



South Carolina
House of Representatives
Legislative Oversight Committee

ECONOMIC DEVELOPMENT, TRANSPORTATION,
AND NATURAL RESOURCES SUBCOMMITTEE

Chairman Travis A. Moore

The Honorable Gary S. Brewer, Jr.
The Honorable William M. "Bill" Hixon
The Honorable Russell L. Ott
The Honorable Marvin R. Pendarvis

AGENDA

Tuesday, August 20, 2024

10:30 a.m.

Room 403 - Blatt Building

- I. Approval of minutes
- II. Discussion of the study of the South Carolina Forestry Commission
- III. Adjournment

Pursuant to Committee Rule 6.8, S.C. ETV shall be allowed access for internet streaming whenever technologically feasible.



South Carolina House of Representatives Legislative Oversight Committee

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MEETING MINUTES

Tuesday, July 2, 2024
Upon Adjournment of the House
Blatt Room 433

Archived Video Available

- Pursuant to House Legislative Oversight Committee Rule 6.7, South Carolina ETV was allowed access for streaming the meeting. You may access an archived video of this meeting by visiting the South Carolina General Assembly’s website (<http://www.scstatehouse.gov>) and clicking on Committee Postings and Reports, then under House Standing Committees click on Legislative Oversight. Then, click on Video Archives for a listing of archived videos for the Committee.

Attendance

- The Economic Development, Transportation, and Natural Resources Subcommittee meeting was called to order by Chair Travis A. Moore on Tuesday, July 2, 2024, in Room 433 of the Blatt Building. Four subcommittee members (Chair Moore; Representative William M. Hixon; Representative Russell L. Ott; Representative Gary S. Brewer, Jr.) were present for all or a portion of the meeting. Representative Marvin R. Pendarvis was absent.

Minutes

- House Rule 4.5 requires standing committees to prepare and make available to the public the minutes of committee meetings, but the minutes do not have to be verbatim accounts of meetings.

Approval of Minutes

Approval of Minutes

- I. Representative Hixon made a motion to approve the meeting minutes from the June 25, 2024 meeting. A roll call vote is held and the motion passes.

Rep. Brewer's motion to approve meeting minutes.	Yea	Nay	Not Voting
Rep. Brewer	✓		
Rep. Hixon	✓		
Rep. Pendarvis			✓
Rep. Ott	✓		
Rep. Moore	✓		

Discussion of the South Carolina Forestry Commission

- II. Prior to beginning the testimony, Chair Moore informs members that Dr. Nilesh Timilsina, Associate Professor of Forest Biometrics at Clemson University, will participate virtually at today's meeting to discuss forestry and artificial intelligence and that Division Director Randy Rollins and Fire Protection Chief Darryl Jones will also discuss artificial intelligence and its use in the forestry industry. Chair Moore reminds Darryl Jones, Randy Rollings, Division Director Doug Wood, Director of Administration Cathy Nordeen, and General Counsel David Jones that they were all sworn in previously, and that they remain under oath. Chair Moore asks if there are any additional agency representatives who may address the subcommittee today or at future meetings that have not been placed under oath. Krista Emory, Forestry's Human Resources Director, and Matt Schnabel, Forestry's Environment Education Coordinator, were sworn in along with Dr. Timilsina.
- III. Professor Timilsina begins his presentation on the use of artificial intelligence generally in forestry. Mr. Darryl Jones and Mr. Rollins followed that discussion with a presentation of AI technology currently used by the commission and the pros and cons of the technology.
- IV. Division Director Doug Wood begins his presentation to the subcommittee and discusses the following topics:
1. Raising awareness of forestry and its benefits;
 2. Information services;

Throughout his presentation, members ask Division Director Doug Wood questions and he responds.

V. Environment Education Coordinator Matt Schnabel begins his presentation to the subcommittee and discusses the following topics:

1. Forestry education and outreach;

Throughout his presentation, members ask Environment Education Coordinator Matt Schnabel questions and he responds.

VI. Division Director Doug Wood continues his presentation to the subcommittee and discusses the following topics:

1. Providing creative services; and
2. Program metrics;

VII. Human Resources Director Krista Emory begins her presentation to the subcommittee and discusses the following topics:

1. Recruitment and employee screening;
2. Performance evaluation process;
3. Employee benefits and payroll;
4. Employee discipline;
5. Compliance;
6. Compensation issues;
7. Reporting;
8. Employee engagement;
9. Staff professional development; and
10. Recruitment challenges and retirement challenges.

