Resources proposes to establish revised Regulation 123‑210, setting term and conditions for the public’s use of lakes and ponds leased by the department for the purpose of providing public fishing.

A Notice of Drafting for the proposed regulation was published in the *State Register* on September 23, 2022.

The proposed amendment will require legislative review.

Section‑by‑Section Discussion:

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

 A. No change.

 a. Lake Ashwood in Lee County – no change.

 b. Dargan’s Pond in Darlington County – reinstates regulations and allows for opening to fishing when conditions allow.

 c. Lake Edwin Johnson in Spartanburg County – adds a closure through June 2024, lake will reopen on July 1, 2024.

 d. Jonesville Reservoir in Union County – no change.

 e. Lancaster Reservoir in Lancaster County – no change.

 f. Lake Oliphant in Chester County ‑ no change

 g. Star Fort Pond in Greenwood County ‑ no change.

 h. Sunrise Lake in Lancaster County – no change.

**Instructions:**

Print the regulation as shown below. All other items remain unchanged.

**Text:**

 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 lake is 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 to include redbreast sunfish, and 5 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.

 b. Dargan’s Pond in Darlington County

 i. Dargan’s Pond is closed until repaired. The DNR may reopen the lake for public fishing as soon as conditions allow.

 ii. 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.

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

 iv. Daily fish limits are 3 largemouth bass with only one being 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.

 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 5 largemouth bass, 10 bream to include redbreast sunfish, and 5 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 Johnson is closed to boating and fishing until July 1, 2024.

 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 5 largemouth bass, 10 bream to include redbreast sunfish, and 5 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 to include redbreast sunfish, 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 5 largemouth bass, 10 bream to include redbreast sunfish, 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.

 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 5 largemouth bass, 10 bream to include redbreast sunfish, and 5 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 to include redbreast sunfish, 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.

**Fiscal Impact Statement:**

SCDNR does not anticipate additional costs to the state or its political subdivisions as a result of the amendment of Regulation 123‑210.

**Statement of Rationale:**

Regulation 123‑210 is amended to clarify and update the term and conditions to provide for the public’s use of state lakes and ponds leased by the department for the purpose of providing public fishing.