

**STATE OF ALABAMA
DEPARTMENT OF CONSERVATION
AND NATURAL RESOURCES**

ADVISORY BOARD MEETING

March 10, 2012

Pages 1 through 119

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STATE OF ALABAMA DEPARTMENT OF
CONSERVATION AND NATURAL RESOURCES

ADVISORY BOARD MEETING

State Capitol Auditorium

Montgomery, Alabama

March 10, 2012

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TRANSCRIPT OF PROCEEDINGS

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Proceedings taken before Tracye
Sadler Blackwell, Certified Court Reporter, ACCR
No. 294, and Commissioner for the State of Alabama
at Large, at the State Capitol Auditorium,
Montgomery, Alabama, on March 10, 2012, commencing
at approximately 9:01 a.m.

1 * * * * *

2 BOARD MEMBERS PRESENT:

- 3 Mr. Dan L. Moultrie, Chairman
- 4 Mr. N. Gunter Guy, Jr., Commissioner
- 5 Mr. John McMillan
- 6 Mr. Bill Hatley
- 7 Dr. Bob Shipp
- 8 Mr. Austin Ainsworth
- 9 Dr. Warren Strickland
- 10 Mr. Raymond Jones, Jr.
- 11 Dr. Gary Lemme
- 12 Mr. W. Grant Lynch
- 13 Mr. T.J. Bunn, Jr.

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23

1 CHAIRMAN MOULTRIE: The March 10, 2012,
2 meeting of the Conservation Advisory
3 Board will come to order. I'd like to
4 welcome everyone to Montgomery, Alabama,
5 again. The board is glad you're able to
6 be here today. The invocation today
7 will be given by Commissioner John
8 McMillan. Commissioner McMillan.

9 COMMISSIONER McMILLAN: Our Gracious Heavenly
10 Father, we thank you for this beautiful
11 day. We thank you for the opportunity
12 to gather here to consider the many
13 important aspects that we are
14 responsible for. We pray that you will
15 be with everybody here today, that the
16 words of our mouths and meditations of
17 our hearts will be acceptable in thy
18 sight. Be with us while we're here
19 together and then again as we take our
20 separate ways departing for home, that
21 we might have safe travels and return to
22 our families. We pray that you will be
23 with us, bless us and keep us. In

1 Christ's name, Amen.

2 (Response from audience.)

3 CHAIRMAN MOULTRIE: Thank you, Commissioner
4 McMillan.

5 The next order of business is the
6 introduction of the board members.

7 First I'd like to introduce our
8 Commissioner of Conservation,
9 Commissioner Gunter Guy.

10 Next I would like to introduce our
11 Assistant Commissioner, Mr. Curtis
12 Jones, who's sitting by my daughter that
13 attends again. She's probably attended
14 as many advisory board meetings as most
15 people. Ashley, we're glad to have you
16 here -- or her "Rick and Bubba" name,
17 Ellie May Clanton.

18 Next I would like to introduce
19 Alabama's Agriculture Commissioner,
20 Commissioner John McMillan.

21 COMMISSIONER McMILLAN: Good morning.

22 CHAIRMAN MOULTRIE: Our other ex-officio
23 member here today is Dr. Gary Lemme from

1 the Alabama Extension Service.

2 Dr. Lemme.

3 Next I would like to introduce -- we
4 have -- our new District 7 board member
5 has been appointed. It is T.J. Bunn.
6 T.J., if you would raise a hand.

7 T.J. lives in Tuscaloosa and brings
8 a wealth of knowledge to his position.
9 He is a 2004 graduate of the University
10 of Alabama. So if y'all would give T.J.
11 a hand.

12 Next I would like to start down at
13 the end with Mr. Grant Lynch and let
14 each district member give their name and
15 what district they represent.

16 Mr. Lynch.

17 MR. LYNCH. I'm Grant Lynch. I'm

18 Congressional District Number 3.

19 MR. BUNN: I'm T.J. Bunn. I represent

20 Congressional District Number 7.

21 MR. JONES: Raymond Jones, Congressional

22 District Number 5.

23 DR. STRICKLAND: Warren Strickland,

1 Congressional District Number 5.

2 DR. SHIPP: Bob Shipp, Congressional District
3 Number 1.

4 MR. AINSWORTH: Austin Ainsworth,
5 Congressional District Number 4.

6 MR. HATLEY: I'm Dan Moultrie.

7 No. My name is Bill Hatley, and I
8 represent District 1.

9 CHAIRMAN MOULTRIE: I think y'all all know
10 Mr. Hatley has got as long a tenure as
11 anybody on this board and consistently
12 you have heard lies out of his mouth.

13 Thank you for all the board members
14 in attendance today. There are two
15 board members not here today.

16 The next order of business is the
17 approval of the February 4th, 2012,
18 Advisory Board Minutes. Are there any
19 changes to the minutes?

20 (No response.)

21 CHAIRMAN MOULTRIE: If not, the minutes stand
22 approved as read.

23 The next order of business is the

1 Commissioner's comments. Commissioner
2 Guy.

3 COMMISSIONER GUY: I really have none today.

4 CHAIRMAN MOULTRIE: No comments. Okay. Very
5 good, sir.

6 The next order of business is the
7 public hearing. When your name is
8 called, please go to the microphone,
9 give your name and subject you wish to
10 speak on. I'll remind you that you may
11 only speak at the time that you are
12 called and that any interference will
13 not be tolerated.

14 The next order of -- the first
15 speaker -- Betsy, did you give me --
16 here we go. I've got it.

17 Mr. Avery Bates. Mr. Bates.

18 MR. BATES: Good morning. Now, if you follow
19 me --

20 CHAIRMAN MOULTRIE: Mr. Bates, turn that
21 microphone on, please, sir. Flip that
22 switch if that's what the problem is.

23 (Brief interruption.)

1 MR. BATES: How about that?

2 CHAIRMAN MOULTRIE: That's a lot better. And
3 speak into the microphone for Tracye, if
4 you would, please, sir.

5 MR. BATES: All right. My name is Avery
6 Bates. I'm vice-president of Organized
7 Seafood Association, a long-time
8 commercial fisherman. In fact, I wore
9 this body out with commercial fishing.

10 Many things has come to our
11 attention over the last number of years,
12 especially the last two years. Several
13 gamefish status has been made -- or
14 proposed over the last couple of years,
15 pompano at the latest. Last year it was
16 sheepshead, and then we had Spanish
17 mackerel.

18 As you know, these fish don't only
19 belong to the commercial fishermen.
20 They belong to everybody in the state of
21 Alabama. And as you see -- and if y'all
22 got some of the e-mails and stuff the
23 CCA put out -- I didn't give y'all a

1 copy of this, but it says the
2 gillnetters are really doing a number on
3 pompano. As you saw, Mr. Ainsworth -- I
4 faxed you the actual fax -- not true.
5 Gillnetters is not killing a majority of
6 the pompano or harvesting it.

7 These seafoods are commerce.
8 If you read Article 1, Section 8 of the
9 U.S. Constitution, many times our
10 commerce has been hampered by
11 special-interest groups. We do handle
12 seafoods. In fact, we fed many of y'all
13 at the Seafood Bash good healthy
14 seafood, flounder. That come from
15 commercial fishermen, not recreational
16 fishermen.

17 We've fed millions of pounds of
18 seafood across this country and around
19 the world, and it is our duty to have
20 access to that so the public can have
21 access through us. This is law
22 9-12-125. We are the access to the
23 people in Huntsville, Tuscaloosa -- by

1 the way, we fed thousands of people in
2 Tuscaloosa with good healthy seafood
3 during the tornados. We enjoy doing
4 that. We enjoy our job.

5 Remember, our constitution also
6 says -- the state constitution -- we're
7 entitled to, what, in Article 35,
8 Section -- Article 1, Section 35 of the
9 Alabama Constitution: We're entitled to
10 life, liberty, and property, that
11 property being seafoods. 9-12-20 says
12 that seafoods are the property of the
13 state to be held in trust for, who, the
14 people of the state.

15 We supply the people. Do not deny
16 the people access of any one fish. We
17 are not hurting the fish. The state
18 manages them. That is their
19 responsibility.

20 MS. JONES: Time.

21 MR. BATES: This is something that we want to
22 continue to do. If y'all have any
23 questions about the stats or this

1 proposal by the special interest, let me
2 know and I will answer them if I can.

3 CHAIRMAN MOULTRIE: Thank you, Mr. Bates.

4 The next speaker will be Arthur
5 Colean.

6 MR. COLEAN: Good morning, gentlemen. I'm
7 Arthur Colean. I'm a gillnetter from
8 Baldwin County. And it's plain to see
9 from what you see in the paper, the
10 numbers, tourism, the sportfishing
11 industry, that we haven't hurt
12 anything. They're flourishing. And
13 there's no reason to put us through
14 this. What we need is more time with
15 the pompano.

16 We all know what this is. We all
17 know that this is the CCA with their
18 employees or cohorts, whatever, just
19 trying to drill another little hole in
20 our boats. We're already dying. We're
21 going out. There will be no more
22 licenses issued. They go when we die.
23 This is just more or less us on the --

1 our deathbed and them hopping up on us
2 and kicking us a couple of more times.
3 There's no use.

4 And we need more time. We have a
5 little narrow strip of beach that we can
6 fish. We're good to maybe a
7 quarter-mile out. We have the three
8 months after the fish are gone. We have
9 October, November, and December. The
10 fish are leaving in October. They have
11 them 12 months a year. And they killed
12 them last year. They kill them every
13 year.

14 It doesn't say catch pompano. It
15 doesn't say catch your limit. It's pile
16 up on pompano. Last year they were
17 riding around with coolers full trying
18 to sell them to the fish markets, to the
19 fish houses, the same thing they don't
20 want us to do.

21 It's not right. And we hope you see
22 it our way and let us to continue to
23 catch these. Because, I mean, there's

1 people all across this entire country
2 who they and their ancestors has made
3 all -- the hard-working tax-paying.
4 They've paid all the contributions and
5 even sacrificed to make this country
6 what it is, and they are just as worthy
7 and -- of these products as anybody that
8 lives along this coast.

9 It's -- it wouldn't be fair to the
10 American citizens, the consumers. It's
11 not fair to the producers, and it's
12 nothing but greed. We know what it is.
13 We know where it's coming from. And we
14 just hope you see it our way and do the
15 right thing.

16 I mean, somewhere, I know, in your
17 life you've heard when you were younger,
18 you know, it's not right to take
19 something from somebody just because
20 you're bigger than they are. Don't go
21 take that kid's lunch money because
22 you're bigger than they are and you can
23 do it. You know, you've heard it. And

1 you've probably told your kids or your
2 grandkids. And that's exactly what this
3 is.

4 And I don't know how they can come
5 and do something like this on Saturday
6 and then go to church on Sunday and
7 think about how good they are. I mean,
8 we know what it was. We didn't -- you
9 know, you just didn't say cast your
10 12-foot surf rods over the side of the
11 boat. You should catch fish. We know
12 how it went down. You know, just do the
13 right thing. That's all we ask. Thank
14 you.

15 CHAIRMAN MOULTRIE: Thank you, Mr. Colean.

16 The next speaker is Ricky Collier.

17 Mr. Dean, can you come up and
18 approach the chair, please?

19 Go ahead, Mr. Collier.

20 MR. COLLIER: I'm a commercial gillnet
21 fisherman from Coden.

22 The pompano Mr. Shipp throws up.

23 Pompano is closed from -- I mean, it's

1 open from September to August (sic)
2 31st. The run of pompano is right now.
3 They're catching pompano on the beaches
4 now. From now until August is the main
5 run of pompano. I don't even own a
6 pompano net.

7 I mean, I'm going to ask all of
8 y'all -- I have to show 50 percent of my
9 income every year to own a gillnet
10 license. Do y'all have to show any kind
11 of amount of money to another man, to
12 another person to show when it ain't
13 their business?

14 I'm the only commercial license --
15 like the dog hunters that everybody
16 permits here. I have to show what I
17 make. And it's not going here. I have
18 to spend it on gillnets. I have to
19 spend it on -- I mean, I pick thousands
20 of pounds of catfish if I make a mistake
21 in the summertime, and then they take
22 and they take and they take.