Throughout her presentation, members ask Human Resources Director Krista Emory questions and she responds.

VIII. Director of Administration Cathy Nordeen begins her presentation to the subcommittee and discusses the following topics:

1. Financial services and accounting;
2. Procurement;
3. Auditing;
4. Budget request process; and
5. The budget.

Throughout her presentation, members ask Director of Administration Cathy Nordeen questions and she responds.

IX. General Counsel David Jones begins his presentation to the subcommittee and discusses the following topics:

1. Development of the role of General Counsel;
2. Providing in-house legal services;
3. Serving as legislative liaison;
4. Agency land acquisitions;
5. Support for law enforcement officers;
6. Update on ArborGen.

X. Throughout his presentation, members ask General Counsel David Jones questions and he responds.

Adjournment

There being no further business, the meeting is adjourned.

FORESTRY COMMISSION OVERVIEW

Agency Mission

“

Protect, promote, and enhance South Carolina’s forests for the benefit of all.

”

History and Resources

History

1927: SC Forestry Commission established by General Assembly
1933: SCFC given authority over state parks with the power to control, supervise, maintain and improve all state parks
1945: Forest Fire Protection Act enacted, directing that all forest fire protection work shall be under the direction and supervision of the State Commission of Forestry
1967: State parks transferred to the newly created Department of Parks, Recreation and Tourism (SC 51-1-10)
2009: General Assembly passes SC Right to Practice Forestry Act (SC 48-23-205)
2012: General Assembly passes Act 271 -Firefighter Protection Bill
2020: General Assembly passes Act 168, the SC Firefighter Cancer Benefit Plan
2023: General Assembly passes Act 218, the Law Enforcement Betterment Bill

Divisions

- Forestry
 - Protection Section
 - Management Section
- Resource Development
- Communications & Public Information
- Administration
- Human Resources
- Information Technology

Employees



376.8
authorized FTEs

Funding



\$49.1 million
Total Funding

Successes and Challenges

Identified by the agency

Successes

- The agency has hybrid work schedules and other incentives for staff to promote staff retention.
- The agency performs our work with a statewide higher education perspective.
- Experienced workforce
- Employee engagement is high
- Strong relationship with partners
- High levels of customer satisfaction across a wide array of agency services
- Network of experienced foresters

Challenges

- Agency has difficulty recruiting employees in several job categories due to non-competitive wage.
- Limited opportunities to engage in new projects/partnerships due to vacancies and difficulty recruiting.
- Lack of capacity to perform services due to high employee turnover and/or vacancies in key program areas.
- Management restrictions due to endangered species, recreational users or deed restrictions limit revenue potential.
- Reduced firefighting capacity has lessened the agency's ability to protect homes, firefighters, and the forest resource. Increased costs for equipment, fuel, supplies and maintenance has strained the agency's operating funds.



South Carolina
House of Representatives
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STUDY OF THE SOUTH CAROLINA FORESTRY COMMISSION

EXECUTIVE SUMMARY:
Findings and Recommendations



FINDINGS

ECONOMIC IMPACT

1. South Carolina's forestry industry is a \$23.2 billion dollar industry that leads the state in job creation.
2. Recent paper mill closures have had a significant impact on state forestry markets.

OWNERSHIP

3. Eighty-seven percent of South Carolina's forestland is privately owned and 63% of the state's privately owned forestland is family owned.

FORESTRY ADVISORY BOARDS

4. Thirty-five percent of the 230 county board member positions are currently vacant, and 51 percent of county board members are serving on expired terms.

SCHOOL SYSTEM SUPPORT

5. Since 1990, the Forestry Commission has provided over \$19.3 million in revenue to support public schools in South Carolina.

RESPONSE TO WILDFIRES

6. The Forestry Commission suppresses approximately 2,000 wildfires that burn roughly 16,000 acres of forest land in an average year.

AIRCRAFT SURVEILLANCE

7. The Forestry Commission uses aircraft to conduct aerial wildfire surveillance. Sixty percent of these aircraft are more than 50 years old, and the newest aircraft is a 1979 model.

OUTDOOR BURNING NOTIFICATIONS

8. Landowners residing in unincorporated areas of the state must notify the Forestry Commission prior to conducting a burn.

