

## Overview of diamondback terrapins in South Carolina

The diamondback terrapin is currently considered a commercial species.

In Title 50-Fish, Game and Watercraft, Chapter 5, South Carolina Marine Resources Act of 2000, Article 1. General Provisions

Section 50-5-2300. Permits to harvest and market diamondback terrapin; penalty.

(A) The department (DNR) may grant permits for the harvest and marketing of diamond-back terrapin and condition the permits to set seasons, size limits, bag limits, areas, fishing times, and equipment restrictions regarding the harvest of diamond-back terrapin. It is unlawful to take diamond-back terrapin except in accordance with the permits granted by the department. Nothing in this section will prohibit incidental take of terrapin by persons engaged in another lawful fishery during closed season when the terrapin are returned immediately to the water.

(B) A person who violates this section is guilty of a misdemeanor and, upon conviction, must be fined not less than twenty-five dollars nor more than five hundred dollars or imprisoned for not more than thirty days.

However, given the unknown status of the terrapin in South Carolina, no permits are issued.

## Current Crab Pot Regulations in South Carolina

- Bycatch reduction devices are not required in commercial or recreational crab pots.
- One individual can have a total of two recreational crab pots in the water.
- There is no period of time when the commercial or recreational crabbing is closed.
- Commercial crab pots cannot remain in the water for longer than five days without being checked.
- DNR law enforcement already has the authority to remove lines and pots with excessive growth.

The law states (Section 50-5-105) that it is unlawful (1) to remove, damage or interfere with any fishing equipment belonging to another, (2) remove catch (3) willfully interfere with or impede lawful fishing activity. This means that the SCDNR does not have the authority to allow private citizens to remove ghost crab pots. This authority must be provided in legislation through a bill.

It is expected that DNR's 2005-legislative proposal will propose measures to significantly reduce the number of commercial pots in South Carolina waters by means of effort limitation controls. Two bills introduced during the 2003-2004 legislative session, and expected to be reintroduced in substance for 2005, were proposed by DNR to reduce ghost pot fishing. They may be read at: [http://www.scstatehouse.net/sess115\\_2003-2004/prever/3965\\_20030409.htm](http://www.scstatehouse.net/sess115_2003-2004/prever/3965_20030409.htm), and [http://www.scstatehouse.net/sess115\\_2003-2004/prever/3966\\_20030409.htm](http://www.scstatehouse.net/sess115_2003-2004/prever/3966_20030409.htm).

The new 2005 bill would:

1. reduce number of crab pots in the water by 25% through a new limited management entry system (estimated to take 3-5 years)
2. grant authority so that the department may authorize agents to remove abandoned pots under DNR supervision (see Section 8)

Additionally, the Marine Resources Division of SCDNR plans to initiate field studies with commercial crabbers to test biodegradable panels and bycatch reduction devices (BRDs).