23 It ain't but like 80 of us left.

1 And you can go on YouTube and look at
2 this and look at that. But you got
3 farmers with farms that's got sons
4 that's going to raise that farm with
5 them, and my son can't even fish with
6 me. When my license -- when I die, that
7 license dies too. GCA rod and reel,
8 hook-and-liner, it'll be going. Kids
9 will be going. My son will never be
10 able to go and do what I did, my
11 grandfather did, his grandfather, all
12 because of I hate you and you hate me.

13 So on the pompano deal, nobody gets
14 efficient data on the pompano because we
15 don't catch them in the heart of the
16 season. We catch mackerel. And just
17 like in the newspaper, we started
18 catching a few skipjack, ladyfish. Now
19 they put in there, well, we killing
20 them, too, now. It's always something,
21 add on and add on and add on.

22 I do this for a living. I don't go
23 on the weekends to go hunting or

1 recreational killing -- no. This is my
2 livelihood. I feed my kids. This is
3 all I do. I love it just like everybody
4 else loves what they do.

5 But the pompano deal, you can't get
6 sufficient data. Because I don't even
7 own a pompano net. You can't catch
8 them. They gone. Just like now. They
9 catching them right now. Can't catch
10 them because it's closed. So, I mean,
11 you can't catch a fish when it's a
12 closed season. So that's all I got to
13 say.

14 CHAIRMAN MOULTRIE: Thank you, Mr. Collier.

15 The next speaker is Dan Kolenich.

16 MR. KOLENICH: Good morning. I'd like to
17 thank the board for giving me a few
18 minutes to talk to you.

19 My name is Dan Kolenich, and I am a
20 fishing guide. I've been earning my
21 living as a full-time guide for 13
22 years.

23 CHAIRMAN MOULTRIE: Speak into the microphone,

1 please, Mr. Kolenich.

2 MR. KOLENICH: I've been earning my living as
3 a fishing guide for 13 years now. And
4 when I look back over those 13 years,
5 who would have guessed, any of you, 13
6 years ago that we would have such a
7 short season on snapper, grouper would
8 be regulated, and all the other fish
9 that have been regulated to my business
10 and to recreational fishermen.

11 With that in mind, the commercial
12 industry has been regulated for red
13 snapper. Their quotas set the limit.
14 However, the gillnetters do not have any
15 limit on their catches and takes. And
16 so I'm asking for you to consider -- I
17 realize this pompano is just one small
18 fish in a very local area. It's very
19 important this time of year when they
20 migrate through our Alabama waters that
21 we start to protect our species.

22 You know, the main reason I've been
23 told why the recreational limits keep

1 getting smaller and smaller is because
2 overfishing has reduced the number of
3 fish that are out there, and that's what
4 we have to do to protect those species
5 for our future generations. And so
6 if -- we realize that with the limits on
7 redfish and speckled trout. You know,
8 ten years ago there weren't any limits
9 on flounders, but now there are and we
10 accept those limits. And that's so that
11 my son can take his son fishing and have
12 the ability to take him to catch
13 flounder and, right now, pompano as
14 well.

15 And so it's -- it's in your hands to
16 make a very tough decision. You know,
17 myself and the gillnetters, this isn't
18 anything personal. They make their
19 living on the water the same way I do.
20 And I used to have offshore permits to
21 fish for snapper. I used to be able to
22 go catch red snapper in January and
23 February within three miles of the beach

1 in my small boat. I can't do that
2 anymore. I've sold my offshore permits
3 because I have to go beyond the limit
4 that my insurance company will insure my
5 boat of 20 miles to catch red snapper
6 during the time the season is in.

7 These things have impacted me
8 greatly. And, again, I -- I can't
9 stress enough that I really realize this
10 is a tough decision for you to make.
11 It's a hardship on everybody. But we
12 have to make tough decisions and do
13 difficult things in order to preserve
14 our resources for our future
15 generations. Thank you.

16 CHAIRMAN MOULTRIE: Thank you, Mr. Kolenich.

17 The next speaker is Christopher
18 Vecsey.

19 MR. VECSEY: Thanks for hearing me today,
20 Board. My name is Chris Vecsey. I work
21 at Sam's Bait & Tackle in Orange Beach,
22 Alabama. I feel like I'm here to
23 represent not only tackle shops but

1 really any kind of store along the Gulf
2 Coast that deals with fishing tackle
3 sales or caters to recreational fishing
4 along the beach.

5 Obviously, I'm in support of the
6 gamefish status on pompano being
7 changed. I think what it is, is it's
8 not a personal thing, whether it's
9 commercial or recreation, as much as
10 determining the greater value of the
11 species. And I think there's no doubt
12 that pompano generate more income, more
13 interest on the recreational level than
14 they do commercial.

15 Yeah, I've been working in a tackle
16 shop for ten years. You know, I've seen
17 how much money people spend throughout
18 the winter, especially our snowbirds.
19 They're important to our economy during
20 the winter, during our slow season.
21 Pompano is one of the main targets. And
22 even despite that, you know, I'm in the
23 store, you know, anywhere from five to

1 seven days a week. And, you know, I
2 hear the reports. I hear the catches.
3 And it seems that pompano are still,
4 even on a recreational level, taken in
5 very small quantities -- maybe not by
6 all. And, of course, you're going to
7 have some that follow the limits and
8 some that don't. But, in general,
9 they're still taken in smaller
10 quantities.

11 When you look at it that way, this
12 isn't the typical attack on gillnets
13 that -- you know, of course, you hear
14 from CCA and stuff like that. And my
15 views, of course, differ from theirs.
16 I'm just looking at the greater value,
17 I guess you'd say. And I'm not saying
18 that the gillnets need to stop along
19 beaches altogether, but I do think that
20 there should be some proposed limits as
21 far as how close they can bring their
22 nets into the beach. I think there
23 should be a distance barrier to protect

1 those, you know, valuable surf species
2 including pompano.

3 I also feel that having those nets,
4 in closing, not only are you going to
5 have more of a bycatch of those species,
6 but it's also kind of almost more of a
7 negative image on the beach. I think
8 that in order to protect the image,
9 which is what -- you know, the image is
10 everything for our local economy. We
11 are a tourist-based industry. I think
12 we need to keep those nets a little
13 further off the beach. Like I said, not
14 to stop gillnetting. I'm not, you know,
15 on necessarily that bandwagon. But I do
16 think we need to set some distance
17 barriers so that they're not, you know,
18 intentionally or, you know, accidentally
19 catching that species. So I just think
20 it's a better value as a -- from a
21 recreation standpoint. That's really
22 all I have to say.

23 CHAIRMAN MOULTRIE: Thank you, Mr. Vecsey.

1 The next speaker is Bill Arant.

2 MR. ARANT: Good morning, gentlemen. I'm Bill
3 Arant. I am the state chairman of the
4 CCA this year and would like to very
5 much urge you all to make -- give
6 pompano gamefish status.

7 We feel that this is a way to help
8 the stocks build. I know on the Florida
9 side they're beginning to return, and I
10 think Alabama is getting some
11 (inaudible) from this. And this is not
12 in opposition of gillnet fishing. Just
13 if they're after the Spanish, then, you
14 know, leave them be because the -- just
15 slightly further offshore and let the
16 pompano survive and be available for
17 everyone, our children and grandchildren
18 alike.

19 The economic impact of the surf
20 fishermen that especially come in the
21 wintertime, our snowbirds, is
22 significant, as the gentleman just
23 mentioned. And these people come back

1 year after year. And I would hope that
2 you all would grant this gamefish status
3 to the pompano. I think it will be good
4 for our state and good for the
5 resource.

6 I've got some letters here that were
7 written by some of our board members
8 from Birmingham. If I could just pass
9 them to you. Thank you very much.

10 CHAIRMAN MOULTRIE: Thank you very much,
11 Mr. Arant.

12 The next speaker is Manley Cummins.

13 MR. CUMMINS: Thank you, Mr. Chairman, and
14 thank you for this opportunity to
15 address the board.

16 I stand before you as a pompano
17 fisherman, a recreational pompano
18 fisherman. I had the occasion to catch
19 my first pompano back in about 1963 or
20 '64 in Panama City, fishing very
21 extensively there and at Orange Beach,
22 Alabama, starting in the late '70s and
23 early '80s. I fished inshore almost

1 exclusively, and pompano was one of my
2 favorite fish. I had the good luck of
3 catching the state record in 1992. I've
4 also fished for the fish in Louisiana
5 and throughout the panhandle of
6 Florida.

7 I have seen what happens when the
8 effort on the beaches for commercial
9 fishing is stopped. The state of
10 Florida in 1994 did away with their
11 netting. As a result, we had a lot of
12 pressure on our beaches. I did a lot of
13 fishing at night out of Orange Beach
14 back in the '90s. I saw a lot of the
15 commercial landings. I saw a lot of
16 pompano on the dock.

17 It has changed somewhat. I think
18 our fish -- fishing for pompano has
19 improved. I don't think it's as strong
20 as it needs to be. I think a lot of it
21 is the collateral effect of maybe some
22 fish from Florida moving in to Alabama.

23 But I do believe that pompano is a

1 very unique fish because it's available
2 to the shore angler. You don't have to
3 have an expensive boat. You don't have
4 to burn a lot of gas. You take a
5 double-hook rig like this and hook it
6 onto your average bass rod with a lead
7 and throw it out there and you can catch
8 one.

9 Unfortunately, pompano is uniquely
10 susceptible to overfishing. That's
11 because you can get in your boat and run
12 down the beach in very shallow water and
13 the pompano will skip across the top
14 like stones. And it's quite easy for a
15 net boat -- and they do it under the
16 law, now -- to stop at the ends of the
17 pompano skipping, drop the net around
18 them. And within a hundred yards of the
19 beach probably 90 percent of the pompano
20 will be in that zone a hundred to 200
21 yards out. So they are very susceptible
22 to net fishing.

23 Talk a little bit about the value.

1 Chris addressed that. I know probably a
2 lot of y'all get down to our beaches and
3 you see the beach fishermen out there.
4 And their primary species if they were
5 asked what fish they would like to
6 catch, it would be a pompano. I can't
7 tell you how many times this time of
8 year I respond to people who send me
9 requests for how to catch these fish.
10 And, you know, you just got to be able
11 to get access to the beach and you got
12 to have fish there to be able to catch
13 them.

14 So I would ask the board to consider
15 three things. I would ask you to
16 consider the economics of it. And
17 that's been addressed with the hundreds
18 and thousands of beach anglers that come
19 down here each year who just want a
20 simple way to enjoy our beach and maybe
21 catch a few fish to take home.

22 MS. JONES: Time.

23 MR. CUMMINS: And consider the equities and

1 the environmental aspects of it. Thank
2 you very much.

3 CHAIRMAN MOULTRIE: Thank you very much,
4 Mr. Cummins.

5 The next speaker is Terry Moralis.

6 MR. MORALIS: Commissioner Guy and Chairman
7 Moultrie, Board, I appreciate it. I'm
8 here on the pompano bill. I'm a
9 commercial fisherman. I'm
10 vice-president of ASA. I'm also a
11 member of OSA.

12 We -- from what I'm hearing so far,
13 it's a moot deal. We are off the
14 beaches during their prime season. We
15 cannot fish for pompano till September.
16 All the prime -- August, July when the
17 forces are going to be there, we can't
18 fish pompano on the beach. We can't
19 even touch them on the beach. It's
20 closed to us a quarter-mile out.

21 I don't understand why they say
22 we're on the beaches. We're not on the
23 beach except for nighttime from six

1 o'clock till six o'clock for mackerel,
2 ladyfish. Daytime we're not on the
3 beaches when they do their
4 sportfishing. We are not there.

5 And as far as the economic part of
6 it, you give us back our pompano we had
7 to start with and we could hurt them.
8 But we don't hurt them because we
9 don't -- we're not able to. They got
10 the peak season. We have -- we have one
11 little area there September and October
12 you can catch a few pompano in, which
13 means a lot of us don't gear up and
14 target them. You got a few. If you
15 take that away from us, those few that's
16 targeting a few pompano, they'll start
17 targeting the mackerel. They'll start
18 targeting the mullet. They'll make a
19 different species in trouble. If you
20 keep it spread out, no more than there
21 are of us, we can handle it, you know.