THREE TYPES OF BURNS

9. The Forestry Commission accepts notifications for three types of burns: residential yard debris, prescribed burns, and land clearing/construction-related burns.

SMOKE MANAGEMENT GUIDELINES

10. The Commission's Smoke Management Guidelines, which include practices and conditions that must be met to conduct burning activities in the state legally and safely, have not been updated since 2006.

PRESCRIBED FIRE BENEFITS

11. By reducing the intensity of future wildfires, prescribed fires are beneficial to the forest ecosystem.

PRESCRIBED FIRE LIABILITY

12. South Carolina is one of seven states with a gross negligence liability standard for prescribed fire smoke-related damages.

PRESCRIBED FIRE LIABILITY INSURANCE

13. Prescribed fire liability insurance requires certification, but certification requires completing five uninsured burns.

PRESCRIBED FIRE ASSISTANCE TO LANDOWNERS

14. The Forestry Commission offers a variety of prescribed fire assistance to landowners.

AGRICULTURE USE PROPERTY TAX

15. The Forestry Commission can assist owners of ten or more acres of forested land obtaining the appropriate tax assessment by creating a forest management plan for the property.

LAW ENFORCEMENT JURISDICTION

16. The Forestry Commission is without authority to enforce South Carolina Department of Environmental Services regulations and county smoke ordinances.

ARBORGEN

17. The Forestry Commission owns but no longer operates a state nursery.

LEASES WITH SCDNR

18. The majority of state forest land operated by the Forestry Commission is enrolled in the South Carolina Department of Natural Resource's Wildlife Management Area program for public hunting.

VACANCIES, RETIREMENT, AND RECRUITMENT

19. The Forestry Commission lacks a formal succession plan to address impending retirements and significant vacancies in key positions within the agency.

RECOMMENDATIONS

HUMAN RESOURCES

1. The Committee recommends that the Forestry Commission develop a succession plan to address impending retirements and vacancies in key positions within the agency.
2. The Committee recommends that the Forestry Commission reevaluate job position classifications and eliminate requirements that are not necessary for successful job performance.
3. The Committee recommends that the Forestry Commission collaborate with the Department of Education and South Carolina State University as part of its recruitment efforts.
4. The Committee recommends that the Forestry Commission request the Office of the State Inspector General (SIG) to conduct an employee satisfaction survey.

SMOKE MANAGEMENT GUIDELINES

5. The Committee recommends that the Forestry Commission amend its Smoke Management Guidelines pursuant to the Administrative Procedures Act. The Committee further recommends that following the submission of the amended guidelines as regulations to the General Assembly, the General Assembly approve the regulations.

PRESCRIBED BURN NOTIFICATION

6. The Committee recommends that the Forestry Commission conduct a study to assess the cost of using U.S. mail to notify rural residents of the different types of legal burns, prescribed fire liability, prescribed fire liability insurance, and prescribed fire assistance available to landowners.

ACCESS TO STATE FOREST TRAILS

7. The Committee recommends that the Forestry Commission conduct a formal evaluation expanding e-bike access on state forest trails.

MODERNIZATION OF LAWS

8. The Committee recommends that the General Assembly consider amending Section 48-33-60 (2008) of the Code as proposed by the Forestry Commission, striking language referring to Forestry Commission employees as county employees.
9. The Committee recommends the General Assembly consider amending Section 48-33-70 (2008) of the Code as proposed by the Forestry Commission, striking the requirement that the Forestry Commission prepare a forest fire protection plan for the fiscal year for each county forestry board and inserting the requirement that the Forestry Commission present an update on forest fire protection activities at the annual meeting of the county forestry board.
10. The Committee recommends the General Assembly consider amending Section 48-33-80 (2008) of the Code as proposed by the Forestry Commission, striking reference to members of county boards.
11. The Committee recommends the General Assembly consider striking Section 48-23-270 (2023) of the Code as proposed by the Forestry Commission because the section is now obsolete.
12. The Committee recommends the General Assembly consider striking Section 48-23-280 (2023) of the Code as proposed by the Forestry Commission because the section is now obsolete.

13. The Committee recommends the General Assembly consider amending Section 48-23-132 (2008) of the Code as proposed by the Forestry Commission, by striking reference to Sand Hills State Forest and Manchester State Forest.

14. The Committee recommends the General Assembly consider amending Section 48-23-120 (2008) as proposed by the Forestry Commission.