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**DEPARTMENT OF NATURAL RESOURCES**

CHAPTER 123

Statutory Authority: 1976 Code Section 50-11-2200

123-209. Term and Conditions for the Public’s Use of State Lakes and Ponds Owned by the Department of Natural Resources

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 (the department) proposes to amend Regulation 123-209 setting the terms and conditions for the public use of lakes and ponds owned the department for the purpose of providing public fishing and Regulation 123-210 setting terms and conditions for the public’s use of lakes and ponds leased by the department for the purpose of providing public fishing.

The following is a section-by-section summary of the proposed changes and revisions:

123-209. Term and Conditions for the Public’s Use of State Lakes and Ponds Owned by the Department of Natural Resources.

 A. This section is deleted.

 B. This section is changed to Section A.

 a. Draper WMA State Lakes in York County – removes size limit for largemouth bass and crappie.

 b. Lake Cherokee in Cherokee County – reworded and removes size limit for largemouth bass and crappie.

 c. Lake Edgar Brown in Barnwell County – reworded and removes size limit for crappie.

 d. Lake George Warren in Hampton County – reworded and removes size limit for crappie.

 e. Lake John D. Long in Union County - reworded and removes size limit for crappie.

 f. Mountain Lakes in Chester County - reworded and removes size limit for largemouth bass and crappie.

 g. Lake Paul Wallace in Marlboro County - reworded and removes size limit for crappie.

 h. Lake Thicketty in Cherokee County - reworded and removes size limit for crappie.

 i. Webb Center Lakes in Hampton County - reworded and removes size limit for crappie.

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

 A. This section is deleted.

 B. This section is changed to Section A.

 a. Lake Ashwood in Lee County – Reworded to comply with statutory change and removes size limit on crappie.

 b. Dargan’s Pond in Darlington County - Reworded to comply with statutory change and changes largemouth bass size limit.

 c. Lake Edwin Johnson in Spartanburg County - Reworded to comply with statutory change and removes size limit on largemouth bass and crappie.

 d. Jonesville Reservoir in Union County - Reworded to comply with statutory change, removes size limit on crappie and schedules a pond closure for renovation.

 e. Lancaster Reservoir in Lancaster County - Reworded to comply with statutory change and reduces the crappie possession limit to comply with the statewide limit.

 f. Lake Oliphant in Chester County - Reworded to comply with statutory change, removes the size limit on largemouth bass and crappie and schedules a pond closure for renovation.

 g. Star Fort Pond in Greenwood County - Reworded to comply with statutory change and removes the size limit on largemouth bass and crappie.

 h. Sunrise Lake in Lancaster County - Reworded to comply with statutory change, reduces the possession limit for bream, removes the size limit for largemouth bass and crappie and schedules a pond closure for renovation.

The Notice of Drafting regarding these regulations was published on November 28, 2014 in the South Carolina State Register, Volume 38, Issue No. 11.

**Instructions:**

Replace existing regulations as shown below.

**Text:**

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.

 x. Lake Long will be closed at all times for renovation and restocking from July 1, 2013 through June 30, 2015. Lake Long will reopen on July 1, 2015.

 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. 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.

 xi. 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.

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.

 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.

 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.

 ix. Jonesville Reservoir will be closed at all times for renovation and restocking from July 1, 2016 through June 30, 2018. Jonesville Reservoir will reopen July 1, 2018.

 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, 2017. Sunrise Lake will reopen July 1, 2017.

**Fiscal Impact Statement:**

The amendment of regulations 123-109 and 123-110 will not result in any additional costs to the State. The State and local communities will continue to benefit economically from the activities of the public accessing and utilizing the lakes and ponds for recreational fishing and outdoor recreation.

**Statement of Rationale:**

Regulation 123-209 is amended to reflect statutory changes and to clarify and up-date the terms and conditions to provide for the public’s use of state lakes and ponds owned by the department for the purpose of providing public fishing.

Regulation 123-210 is amended to comply with statutory changes in order to establish the terms 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.