22 And it ain't -- we're not -- you
23 heard the man himself. The pompano

1 fisherman said it's getting better
2 already. If it's getting better, we're
3 not hurting anything. That's common
4 sense there.

5 I mean, I understand why they want
6 it. They want to take it away from us
7 so they can have it strictly them.
8 We -- you know, I don't -- I don't stand
9 to make a load of money off of pompano
10 because I don't fish them like I used
11 to, but I do make enough out of them
12 every now and then that when my
13 granddaughter needs \$200 to pay her
14 light bill, I can give it to her. It
15 don't kill you to do it.

16 If you restrict me to just certain
17 fishes and them fish ain't there --
18 because sometimes the pompano is there
19 when nothing else is there. You know,
20 there's no ladyfish, no mackerel. Some
21 reason or another, riptide and stuff, it
22 changes around.

23 As far as the peak season, they've

1 got it already. We are not on the
2 beaches during that peak season as far
3 as the sports are concerned. And as far
4 as the value of the fish, the only
5 reason we're -- we don't have the value
6 of the fish if we're not able to fish
7 them when they're there.

8 CHAIRMAN MOULTRIE: Dr. Strickland, would you
9 like to address the speaker?

10 DR. STRICKLAND: Actually, Mr. Chairman, I'm
11 trying to have a little more clarity of,
12 I guess, the controversy with pompano
13 fishing.

14 MR. MORALIS: Yes, sir.

15 DR. STRICKLAND: Do we have any idea of the
16 commercial impact -- and this is
17 probably for one of the marine
18 biologists or -- that commercial fishing
19 is having on the pompano?

20 CHAIRMAN MOULTRIE: Mr. Blankenship, would you
21 come to the microphone.

22 DR. STRICKLAND: I'm just trying to get a
23 little more insight of the controversy.

1 MR. BLANKENSHIP: Sure. The average landings
2 since about 2001 are around between four
3 and 5,000 pounds a year for the
4 commercial pompano fishery. And it
5 is -- like Mr. Moralis and some others
6 said, that the closed fishing season is
7 from January through Labor Day, and they
8 are allowed a five-percent bycatch
9 during that time. If they're fishing
10 for other species and they catch
11 pompano, they can keep up to five
12 percent by weight of whatever they're
13 catching. And those have been a
14 minuscule amount of the landings over
15 the past ten years.

16 DR. STRICKLAND: And I guess my question,
17 then, from the biologist's standpoint,
18 do you feel that the limited commercial
19 fishing that's performed on the pompano
20 at this time -- is it having a
21 significant impact?

22 MR. BLANKENSHIP: From the -- strictly from
23 the biological aspect of it and working

1 with our biological section, it
2 doesn't -- you know, it's not -- it
3 doesn't appear -- it's not as big a part
4 of the fishery that we have. You know,
5 it's around four to 5,000 pounds a year,
6 and it's not having a tremendous
7 negative impact on the fisheries.

8 DR. STRICKLAND: Thank you.

9 CHAIRMAN MOULTRIE: Mr. Lynch, did you have a
10 question?

11 MR. LYNCH: I had a question for somebody.

12 In Florida if they don't have
13 gillnets anymore -- and we've got a
14 chart here that says there's quite a
15 bit -- and then they've got a lot of,
16 you know footage of beaches -- but how
17 do they catch their pompano down there
18 commercially?

19 CHAIRMAN MOULTRIE: Mr. Blankenship, could you
20 come back to the microphone?

21 MR. BLANKENSHIP: You may be better able to
22 answer that.

23 CHAIRMAN MOULTRIE: Either of y'all can answer

1 it.

2 MR. BLANKENSHIP: They have a -- they do allow
3 some gillnet fishery -- not necessarily
4 in Florida waters, but in federal waters
5 adjacent to Florida. And they have a
6 corridor they can come back into Florida
7 to land those fish. And so that -- and
8 then they catch some hook-and-line down
9 there. They have an endorsement on
10 their Saltwater Products License that
11 allows them to catch them commercially
12 but not necessarily with gillnets in
13 state waters.

14 CHAIRMAN MOULTRIE: Go ahead, Mr. Lynch.

15 MR. LYNCH: Could y'all catch them under that
16 same kind of system that the Florida
17 people catch them commercially?

18 MR. MORALIS: No, sir. They have a spot down
19 there off of Key West that's nine miles
20 out, and nine miles out is still shallow
21 water. It ain't like it is up here. Up
22 here when you get off -- a quarter-mile
23 off the beach, you're in deep water, 35,

1 40 foot on the deeper end. You get deep
2 in a hurry.

3 And most of the pompano they catch
4 over here is caught on the beaches. I'm
5 not lying about that. But, like I say,
6 during the peak season we're off the
7 beaches. If they give it back to us
8 like we had before -- we used to catch
9 good -- me and my brother used to catch
10 good pompano. When they -- when Vernon
11 took that away from us in -- oh, it was
12 back in the '90s or maybe 2000,
13 something like that -- it put us to
14 where it wasn't feasible for us to
15 target them no more.

16 Nobody's harvesting pompano for any
17 length of time anymore. You got that
18 one little month or two. Then they're
19 gone anyway. And that's what few fish
20 is caught -- most of the fish that's
21 caught is two or three pounds, four or
22 five pounds, eight or ten pounds when
23 you're catching mackerel and stuff, you

1 know.

2 But if you take a thousand dollars
3 away from me, that's a lot of my
4 paycheck at the end of the year. You
5 know, it means a lot to me. It means a
6 lot to my grandkids, my kids. Anybody
7 in our family that needs money, somehow
8 or another -- they come to me for some
9 reason or another. Seems like it
10 anyway. And when they do this, if you
11 take that little bit away from me, you
12 know, that means a lot. That's money I
13 can't give them if they need it. It's
14 good money spent right here in the
15 state. I mean, I promise you, my kids
16 spend their money right here in the
17 state and they do it fast.

18 CHAIRMAN MOULTRIE: Mr. Moralis -- thank you
19 very much, Mr. Moralis. Thank you.

20 The next speaker is Keith McCartney.

21 MR. McCARTNEY: Thank you, Mr. Chairman. My
22 name is Keith McCartney, and I live in
23 Wetumpka, Alabama. And I'm a retired

1 federal conservation officer, have been
2 retired for several years. But I'm also
3 a very, very avid hunter and got a big
4 interest in what goes on in hunting
5 regulations all over the state.

6 I have lived in seven different
7 states -- been assigned to several
8 different -- seven different states and
9 have worked in more than that, of
10 course. And I've been in states where
11 they had legalized baiting. And I know
12 this board has always relied very
13 heavily on the conservation department
14 biologists on what is good biology and
15 what is not, and I really encourage you
16 to do that.

17 But I've seen some things with
18 legalized baiting, and I've got some
19 really good friends in some of these
20 states. And it's really terrible
21 because one of my good friends who is a
22 state biologist in Louisiana, I found
23 that he was hunting over some bait --

1 well, it's not really bait because it
2 was legal. And I was surprised. And,
3 you know, I confronted him about it.
4 And he said, I do not like it, but if I
5 don't do it, I won't do anything because
6 my neighbors are all doing it.

7 I went to Oklahoma this past year.
8 Got a good friend there. They just
9 legalized it just in the last year. And
10 I found out that he had corn out, and I
11 was really surprised. He's a retired
12 state conservation officer. And the
13 same question -- the same answer he gave
14 me was, you know, I don't like it. It
15 makes me feel bad. But if I don't put
16 it out, I won't have anything because my
17 neighbors are pouring it out.

18 So it's just not a good thing. And
19 I really would hope that you would
20 continue to rely on the state
21 conservation department. If they should
22 say biologically it's sound and
23 something we should do, I guarantee you

1 I would change my idea of my opinion
2 about it.

3 The same thing with extending the
4 deer season that's been talked about
5 lately. There's some things that a lot
6 of these folks in this room probably
7 don't realize is that there are not
8 hardly any states that are open in
9 February. If we continue -- if we keep
10 this season open in to February, boy,
11 are we ever going to be a target for
12 out-of-state leasers. And there's a lot
13 of folks in this room that lease land,
14 and they're going to be competing with
15 money that comes out of south Louisiana
16 and a lot of other places that are going
17 to be able to extend their deer season
18 considerably.

19 One more thing I want to talk about
20 real briefly -- and I've given you --
21 there's a paper there that goes into
22 more detail about this stuff. And I
23 know I've been at board meetings before

1 where they talked about feedback on the
2 permit system on dog hunting. And I
3 didn't check that, but I want to address
4 that because I've talked to somebody
5 here.

6 I'm in a -- I hunt in the county
7 where that is -- where a permit system
8 is in effect. We had good cooperation
9 from our local conservation officer. We
10 didn't have a -- the dog hunters there
11 are not really bad people, but we always
12 had dogs on us. And we complained like
13 we're supposed to do. Didn't --
14 didn't -- of course, didn't molest any
15 dogs, do anything like that. We
16 complained to our conservation officer.
17 He worked with the club that we're
18 having the most problems with and told
19 them they would be losing their permit
20 if they --

21 MS. JONES: Time.

22 MR. McCARTNEY: And to end this, I'll say that
23 they decided not to apply for a permit

1 and it was wonderful. Thank you very
2 much.

3 CHAIRMAN MOULTRIE: Thank you, Mr. McCartney.

4 The next speaker is Don Abercrombie.

5 MR. ABERCROMBIE: My name is Don Abercrombie.

6 I'm from Clayton, Alabama, Barbour
7 County. I bought a valuated catfish
8 processing plant where we sell
9 100-percent U.S.-source products, and we
10 also use the logo -- the logo from
11 Organized Seafood for our business now.

12 So I want to discuss today the need
13 to create a stimulus for an existing
14 industry and that's hunting. The
15 stimulus is hunting the perceived rut.
16 And that will stabilize and it will
17 expand the hunting in Alabama and, if
18 necessary, just Barbour County.

19 Proposal is simple. We want it for
20 Alabama or south Alabama, because we
21 have a big game in this fight, but at
22 least for Barbour County as a pilot
23 program. We want to extend gun season

1 for two weeks, February the 1st through
2 the 13th. We want four-points on one
3 side. We had the three-points on one
4 side, which has become a really huge
5 success story because of the weights and
6 everything we've seen associated with
7 that program that y'all put in place
8 about five years ago. And if we need to
9 give two weeks back for the small game
10 hunters, we'd like for it to be from
11 December the 3rd through the 16th.

12 A recent study shows that 82 percent
13 of the nonresident hunters who have
14 leases in Alabama are leasing from
15 Montgomery southward. For every one of
16 the people that come in this restaurant
17 with out-of-state leases, we have 15
18 more that are coming from other parts of
19 the state. So what we're seeing is it's
20 not just an out-of-state issue here.

21 Now, the rut that y'all have here on
22 this map that you're showing, the late
23 season rut, the perceived rut or

1 whatever, 82 percent of those are in
2 south Alabama. And these economies need
3 the money, these gas stations,
4 everybody, you know, and also the
5 Barbour County Management Area, which
6 we're familiar with. If you had two or
7 three 2,000, you know, per three-day
8 hunt hunts there, can you imagine how
9 much money it would be for the state
10 coffers.

11 These hunters want to hunt the rut,
12 and our area needs an economy that is
13 created in attracting and retaining the
14 lease hunters. We want to do this in a
15 biologically friendly way, and that's
16 four-points on one side. And it's
17 important. People are more interested
18 than ever in a trophy deer. So the
19 perception of being able to hunt the rut
20 in Barbour County will cause them to let
21 the young ones walk and then be able to
22 look for that trophy buck during the
23 time that they're available.

1 So it's pretty simple, pretty, you
2 know, straightforward. And so
3 basically -- I do want to say something
4 to John McMillan. If you're looking at
5 this stimulus part of the deal -- you
6 know, it took me five years to convince
7 Auburn University Entomology Department
8 to spray for boll weevil at the two-leaf
9 stage. You see how many jobs that the
10 boll weevil eradication program that
11 passed in '85 made for that industry.

12 In 1997 I introduced a proposal for
13 a time-of-use rate with Alabama Power in
14 west Alabama to put it in the catfish
15 industry. And now, then, you see
16 Alabama Power with a lower rate against
17 Black Warrior over there trying to get a
18 better rate. And so this stimulus has
19 moved the industry from the Mississippi
20 Delta toward west Alabama.

21 And currently we're in a -- my
22 company --

23 MS. JONES: Time.

1 CHAIRMAN MOULTRIE: Mr. Abercrombie, let me
2 address something before you leave the
3 microphone. Mr. Abercrombie.

4 For the board's knowledge, in
5 Barbour County since 1997 our department
6 has over 150 number of deer collected.
7 The average date of conception runs from
8 November 22 to the latest being
9 February 4th. Of all the other five --
10 I believe it's five -- samplings, all of
11 them are before the end of the season.

12 Now, we understand a lot of times
13 what -- you may be looking for to hunt
14 into February, but, again, I think this
15 board needs to see solid facts that
16 there's a biological need to go into
17 February.

18 MR. ABERCROMBIE: Well, the thing that we're
19 seeing there, we have so many outfitters
20 in the area. And one outfitter, you
21 know, he said it would increase his like
22 \$68,000 just in revenue for that 13
23 days. We have another one that says 40

1 hunts would be \$5,000 for --

2 CHAIRMAN MOULTRIE: I understand that, sir,
3 but, again, the biological need --
4 emotion should not make deer seasons.
5 Biological data -- Mr. Hatley, you had
6 something.

7 MR. HATLEY: My point is you people do not
8 seem to be -- you're concerned more
9 about the economical impact than you are
10 about the resource.

11 MR. ABERCROMBIE: No. What we are in Barbour
12 County -- we've been doing this for 20
13 years. I've -- a lot of people are
14 familiar with Guice Slawson and the big
15 landowners there. They've actually been
16 managing their deer herd year around for
17 20 -- you know, for the last 20 years.
18 And so we're looking at a lot more
19 biologically friendly area than what you
20 see.

21 So we want to have programs to where
22 we get your top biologists to come in
23 and actually put on programs so that

1 they can show how to do the post rut
2 biologically friendly type work, like
3 the -- you know, and not doing this --
4 you know, what you're seeing on the
5 other -- on the other part of the deal.

6 CHAIRMAN MOULTRIE: Dr. Strickland, you had a
7 comment.

8 DR. STRICKLAND: I have to agree that, you
9 know, we have to have sound biological
10 data to make those decisions. The buck
11 limit that we put in place has already
12 had a tremendous impact on the quality
13 of deer that we harvested in the state.
14 And the greatest amount of stress is
15 post-rut stress. That's when you have
16 the largest amount of your buck
17 mortality. And I really feel -- and the
18 biologists do as well -- extending that
19 season into February is going to put a
20 significant amount of stress here on the
21 bucks and it's just going to increase
22 the mortality.

23 MR. ABERCROMBIE: Well, in Barbour County and

1 the people I've talked to -- we had a
2 meeting. We had 200 people at the
3 meeting. And everybody -- nobody had a
4 problem with going from three bucks to
5 two bucks. I didn't put it on here
6 because I feel like that's your issue.

7 But in Barbour County, Alabama, the
8 main rut this year was the 6th through
9 the 10th of February. And whether it's
10 real or perceived, then if we go and we
11 can market this, then what we'll be able
12 to do is be able to increase the, you
13 know, jobs in Alabama.

14 CHAIRMAN MOULTRIE: Mr. Lynch, you had a
15 comment.

16 Did you have a -- okay.

17 Thank you, Mr. Abercrombie. Thank
18 you.

19 The next speaker is Larry Dillard.

20 MR. DILLARD: Thank you, Board, for allowing
21 us to come before you today and speak.
22 My name is Larry Dillard, and I live in
23 north Shelby County. And I'm on the

1 county commission there. And we are
2 grateful that the Forever Wild Board has
3 arranged for a 99-year lease on the
4 Cahaba Wildlife Management Area so that
5 our citizens will have a place to hunt
6 forever. A 99-year lease is a long
7 time.

8 We also appeared before the Forever
9 Wild Board to get them to buy the State
10 Cattle Ranch down in Greensboro. That's
11 going to be dedicated to youth hunting
12 and to folks with handicaps to hunt and
13 a place for all venues to have field
14 trials. And we have worked hard to get
15 four beagle enclosures of 65 acres each
16 over on one side. We've got those
17 built, and we've just got to get the
18 rabbit population up so that our eight
19 AKC-registered gun dog beagle clubs in
20 Alabama will have a place to forever
21 have field trials.

22 Because our clubs are always losing
23 the land they've got for running grounds

1 because of development, and it can't
2 ever happen on Forever Wild land. And I
3 would be remiss to say, I hope every one
4 of you gentlemen work hard to help
5 Mr. Guy and all of us hunters forever
6 have this Forever Wild program by voting
7 again in November.

8 Now, I'm here today to represent the
9 small game hunter. I cried enough when
10 I was five years old till my daddy let
11 me start go rabbit hunting with him.
12 And I've got 69 years of rabbit-hunting
13 experience. So if you can add, you know
14 I'm 74 now.

15 I enjoyed that so much. And I
16 raised my sons up and my son-in-law
17 rabbit hunts with me and I've got
18 grandsons rabbit hunting with me. And I
19 want to encourage you.

20 I've seen the deer season extended
21 from January the 1st through January the
22 15th and then from January the 15th
23 through the end of January. Now, if you

1 go beyond that into February, you are
2 just going to execute a death knell for
3 the small game hunter. I'm not just
4 talking about rabbit hunters. I'm
5 talking about all of the squirrel
6 hunters and the coon hunters and the
7 folks that still hunt opossums, and
8 that's coon dogs that can't quite make
9 it. And so I want you to know that we
10 have got to save something for the rest
11 of the folks.

12 Now, all of us small game hunters
13 are not blessed to have big hunting
14 areas that are commercial hunting areas.

15 MS. JONES: Time.

16 MR. DILLARD: Just one more second.

17 CHAIRMAN MOULTRIE: If you would sum it up,
18 please, sir.

19 MR. DILLARD: I will sum it up.

20 We cannot afford the land leases and
21 all that. But, now, we do get invited
22 by a lot of those deer clubs to hunt in
23 February because most of us have dogs

1 that don't run deer. We don't tolerate
2 that stuff. And we have dogs that don't
3 run deer. So I can rabbit hunt every
4 day in February on these deer leases
5 because they've got people in those
6 clubs that like to rabbit hunt. But you
7 cannot hunt next to one of them or close
8 to them any other time because some of
9 them will shoot your dogs.

10 Gentlemen, I'm begging you to really
11 consider holding the deer-hunting time
12 down to where it is now at the end of
13 January and at least give us poor people
14 one month to hunt. Thank you very much.

15 CHAIRMAN MOULTRIE: Thank you.

16 The next speaker is Jack Bradford.

17 MR. BRADFORD: I'm Dr. Jack Bradford. I live
18 in Millbrook. That's in Elmore County.
19 I'm speaking on behalf of the Alabama
20 Safari Club today.

21 The Safari Club really wants to
22 applaud all of you for the fine job
23 you've done in placing public safety

1 regulations in place. We want safe
2 hunting throughout all of Alabama. It
3 is my understanding, however, that the
4 board may be considering at a point in
5 time the placement of stands -- deer
6 stands on private property. I would --
7 I would say that that is a private
8 situation and that what we need to do is
9 encourage landowners to be cooperative
10 of other landowners.

11 In many cases with private property
12 the avenue marking the property lines
13 are cleared for maintenance of those
14 lines and they are cleared so that we
15 can have a delineation of where the
16 property lines are. In many cases those
17 are the only places for appropriate
18 placement of a stand.

19 Now, we don't want people shooting
20 across property lines on someone else's
21 property. That's not the right thing to
22 do. But to place it there may be the
23 only place where the trees are cleared.

1 It may be the only place where stands
2 can be placed. So I would ask you to
3 keep that in mind.

4 If it deals in the realm of public
5 safety, I am and SCI is all for those
6 regulations. But if it's a private
7 matter, it needs to be settled
8 privately. Appreciate your thoughts on
9 that.

10 CHAIRMAN MOULTRIE: Thank you, Mr. Bradford.

11 The next speaker is Barry Estes.

12 MR. ESTES: Good morning. Barry Estes. I
13 live over in Prattville. I appreciate
14 both Mr. Moultries letting me speak here
15 today.

16 That was a joke.

17 I'm also here wanting to talk about
18 the boundary rule if it were to come
19 up.

20 Bowhunters in Alabama, which I
21 represent, we have an urban deer control
22 program which was created several years
23 ago at the request of the conservation

1 department to deal with issues about
2 subdivisions and deer problems in the
3 areas. And, obviously, a 50-yard rule
4 for a bowhunter in an urban deer control
5 program would shut it completely down
6 because you're dealing with close
7 proximities and everything else in
8 archery. But that's just a rule we
9 would like to see addressed if it were
10 to be pursued.

11 Once again, I'd like to support
12 Forever Wild. I hope everybody does. I
13 got to shoot a couple of pigs this year
14 down at Lowndes on that new property.
15 And it's ugly. But it's fun to get out
16 there and hunt. It's nice to have a
17 place to go chase a pig every once in a
18 while. That's all I have to say. Thank
19 you.

20 CHAIRMAN MOULTRIE: Thank you, Mr. Estes.

21 The next speaker is Jim Dye.

22 MR. DYE: Thank you, Board, for letting me

23 come up and speak today. My name is Jim

1 Dye. I hunt in Greene County, Alabama.
2 I am a dog hunter. I hunt with C & W
3 Hunting Club. We've been in business --
4 not business. We've been a club for
5 well over 25, 30 years.

6 We'd just like to continue hunting
7 the way we like to hunt, to dog hunt.
8 We hunt as legal as we can. We abide by
9 the state rules and do everything we can
10 to minimize any issues or problems that
11 may come up. To my knowledge, we
12 haven't had any major issues that I'm
13 aware of.

14 But we do want to continue doing
15 what we do. And I want to encourage all
16 dog hunters to do the right thing, hunt
17 the right way, police yourselves, and do
18 dog hunting the way it ought to be
19 done. Thank you.

20 CHAIRMAN MOULTRIE: Thank you, Mr. Dye.

21 The next speaker is Jimmy Fort.

22 MR. FORT: Good morning. I'm Jimmy Fort from
23 Butler County. The reason I came up

1 today, I was trying to get from the
2 horse's mouth, so to speak, what is
3 going on with the extension of the deer
4 season controversy back and forth.

5 And I approach things with an open
6 mind here. I'm a hunter. I like to dog
7 hunt. I'm also president of a 900-acre
8 still-hunting club. And at the end of
9 season I've got some beagles that I run
10 rabbits with. And so it's hard to take
11 sides with anyone here because I like it
12 all.

13 But I came up here with my mind set
14 of extension. But the more I hear and
15 talking out in the lobby of the people
16 that when you give something over here,
17 you're taking from somebody else over
18 here. And what I do and our members
19 that's in our still-hunting club, we go
20 to a neighboring dog-hunting club for
21 the first part of the season and join
22 them and go dog hunting because that's
23 how you kill the deer. The deer are not

1 moving in the early part of the season.
2 A dog will make the deer move. And
3 you're more -- and, really, in the long
4 run you have more fun because there's
5 more people involved, the chase of it,
6 the gathering up later, what all's going
7 on.

8 And my interest is -- and, like I
9 say, I won't ask y'all to show your
10 hands, but just think about this: How
11 many of you here have ever been dog
12 hunting? And if you haven't, I would
13 just suggest this year in your area to
14 find out of a local dog-hunting club,
15 ask them to go with them for a day to
16 get the insight of what it's about.

17 No matter who here is whatever
18 issue, there's always two sides one way
19 or the other. I've done it all, the
20 still hunting and the dog hunting. I've
21 dog-hunted for 50 years from a little
22 kid. I love the chase. I could
23 actually put my gun up and just enjoy

1 the chase. But like I was telling one
2 of the guys, if I did that, that's when
3 the old big one would come out and I'd
4 be like where is my gun, you know.

5 So I don't -- I'm just glad I'm not
6 in your position about this. But to let
7 you know, I think I've sort of -- from
8 what I'm seeing, I think we sort of need
9 to stick with what we got.

10 And on the dog still-hunting issue,
11 to me, like we've been saying the last
12 couple of years, cooperation, I think,
13 in the still hunters themselves and the
14 dog hunters themselves. If you really
15 want to understand it, try to get
16 together. And what I have seen in the
17 past, if you'll carry a still-hunter dog
18 hunting with you one day -- and I've
19 seen it more than once -- next weekend
20 he's back, but, look, he picked up a dog
21 over the week. Because what it is, they
22 enjoy it and -- but you -- no matter
23 what you do, you want to have -- to be

1 part of it. So you want your little
2 thing to go along with it, whether it's
3 rabbit hunting or whatever.

4 So I have trouble criticizing
5 someone else because what I'd be
6 criticizing, I do the same thing. So I
7 don't know if I've said anything, but
8 the main thing is --

9 MS. JONES: Time.

10 MR. FORT: -- I wish y'all would be
11 open-minded about this and just do the
12 best you can.

13 CHAIRMAN MOULTRIE: Thank you, Mr. Fort.

14 The next speaker -- if you'll hold
15 your applause until the end of the
16 session, please.

17 The next speaker is Mr. Giles, Lamar
18 Giles.

19 MR. GILES: Mr. Chairman, Board Members, my
20 name is Lamar Giles. I'm the
21 secretary/treasurer of Old Union Point
22 Hunting Club in east Chilton County,
23 Alabama.

1 In the March 12th, 2011, advisory
2 board meeting you heard complaints from
3 three landowners about deer dogs
4 trespassing on their property. I have
5 the minutes of that meeting, and I have
6 read their complaints. I won't say the
7 gentlemen lied, but they certainly
8 embellished the truth.

9 The truth is these gentlemen bought
10 land that joins a hunting club that had
11 been in existence over 30 years when
12 they purchased the property. There's
13 nothing separating the two except the
14 land line.

15 Chilton County has approximately
16 450,000 acres of land. These three
17 gentlemen have less than 700 acres
18 combined. In 2010 the census of Chilton
19 County had 43,643 residents. Two of the
20 three people who complained do not
21 reside in Chilton County or vote in
22 Chilton County. Only one was a citizen
23 of our county. Yet this board voted

1 unanimously to put Chilton County on the
2 dog deer hunting by permit only system.
3 There was no mention in their complaints
4 of any bad conduct or confrontation
5 between anyone because there hadn't been
6 any.

7 Now, next season will be the 40th
8 year of our club's existence. In those
9 40 years, to my knowledge, we've had one
10 ticket from the conservation
11 department. We've been able to co-exist
12 with landowners and neighbors around our
13 club, because we're mostly local
14 people.

15 I believe your decision was unfair
16 to the citizens of our county. You had
17 the authority to put us on the permit
18 system, and I believe you have the power
19 to take Chilton County off the permit
20 system. And I'm asking you to do so.

21 Now, as far as the problem with the
22 dogs and these landowners, if they can't
23 tolerate a deer dog occasionally

1 crossing their property, then since
2 they're the Johnny-come-latelies --
3 we've been there almost 40 years and
4 they've been there less than ten. Let
5 the burden of keeping the dogs off of
6 their property be theirs. Let them
7 fence their property.

8 MS. JONES: Time.

9 MR. GILES: That would solve the problem. And
10 we would appreciate it. Thank you.

11 CHAIRMAN MOULTRIE: Thank you, Mr. Giles.

12 The next speaker is Don Knight.

13 MR. KNIGHT: I'm Don Knight, state president
14 of the Alabama Dog Hunters Association.

15 Dan, just for what it's worth -- and
16 it'll probably take up a little bit of
17 my time -- but I've been hunting in
18 Barbour County for 30 years, and your
19 dates are within a couple of dates of
20 what we see deer going into the rut
21 every year. And we've had this land for
22 over 40 years. So just to throw that
23 out.

1 Now I'd like to take this
2 opportunity to thank the Commissioner,
3 Assistant Commissioner, and all
4 concerned on this board for giving
5 Coffee County a year to get their
6 problems worked out and get things
7 straightened out. And I'd like to tell
8 you what we're doing about that.

9 What we're trying to do, we've got a
10 meeting that's trying to be scheduled.
11 It will be set here shortly. We're
12 trying to set it to where we can get the
13 most people there we can. And what
14 we're trying to do is we're going to set
15 up a committee with at least one
16 committee member from each club in that
17 county. And we'd like to include
18 Elmore, if we could, because we don't
19 think it ought to be shut down by an
20 area. If you get a good club coming
21 back in, you can't open them up if their
22 area has been closed down. We don't
23 like the areas -- I think we talked

1 about all this -- and have club to club
2 to set up the accountability and
3 everything.

4 So what they're going to do, when we
5 get this committee set up, we'll have a
6 chairman. Anybody that's got a
7 complaint and calls Grady or the
8 conservation department, anything like
9 that, they can register that complaint
10 with that chairman. That chairman will
11 have a person from those clubs on his
12 committee. He will talk to them and the
13 other club members. We will see if it
14 is a legitimate complaint. If we don't
15 think it's a legitimate complaint, we
16 will make a notation of that and give
17 you that at the end of the season. If
18 we think it is a legitimate account --
19 or complaint, then we will work on that
20 as a group and tell you what our
21 solutions were that we implemented to
22 stop this complaint from happening
23 again.

1 That's what we're trying to do in
2 Coffee, and we would like to have Elmore
3 County included in that. That's what we
4 want to do. It's not a foolproof thing,
5 but I think it shows that we want to
6 police our own. We're going to try to
7 set this up in other counties. There's
8 a lot of counties out there that need
9 the permit system. We know it works,
10 where it's needed, where it's not
11 needed. We don't think our hunters
12 ought to be restricted any more than any
13 other hunter in the woods.

14 So that's one of the things we're
15 trying to do to solve the problems in
16 Coffee County. And we will continue
17 this wherever we've got problems. We'll
18 try to set up a committee and make it
19 work, police our own.

20 And I would also like to tell you
21 that our film is not quite ready yet,
22 but they -- the people up in Wisconsin
23 tell me they'll have it for us probably

1 next month. And we'll get it in your
2 hands before the next meeting where you
3 can see it and all. He says it's going
4 to be really good, and they're trying to
5 do that now.

6 Please --

7 MS. JONES: Time.

8 MR. KNIGHT: Okay. Just consider putting
9 Elmore County in with Coffee and don't
10 close down any areas. We'd rather have
11 it club-by-club basis accountability.
12 Thank you.

13 CHAIRMAN MOULTRIE: Mr. Knight, we appreciate
14 your involvement as a board in the dog
15 hunting in Alabama. Thank you.

16 The next speaker is Susan Morrow.

17 MS. MORROW: Good morning, Chairman, Members
18 of the Board. I'm Susan Morrow. I'm
19 from Mobile County. You know, I'm an
20 avid dog hunter and I'm also a stalk
21 hunter.

22 I want to thank y'all again for the
23 extra five days that y'all gave us on

1 management areas. That was wonderful.
2 And I'm here again to ask for two more
3 days on the Upper Delta at the beginning
4 of the season because usually it's not
5 wet in there then and we can drive in.
6 And I would also like to see another
7 management area opened for dog hunting.

8 And I also would like to add that I
9 don't think that deer season needs to be
10 extended. If you extend it, you will
11 wind up taking away some of our dog
12 days. And it would wind up being like a
13 split system -- season -- excuse me --
14 in Mississippi, and that's -- if you've
15 ever been over there and hunted, it's
16 very confusing. And I don't think that
17 we are at that point to where we need
18 that yet. So I wish y'all would
19 consider that. And I know that y'all
20 will do the right thing on that. Thank
21 y'all very much.

22 CHAIRMAN MOULTRIE: Thank you, Ms. Morrow.

23 The next speaker is Loney Mullinex.

1 MR. MULLINEX: Thank you for this
2 opportunity. My name is Loney Mullinex,
3 and I hunt in Greene County. Been
4 hunting in there since 1962, landowner
5 also. But we are a dog-hunting club --
6 primarily dog-hunting club. Been doing
7 it for years.

8 We also -- to the small game, we
9 invite anybody there -- we've had --
10 like the gentleman said earlier about
11 getting a stalk hunter there or a still
12 hunter. We have converted several,
13 several still hunters into dog hunters
14 in the past ten to 15 years.

15 Our biggest thing, though, is
16 tradition and our kids. I was raised up
17 there, my sons, my -- our members, their
18 sons and grandsons, granddaughters,
19 nieces and nephews. What we're asking
20 is you make real consideration of
21 leaving the dog hunting alone. Let us
22 enjoy what we do the best.

23 We are working on a system to police

1 our dogs, to track our dogs, to take
2 care of our dogs and keep them off, as
3 much as possible, the landowners next
4 door to us, to be hospitable to them, to
5 consider them. But we understand, you
6 know, they spend a lot of money, too, on
7 their hunting places and so we do. But
8 we want to get along with all of them.
9 And, like I said, we will work on a plan
10 to take care of this. Thank you.

11 CHAIRMAN MOULTRIE: Thank you, Mr. Mullinex.

12 The next speaker is Donald Nelson.

13 MR. NELSON: Good morning, gentlemen. I'm
14 Mayor Don Nelson from Creola, Alabama,
15 and I'm speaking on behalf of Big Rack
16 Hunting Club in Butler County that's
17 been there for 50 years, also, personal
18 family land in Butler and members'
19 family land in Butler County.

20 During the 2010 season I shared last
21 year with the board that I was
22 recovering from cancer surgery and
23 chemotherapy. We had two glitches

1 happen during the 2010 season, and I had
2 to come back and stand in front of this
3 board and tell them and Mr. Hartzog what
4 I planned to do to correct those
5 problems when I was absent from a lot of
6 that season.

7 We initiated a four-step program to
8 eliminate the problem. We actually did
9 two more things. I'm happy to say in at
10 least six conversations I had last year
11 with Mr. Mike McNeil, who is a
12 lieutenant with the conservation
13 department in Butler County, in our area
14 particularly, at the start of the
15 season, during the middle of the season,
16 end of the season, I said, Mike, did we
17 have any problems? He said, zero. I
18 said, Mike, did we have any complaints?
19 He said, zero. Mike, did we have any
20 violations? He said, zero. And I said,
21 great.

22 He has my number, my business card,
23 my cell, my home number. I have his.

1 We communicated continually. Because
2 our goal is to have zero problems. We
3 don't want that. We don't want you to
4 have to fight this issue every year.

5 We went beyond that. Well, we --
6 the communication. Mike has been
7 invited to hunt with us, come to our
8 cookouts at the end and beginning of the
9 season. He is a regular fixture with
10 us, which we're glad.

11 We did some other things. This
12 right here which I'm carrying right
13 here -- and a lot of clubs is going to
14 them, and I just went to it last year --
15 is a Garmin GPS system, the greatest
16 thing, I think, since sliced bread. I'm
17 not a Garmin salesman, but, gentlemen, I
18 can tell you where my dog is, if he's
19 running, where he's been, and where he's
20 going. I didn't have any dogs out
21 overnight last year. It helped
22 tremendously. It's not the end
23 solution, but it helps tremendously.

1 And we stress this for our members
2 there, very -- trying to be proactive is
3 what we're trying to do there.

4 I mentioned we've been in Butler
5 County for 50 years. We pay over
6 \$25,000 a year on just leases. Some
7 years have been as high as 40,000. If
8 you do your math, that's over a million
9 dollars in leases. And we're glad to do
10 that because it supports our economy and
11 the conservation department there. I
12 dare say how many millions of dollars
13 our 30 to 50 members spend in the local
14 economy. It's probably several million
15 dollars there. And we want to continue
16 doing that.

17 We want to continue to have the
18 privilege to hunt dogs in Butler
19 County. And we -- I worked with
20 Mr. Knight and Mr. Hartzog last year. I
21 give him our plan. I think it's
22 working. I know we had one gentleman
23 speak against us back in the February

1 meeting, which I missed, unfortunately.
2 And he may speak today, which is fine.
3 But our goal is, is to be a good
4 neighbor and to continue to utilize --
5 to have the privilege to hunt dogs in
6 Butler County. We want to do that.

7 One thing in closing I've heard
8 about the season. I killed zero deer
9 the last -- and I don't care. I enjoy
10 fellowship. I have a three-year-old
11 grandson --

12 MS. JONES: Time.

13 MR. NELSON: -- that I'm going to see today,
14 and I want to bring him hunting with me.
15 Thank you very much.

16 CHAIRMAN MOULTRIE: Mayor, if the rest of the
17 mayors in the state would get as
18 involved as you have, we wouldn't have
19 the kind of problems we have. You're
20 doing a tremendous job. Thank you for
21 your work.

22 MR. NELSON: Thank y'all for allowing me to
23 speak, gentlemen. If I can help, please

1 don't hesitate to call.

2 CHAIRMAN MOULTRIE: Mr. Jones.

3 MR. JONES: Just out of curiosity, what does a
4 system -- GPS system like that per dog
5 cost?

6 MR. NELSON: Okay. The collars is \$200. Now,
7 I had to beg my wife and get on her good
8 side and do a lot of "honey-do's." It
9 probably cost me 1500 to \$2,000. It was
10 worth it. I've seen deer this year in
11 front of my dogs. And, like I said,
12 this helps out. This is the best thing
13 I've ever seen.

14 MR. JONES: Is it \$200 per dog?

15 MR. NELSON: \$200 a collar.

16 MR. JONES: A collar.

17 MR. NELSON: And about five to \$600 for this
18 unit here. Thank you.

19 CHAIRMAN MOULTRIE: Mayor, thank you so much.

20 The next speaker is James Akers.

21 MR. AKERS: Thank you, Mr. Chairman. My name
22 is James Akers. I live in Covington
23 County about ten miles north of the

1 Florida state line. I own 80 acres
2 right in the middle of timber company
3 land.

4 Dog hunting was opened up south of
5 84 two years ago. In that two-year time
6 I've had several problems with dogs
7 getting over on me. I know dogs do not
8 know property lines. There's a
9 difference between true dog hunters and
10 these wannabe dog hunters.

11 The problem is not lying with people
12 like the gentleman who just spoke and
13 his club. The problem is with the clubs
14 that do not regulate their members.
15 They buy dogs right before deer season
16 starts. They use these dogs during deer
17 season. Then they turn them loose.
18 I've had to put dogs down on my place
19 because they would just turn them loose
20 at the end of season.

21 Also, night stalk hunting. I call
22 it night stalkers, the night hunters.
23 In five years -- I live two-and-a-half

1 miles off of 331 on a dirt road, and in
2 five years I've counted between 25 and
3 30 carcasses throwed out, nothing but
4 the horns cut off of them. This is a
5 waste of meat. This is killing the buck
6 population. In our area where I was
7 seeing four or five, six eight-points a
8 year, I've seen one this year.

9 Our biggest problem is enforcement.
10 I've called the game warden twice. One
11 time he showed up for one night patrol
12 only in that area. I told him the
13 nights they were hunting. I could even
14 take him to the place where they're
15 doing the killing at. But nobody wants
16 to listen.

17 But our biggest problem is
18 enforcement over this night hunting.
19 And it's getting ridiculous. They're
20 cutting the horns off of them, selling
21 them to people for knives and stuff like
22 that, and it's not right. And thank you
23 for hearing me. Thank you.

1 CHAIRMAN MOULTRIE: Mr. Akers, can you get
2 with Kevin Dodd and give him that area
3 where those -- that's happening after
4 the meeting?

5 MR. AKERS: Yes, sir.

6 CHAIRMAN MOULTRIE: Thank you very much.

7 The next speaker is Keith Blackburn.

8 MR. BLACKBURN: Good morning. My name is
9 Keith Blackburn. I own property in west
10 Butler County. And right now I'm really
11 taken out of my game. I will contradict
12 everything the mayor just said awhile
13 ago.

14 We have had ongoing problems with
15 that particular hunting club for years
16 dating back 30 years or so. I have had
17 gentlemen arrested on my property for
18 trespassing. The dog hunting is out of
19 control there in that part of the
20 county.

21 I presented Mr. Hartzog with a map
22 in February showing where I've got 15
23 landowners that support a permit system

1 in Butler County to try to get a handle
2 on this. I guess people there think I'm
3 the mayor of the community or
4 something. But, anyway, they keep
5 sending me all these complaints.

6 One of the main complaints is, is
7 that we have a two-acre cemetery right
8 in the middle of some of our property.
9 And a lot of these older women are
10 scared to go to the cemetery to visit
11 their husbands because they're afraid of
12 these hunters lined up and down the
13 road. They throw their dogs in there on
14 posted properties, and it's just -- it's
15 out of hand.

16 So basically what I'm asking is
17 please consider a permit system for the
18 west part of Butler County. Thank you.

19 CHAIRMAN MOULTRIE: Thank you, Mr. Blackburn.

20 The next speaker is David Cowan.

21 MR. COWAN: Good morning. My name is David
22 Cowan. I'm from Birmingham, Alabama.
23 My brother, who is from Tuscaloosa, and

1 I own property in northern Greene
2 County, Alabama. And I'm appearing
3 before you today to ask that deer
4 hunting with dogs in north Greene County
5 be put on the permit system.

6 The problem that I'm going to
7 discuss with you today is long-standing,
8 it is systemic, and it is oppressive.
9 This morning when I got here I gave your
10 secretary a packet of information
11 detailing years of trying to get
12 something done about this and to try to
13 get to a resolution of this. But
14 because we had no success, I'm here
15 today.

16 One of the gentlemen a few minutes
17 ago mentioned that a landowner should
18 expect an occasional interference with
19 his activities, and I agree with that.
20 In the information that I have provided
21 you -- and it's documented not just by
22 my words. But in the information that
23 we provided you, in the 2010-2011

1 hunting season we had dogs on property
2 that we own on six of eight weekends.
3 We had dogs on property that we lease on
4 seven of the eight -- seven of those
5 eight weekends. Last season it was four
6 weekends out of six.

7 What makes the problem even worse is
8 that on some of those weekends it
9 involves both days, Saturday and
10 Sunday. The problem is further
11 magnified by the fact that some of those
12 intrusions last all day long.

13 For example -- and, again, I give
14 you this just as an example. On
15 January 8th, 2011, members of the
16 hunting club, who I have identified in
17 my packet, were on the northern border
18 of our property yelling up dogs at 4:30
19 in the afternoon. They had run on us
20 all day. That problem repeated itself
21 the next morning at 9 a.m. on
22 January 9th, 2011. On February 7th,
23 2012, this year, we had guests and

1 hunters in evening hunts because we had
2 dogs on our property all day.

3 Now, I get that people want to dog
4 hunt. I understand it. But I think
5 requiring someone to give up 80 percent
6 of their weekends --

7 MS. JONES: Time.

8 MR. COWAN: -- is asking too much. All we're
9 asking for is the permit system. And,
10 again, I would just reference you to the
11 information packet and the evidence that
12 I have provided to you. Thank you.

13 CHAIRMAN MOULTRIE: Mr. Cowan, if you could
14 get with your new area representative,
15 Mr. Bunn, and start the conversation.

16 MR. COWAN: Thank you.

17 CHAIRMAN MOULTRIE: The next speaker is Paul
18 Jeffreys.

19 MR. JEFFREYS: Members of the Board, I would
20 like to thank you for being able to come
21 before you today. My name is Paul
22 Jeffreys. I'm a landowner in Lamar
23 County.

1 This morning me and Mr. Hatley were
2 discussing how long it's been that I've
3 been coming to these meetings. And I
4 know for a fact it's been 12 years,
5 because when we started, my son, who's
6 12 now, had just been born.

7 Back then we started our seeking a
8 ban on dog deer hunting in Lamar County,
9 and it grew from just Lamar County to
10 Marion County and into Franklin County.
11 And then we had a serious problem. We
12 were having upwards of 60 and 70
13 complaints a season in one county, in
14 Lamar County, my county in particular, a
15 season against clubs with dog hunting.

16 I hold in my hand the list of
17 complaints now, this year. And this
18 past year in Lamar County alone we had
19 nine complaints. Nine complaints by
20 landowners complaining about dogs
21 running on their private property. You
22 cannot argue with numbers. That is a
23 fact.

1 We went -- go back and check the
2 records. In early 2000 -- '99, 2000,
3 2001, check your records of how many
4 complaints we had by landowners and
5 check them today. It's proof in the
6 numbers.

7 Again, the dog hunters are now
8 coming forward and saying we want to
9 police ourselves, we want to use
10 tracking collars. Let me just pose this
11 idea to you: As a hunter who is trying
12 to find a deer, to harvest a deer, would
13 that not give an unfair advantage of
14 having a GPS on a dog that is pursuing
15 an animal, to run it from cover and
16 they're standing there with a device
17 that is showing them which way that dog
18 is running and where it's going?

19 I just want you to think about it.
20 I'm not -- I mean, before you make any
21 decisions I want you to consider this.
22 Consider these -- what might be the
23 outcome of this.

1 CHAIRMAN MOULTRIE: Mr. Moody -- let me --
2 excuse me, Mr. Jeffreys.

3 Mr. Moody, is there any regulation
4 that keeps these dog hunters from using
5 that?

6 Mr. Dodd?

7 MR. DODD: No.

8 CHAIRMAN MOULTRIE: Okay. For the board's
9 information, there is not any regulation
10 against that being done.

11 Mr. Jeffreys, go ahead.

12 MR. JEFFREYS: Right. Right. There's not a
13 regulation. I just want you to think
14 about that.

15 That being said, in Lamar County we
16 would like to thank you for our season
17 and bag limits. It has been a success
18 story. We would like to thank you for
19 our bans. Landowners in that part of
20 the state now have the free right --
21 when we started 12 years ago, I told
22 this board -- and Mr. Hatley, I believe,
23 is the only one that was present on this

1 board at that time -- this was not a
2 hunting issue. It never was, never has
3 been. This was 100-percent a private
4 landowner rights issue. And that was --

5 MS. JONES: Time.

6 MR. JEFFREYS: The private landowner should
7 have the right to say what takes place
8 on his or her property.

9 CHAIRMAN MOULTRIE: Thank you, Mr. Jeffreys.

10 MR. JEFFREYS: Thank you.

11 CHAIRMAN MOULTRIE: The next speaker is Steve
12 Pierce.

13 MR. PIERCE: Good morning, gentlemen. I'd
14 like to first thank the chairman for the
15 invitation to come back from last
16 month. I appreciate it. And I don't
17 want to hash over the old stuff. You
18 know I don't like the night hunter at
19 all. We desperately still need some
20 help with enforcement.

21 Gentlemen, I'd be glad to go with --
22 and I've offered -- our game warden. I
23 can't call his name now, but he's in my

1 cell phone and I'm in his. I've
2 offered. The corn sacks are laying
3 outside the gates on this particular
4 club. They're still laying there. That
5 ain't right. We need something done
6 with enforcement.

7 I don't mean to be just harping on
8 the enforcement guys. I know they got a
9 big load, a bad situation. But what
10 else can we do?

11 We -- something -- if it -- when you
12 call and after calling them it seems
13 like it falls on deaf ears, why you want
14 to keep calling if it's not doing any
15 good?

16 Don't know what else to say about
17 tracking collars or whatever. I
18 understand that. And that's great
19 people are trying to help take care of
20 the problem of looking after their
21 dogs. Appreciate it.

22 But, also, any of you gentlemen
23 hunters, if you ever set in a stand and

1 tried to still hunt and dogs running
2 around all under your feet, it ain't
3 very nice.

4 And you're not -- I'm not saying
5 extend the season. Don't think we need
6 to do that neither. But no -- I don't
7 know what the biologists come up with.
8 But the game cameras out on our place
9 this year after the season, after I was
10 here last month -- the main part of the
11 rut, yes, was later into February in
12 Covington County. But what's causing
13 that? Is it they're not having time to
14 settle down after dog season and so
15 they're doing that or what? I don't
16 know. I'm not a biologist.

17 (Brief interruption.)

18 CHAIRMAN MOULTRIE: Hold any comments from the
19 gallery, please.

20 Go ahead, Mr. Pierce.

21 MR. PIERCE: But there needs to be something
22 done. What we need to do -- we're
23 asking for help.

1 You know, it's not nice to sit there
2 and try to stalk hunt -- I know we've
3 got the whole season to stalk hunt, but
4 it's not nice to sit there and stalk
5 hunt when you got a club setting here
6 with 2700 acres joining you. They're
7 not running over yonder and their dogs
8 jumping a deer and coming across. No.
9 A dog can't read property lines. I
10 don't -- it ain't the dog's fault. But
11 when they're -- the club is setting
12 there less than a hundred yards off the
13 property line and turn their dogs loose
14 to come across you, that ain't right
15 worth a durn. We need some help out of
16 the enforcement, please. Thank you,
17 gentlemen.

18 CHAIRMAN MOULTRIE: Mr. Pierce, if you will
19 get with Mr. Dodd after the meeting, I
20 assure you it won't fall on deaf ears.

21 MR. PIERCE: Thank you.

22 CHAIRMAN MOULTRIE: The next speaker is Andrew
23 Scott. This is our final speaker.

1 MR. SCOTT: I've got to have notes. My name
2 is Andrew Scott, and I live in
3 Birmingham and have family in Greene
4 County.

5 COMMISSIONER GUY: Mr. Scott, can you come up
6 to the microphone?

7 CHAIRMAN MOULTRIE: Speak into the microphone,
8 please, sir.

9 MR. SCOTT: My name is Andrew Scott. I live
10 in Birmingham and I have family in
11 Greene County.

12 First of all, I would like to thank
13 you for this opportunity to address the
14 board. I want you to know that I
15 recognize that each of you serve on this
16 board voluntarily and you are here
17 because you care about the conservation
18 and wildlife issues in this state.

19 The issue I bring before you is the
20 issue of deer hunting with dogs in the
21 north part of Greene County. I will
22 briefly describe my experiences this
23 year in a minute, but I want you to be

1 sure to understand the material I've
2 submitted to Ms. Jones.

3 In your hands there should be two
4 reports, one labeled A, North Greene
5 County Dog Hunting Issues prepared by
6 Brock Jones, a member of this board
7 until recently, and another labeled B,
8 2011 Incidents of Problems with Dog
9 Hunting in North Greene County.

10 The report by Mr. Jones was prepared
11 prior to his resignation from this board
12 and represents a pretty good effort
13 recounting what has transpired in this
14 part of Greene County in the recent
15 past. More specifically, I'd like to
16 briefly explain my experiences, a more
17 detailed version of which can be found
18 in the Report B I submitted.

19 I have counted the number -- I
20 haven't counted the number of weekends
21 in the deer season that just passed, but
22 I can tell you that I hunted almost
23 every weekend, including the last part

1 of deer season when dogs were banned
2 statewide, and I had problems each
3 weekend. I may not have caught the dogs
4 each time I was there, but they were
5 certainly running through my property.

6 Briefly, weekend of Thanksgiving,
7 caught a dog. Called her owner.
8 Reported it to the game warden in
9 writing. Week of December the 15th,
10 caught a dog and released it. New
11 Year's weekend, caught a dog. Removed
12 it. Caught another dog. Called the
13 owner. January the 7th, caught a dog,
14 the same owner.

15 So those are my experiences this
16 past season. That does not mean that
17 this past season is the only season I've
18 had problems. But I'm here today
19 because it has reached the point where I
20 cannot enjoy a peaceful hunt on my own
21 land.

22 I want you to know that I have no
23 personal problems with any members of

1 the hunting clubs around me and actually
2 lease land to some of the dog hunting
3 clubs. Thank you.

4 CHAIRMAN MOULTRIE: Thank you, Mr. Scott.

5 The next order of business is old
6 business. I will start with the issues
7 I show open from the last meeting. If
8 you are following in the minutes, note
9 that the new business at the last
10 meeting begins on page 189 of the
11 minutes.

12 The season and bag limits and all
13 departmental recommendations.

14 Mr. Hatley, I believe you had a motion
15 on that.

16 MR. HATLEY: Yes, sir. I move that all
17 regulations --

18 CHAIRMAN MOULTRIE: Mr. Hatley, can you speak
19 into the microphone, please, sir, and
20 start back over?

21 MR. HATLEY: Mr. Chairman, I move that all
22 regulations and staff reports as
23 presented be approved.

1 CHAIRMAN MOULTRIE: Is there a second?

2 MR. LYNCH: Second.

3 CHAIRMAN MOULTRIE: We have a second.

4 Mr. Hatley, your motion one more
5 time.

6 MR. HATLEY: That all regulations and staff
7 reports as presented be approved.

8 CHAIRMAN MOULTRIE: Okay. Any discussion?

9 (No response.)

10 CHAIRMAN MOULTRIE: All right. All those in
11 favor, please hold a hand up.

12 (All board members raise hand.)

13 CHAIRMAN MOULTRIE: All opposed?

14 (No response.)

15 CHAIRMAN MOULTRIE: Motion carries.

16 The next item is the -- we had a
17 discussion about discarding dead fish
18 and fish parts in coastal and inland
19 waters. Mr. Hatley, I show you again
20 have a comment.

21 MR. HATLEY: That was on what? I'm sorry,
22 Mr. Chairman.

23 CHAIRMAN MOULTRIE: On discarding dead fish

1 and fish parts.

2 MR. HATLEY. Oh, yeah. I thought that was
3 encompassed in my original motion.

4 CHAIRMAN MOULTRIE: We'll, we're going to
5 bring it up for discussion because I
6 think we need to clarify what happened
7 with that.

8 MR. HATLEY: Well, in that case I need to get
9 a staff person --

10 CHAIRMAN MOULTRIE: You want Mr. Blankenship?
11 Mr. Blankenship.

12 MR. HATLEY: Chris.

13 MR. BLANKENSHIP: After the last meeting,
14 looking at our miscellaneous regulations
15 that included discarding bycatch, on the
16 inside waters they can discard bycatch
17 within 500 feet of the shoreline. We
18 have a proposed regulation that would
19 allow them to discard fish within 500
20 feet of the shoreline in the Gulf waters
21 as well as on the inside waters except
22 for shrimp boats. And this would --
23 will take care of the issue that the

1 speaker had about cleaning fish on the
2 Gulf State Park Pier and would make the
3 Gulf waters consistent with what we have
4 on the inside waters.

5 CHAIRMAN MOULTRIE: Mr. Hatley, I believe we
6 need a separate motion on that to make
7 sure that's inclusive of what's being
8 passed if you're in favor of that.

9 MR. HATLEY: Yes. Mr. Chairman, I'm sorry for
10 the misunderstanding. I thought that my
11 original motion would include this,
12 Chris, and I apologize to you for that
13 fact. But, yes, again, I will make a
14 separate motion to clarify this issue.

15 I move that we approve the new
16 proposal as it relates to bycatch on the
17 state pier and on the limit as far as
18 the distance is concerned.

19 MR. BLANKENSHIP: Yes, sir.

20 MR. HATLEY: Is that correct?

21 MR. BLANKENSHIP: Yes, sir.

22 CHAIRMAN MOULTRIE: We have a motion. Is
23 there a second?

1 DR. STRICKLAND: Second.

2 CHAIRMAN MOULTRIE: We have a second.

3 We have a motion to approve the new
4 recommendation on the bycatch. Any
5 discussion?

6 (No response.)

7 CHAIRMAN MOULTRIE: All those in favor by a
8 show of hands.

9 (All board members raise hand.)

10 CHAIRMAN MOULTRIE: All opposed?

11 (No response.)

12 CHAIRMAN MOULTRIE: Let the record show that
13 it is unanimous, that it passes.

14 The next open item from old business
15 is regulations requested on harvesting
16 turtles.

17 Dr. Strickland, I know the
18 department has a position on this, but I
19 believe you wanted to talk on this also.

20 DR. STRICKLAND: I think each of the board
21 remembers received the new and revised
22 turtle policy and regulation which
23 actually put in a policy that will

1 protect our turtle resources from
2 overharvesting from commercial means.

3 Mr. Chairman, do we need a motion on
4 this or --

5 CHAIRMAN MOULTRIE: Yes. We do need a
6 separate motion, Dr. Strickland.

7 DR. STRICKLAND: Okay. Do you mind if I go
8 ahead and put that on --

9 CHAIRMAN MOULTRIE: Please, sir. Please, sir.

10 DR. STRICKLAND: Okay. At this time I would
11 like to have a motion to approve the
12 revised turtle regulation that now bans
13 the commercial harvest of wild turtles
14 in the state of Alabama but continue to
15 allow turtle farming and, most
16 importantly, allow the recreational
17 harvest of up to two turtles annually.

18 CHAIRMAN MOULTRIE: Very good. We have a
19 motion. Is there a second?

20 MR. JONES: Second.

21 CHAIRMAN MOULTRIE: We have a second.

22 On this motion, is there any
23 discussion -- the Commissioner would

1 like for the department to clarify what
2 they've done on this issue.

3 Commissioner.

4 COMMISSIONER GUY: If somebody could just
5 stand up and speak to that. What were
6 you saying, Fred?

7 MR. HARDERS: That restriction on the
8 recreational turtle ban to two would be
9 daily instead of annually.

10 DR. STRICKLAND: Daily. Okay.

11 COMMISSIONER GUY: Fred, would you or whoever
12 you want to designate --

13 CHAIRMAN MOULTRIE: Step to the microphone.

14 COMMISSIONER GUY: For the benefit of the
15 public, would you go ahead and just
16 explain what we did to try to protect
17 the turtle population in that regard.

18 MR. HARDERS: After the last board meeting,
19 our wildlife section, who has the
20 responsibility -- biological
21 responsibility for turtles, and the
22 enforcement section got together and
23 looked at the current turtle reg and

1 came up with the changes that

2 Dr. Strickland mentioned.

3 It would eliminate the commercial

4 harvest of turtles from public waters.

5 It would still allow turtle farmers to

6 be in business. It would allow

7 recreational harvest of up to two

8 turtles of those not listed daily. It

9 would prohibit the importation of

10 certain turtles. And I believe that's

11 all that it would do.

12 CHAIRMAN MOULTRIE: Mr. Harders, was this in

13 conjunction with the folks that spoke

14 from Auburn?

15 MR. HARDERS: Yes, it was. We -- we were

16 already looking at this, and the

17 individuals that spoke brought it to

18 y'all's attention and the public's.

19 DR. STRICKLAND: Thank you.

20 CHAIRMAN MOULTRIE: Dr. Lemme.

21 DR. LEMME: Do you feel that the separation

22 between the commercial and the

23 recreational turtle harvesting is

1 enforceable?

2 MR. HARDERS: Yes.

3 DR. LEMME: Okay.

4 CHAIRMAN MOULTRIE: Any other questions from
5 the board?

6 (No response.)

7 CHAIRMAN MOULTRIE: Okay. We've got a motion
8 and a second. We're finished with
9 discussion.

10 All those in favor hold your hand.

11 (All board members raise hand.)

12 CHAIRMAN MOULTRIE: All opposed?

13 (No response.)

14 CHAIRMAN MOULTRIE: Let the record show
15 unanimately it passes.

16 The next old business item is,
17 Mr. Moody, we were asked to get together
18 on a situation discussed by Brad Biddle
19 of too few deer in Marshall County.
20 Could you tell us what your findings on
21 that were?

22 MR. MOODY: I can. We asked two of our
23 wildlife biologists to visit with

1 Mr. Biddle. And they did so, I think,
2 the week after the board meeting and met
3 with him, looked at his property and
4 also talked with one of his landowners
5 there, rode around the area to get
6 familiar with the general habitat. So
7 they prepared a report on their visit
8 which we forwarded to Board Member
9 Mr. Ainsworth.

10 And, basically, the habitat is not
11 as -- what you would classify as the
12 best deer habitat in Alabama, but it's
13 adequate for a certain level of
14 population, certain level of hunting.
15 They did find evidence of multi-age deer
16 there. They found evidence of both does
17 and bucks. I think one of the things
18 Mr. Biddle had said was there weren't
19 any does there and he wasn't seeing any
20 does. But they found good evidence that
21 that was not the case. And one of the
22 neighbors told them he had seen -- I
23 think it was 19 does just the week

1 before. So they feel like for the
2 habitat that's there that the population
3 is about as good as you could expect.

4 CHAIRMAN MOULTRIE: Thank you, Mr. Moody.

5 The next old business item was the
6 proposed regulation changes in upper
7 Mobile Bay to reopen a temporary
8 non-trawl zone.

9 Mr. Blankenship, could you come up
10 and discuss that briefly?

11 MR. BLANKENSHIP: I think that regulation was
12 included with the ones that
13 Mr. Hatley --

14 CHAIRMAN MOULTRIE: That's correct. But the
15 Commissioner would like for you to just
16 briefly discuss it.

17 MR. BLANKENSHIP: Sure. We closed -- back in
18 2004, upper Mobile Bay, we closed an
19 area on the west side of Mobile Bay, on
20 the north side of Mobile Bay, and then a
21 small area on the east side of Mobile
22 Bay within a half a mile of the
23 shoreline to the use of shrimp trawls.

1 And we agreed when that was closed in
2 2004 that we would provide a -- we would
3 study that area to see if it had any
4 effects on the shrimp or fish production
5 or grass beds. We protected the grass
6 beds and the grass beds came back.

7 Our biological staff did complete
8 that study this past year and produced
9 the report that was provided in your
10 packet. Essentially the area in western
11 Mobile Bay and northern Mobile Bay
12 showed that it did serve either as a
13 shrimp nursery area or allowed for the
14 growth of submerged aquatic vegetation
15 during certain times of the year. But
16 that area on the eastern shore within a
17 half-mile of the shoreline, we -- they
18 didn't see any benefits to have that
19 area remaining closed, and so we
20 proposed to reopen that area within a
21 half-mile of the shoreline from May Day
22 Pier in Daphne down to Grand Hotel at
23 Great Point Clear.

1 CHAIRMAN MOULTRIE: Thank you very much,
2 Chris. That passed in Mr. Hatley's
3 motion.

4 The next open item from old
5 business, Dr. Shipp, you had motions you
6 would like to make.

7 DR. SHIPP: I had two motions, the first one
8 regarding the Florida pompano. What I
9 would like to do is move that we table
10 that motion until the May meeting.
11 We've had some requests for additional
12 information. So I would like to amend
13 that motion to table until the May
14 meeting.

15 CHAIRMAN MOULTRIE: Without the motion being a
16 second, that's fine. The chair will
17 table that for you.

18 The next motion, Dr. Shipp.

19 DR. SHIPP: The next motion is to the minimum
20 legal size to retain triple tail be
21 increased from 16-inches total length to
22 18-inches total length.

23 CHAIRMAN MOULTRIE: Okay. Do we have a

1 second?

2 MR. AINSWORTH: Second.

3 CHAIRMAN MOULTRIE: Okay. We have a motion
4 and a second.

5 Any discussion?

6 (No response.)

7 CHAIRMAN MOULTRIE: Dr. Shipp, would you like
8 to tell us a little more about that.

9 DR. SHIPP: Yes. Since our original size of
10 16-inches minimum was put in place, we
11 have discovered that triple tail don't
12 reach sexual maturity until about
13 18 inches. So this change in regulation
14 would allow them to at least spawn one
15 time before they're targeted.

16 This species has become very popular
17 in recent years. In the past there was
18 not much concern about the health of
19 that stock, but with the trend towards
20 people targeting triple tail, we feel
21 like this regulation is necessary. And
22 I've talked to Chris and Kevin, and I
23 think they're in agreement.

1 CHAIRMAN MOULTRIE: Very good. Any other
2 discussion?

3 (No response.)

4 CHAIRMAN MOULTRIE: We have a motion and a
5 second, the motion being the minimum
6 legal size to retain triple tail be
7 increased from 16-inches total to
8 18-inches total.

9 All those in favor by a show of
10 hands, please.

11 (All board members raise hand.)

12 CHAIRMAN MOULTRIE: All opposed?

13 (No response.)

14 CHAIRMAN MOULTRIE: Let the record show the
15 motion carries unanimously.

16 (Inaudible portion.)

17 CHAIRMAN MOULTRIE: Was that an "against" or a
18 "for"?

19 MR. JONES: A "for."

20 CHAIRMAN MOULTRIE: Very good. Very good,
21 Mr. Jones.

22 Okay. The next open item would be
23 the -- and, Chris, this was included in

1 there -- in the previous motion by
2 Mr. Hatley -- but the size and bag limit
3 on sheepshead. Would you just address
4 real quick what that new size and bag
5 limit is.

6 MR. BLANKENSHIP: The new size limit on
7 sheepshead will be 12-inch fork length
8 and ten fish per person. And that's
9 a -- like Dr. Shipp says, with the --
10 like with the triple tail, that will
11 allow the -- 50-percent range is around
12 that 12 inches, and that will allow them
13 to spawn one time before they're
14 harvested.

15 CHAIRMAN MOULTRIE: Thank you very much.

16 The next open item is -- there is no
17 other. Does anyone else have any old
18 business?

19 (No response.)

20 CHAIRMAN MOULTRIE: Being no old business, the
21 next order of business is new business.

22 Mr. Lynch, I believe you have -- in
23 Grady's absence, you have an e-mail to

1 be read but not a motion to be made on.

2 MR. LYNCH: That is correct. Yeah. This is
3 for Grady Hartzog, who is one of our
4 board members. It concerns a potential
5 dog deer permit placed on Elmore
6 County. And I would like to read the
7 description of that area in Elmore
8 County for Mr. Hartzog.

9 The line should run along Coosa
10 County/Elmore County line from the east
11 bank of Lake Jordan to Highway 9, then
12 south along Highway 9 to the
13 intersection of Highway 231, then south
14 along Highway 231 to the intersection of
15 Highway 14, then west along Highway 14
16 to the east bank of the Coosa River,
17 then north along the east bank of the
18 Coosa River and Lake Jordan back to the
19 Coosa County/Elmore County line.

20 CHAIRMAN MOULTRIE: Is that it?

21 MR. LYNCH: That is it.

22 CHAIRMAN MOULTRIE: Very good. And I am going
23 to read something from Mr. Dobbs, who is

1 not here. But I want the board to note
2 when you have a controversial item, just
3 as Mr. Hartzog's, there will not be a
4 motion received on it unless you are
5 here to present it yourself within your
6 district.

7 The -- before I read Mr. Dobb's
8 letter, Mr. Hatley, you had an item you
9 wanted to bring up on turkey season.

10 MR. HATLEY: Yes, Mr. Chairman. I've been
11 contacted by several people around the
12 state in regards to spring and fall
13 turkey seasons. At current time it's my
14 understanding -- and, Gary, you correct
15 me if I'm wrong -- that we have six
16 counties that are under a fall turkey
17 season. I am going to propose probably
18 in -- at our May meeting, Commissioner,
19 that we take a look at this.

20 Since turkey hunting has become such
21 an avid spring season issue, then I'm
22 going to look at proposing that we may
23 make changes in those six counties and

1 bring the whole state into compliance
2 with those -- those six counties into
3 compliance with the rest of the state of
4 Alabama.

5 CHAIRMAN MOULTRIE: Thank you, Mr. Hatley.

6 The next item of new business, with
7 Mr. Dobbs not here, his letter that
8 there will be no motion made upon is --
9 Mr. Chairman, please read this. Please
10 acknowledge Drew Scott from Birmingham
11 who hunts in Greene County and will be
12 relaying his issues with dog deer
13 hunting to all board members. I advised
14 him all decisions would be tabled until
15 the new board member is appointed. He
16 has been in contact with Mr. Jones
17 previously.

18 The next item, many outdoorsmen have
19 requested more days for youth seasons
20 for turkey, deer, and duck to encourage
21 participation and involvement of
22 Alabama's youth.

23 Allowing hunting for coyotes at

1 night with a light, with a shotgun, and
2 ammunition agreeable to conservation
3 officers during all seasons unless or
4 except during gun deer or turkey
5 seasons. Many hunters have commented
6 about the prevalence of coyotes and the
7 potential predation of our resources.
8 Allow the same for feral hogs.

9 Provide for a self-sustaining system
10 of carcass tags and reporting for antler
11 deer and turkeys. The cost of tags or
12 fees shall be used for the express
13 purpose of administering this program
14 and providing the research and data
15 benefiting our ongoing deer herd and
16 turkey resource management plans.

17 Update on regulations for harvesting
18 turtles, resident and non-resident and
19 commercial licenses and limits.

20 Work to delineate an area around
21 supplemental feeding that is standard
22 and is enforceable and clear to the
23 hunting public.

1 Work toward a provision to allow a
2 lifetime hunting license for persons
3 with life-altering disabilities which
4 would preclude them from normal outdoor
5 or hunting activities without the
6 physical aid of a caregiver. Define
7 specific guidelines for disabilities.
8 No license provisions for caregivers or
9 attendants.

10 Sorry I cannot attend. I will be at
11 the next board meeting. Mr. Dobbs.

12 The next other item of new business,
13 Mr. Ainsworth, I believe you have a
14 housekeeping motion.

15 MR. AINSWORTH: Yes, sir. Make a motion to
16 approve all DCNR regulations since the
17 last approval.

18 CHAIRMAN MOULTRIE: We have a motion. Is
19 there a second?

20 DR. STRICKLAND: Second.

21 CHAIRMAN MOULTRIE: We have a second.

22 This is a housekeeping motion we
23 pass each time. Any discussion?

1 (No response.)

2 CHAIRMAN MOULTRIE: Being no discussion, all
3 in favor, hold hand.

4 (All board members raise hand.)

5 CHAIRMAN MOULTRIE: All opposed?

6 (No response.)

7 CHAIRMAN MOULTRIE: Let the record show it
8 passes unanimously.

9 The board will stand at ease just a
10 minute.

11 Okay. The -- I want to bring to the
12 board's attention -- if I can get your
13 attention. I want the record to reflect
14 that, also, within your packets of what
15 was approved was our annual CPI increase
16 on licenses. The Commissioner wants to
17 make sure that you saw that and that
18 you're in acceptance of that and that
19 this is an ongoing each year CPI
20 increase and something we needed very
21 desperately years ago. And I think it
22 will benefit the department greatly.

23 But we want to make sure you're aware of

1 that.

2 Okay. Any other new business?

3 (No response.)

4 CHAIRMAN MOULTRIE: Mr. Dean, was that good?

5 MR. DEAN: That was very good.

6 CHAIRMAN MOULTRIE: Any other --

7 Mr. Blankenship, please come to the
8 microphone.

9 MR. BLANKENSHIP: Yes, sir. In the packets
10 that were provided for this meeting, in
11 the saltwater fish creel possession
12 regulation 220-3-.30 there were two
13 additional changes. We concurred with
14 Dr. Shipp's recommendation to make the
15 triple tail from 16 to 18 inches. The
16 week after our last meeting the National
17 Marine Fisheries Service produced a
18 final rule that changed the commercial
19 size limit for gag grouper from
20 24 inches to 22 inches. So we would ask
21 that that change be made in that
22 regulation.

23 And then we asked for sandbar sharks

1 to be made a prohibited species. There
2 is a small research fishery for sandbar
3 sharks. And so in the packet I added a
4 phrase that clarified that if the person
5 possessed that federal permit to allow
6 the possession of those -- those sandbar
7 sharks for research fishery purposes,
8 that they would be allowed to possess
9 those in Alabama.

10 CHAIRMAN MOULTRIE: Those items were included
11 in Mr. Hatley's motion. Let that be
12 noted in the minutes that those items
13 were included in Mr. Hatley's motion.

14 Thank you, Mr. Blankenship.

15 Any other new business?

16 (No response.)

17 CHAIRMAN MOULTRIE: The next order of business
18 is the date and location of the next
19 advisory board meeting. The date will
20 be May 19, 2012. The location will be
21 at Five Rivers Delta Center on Causeway
22 in Spanish Fort, Alabama.

23 Being no further business, this

1 meeting is adjourned.

2

3 (Meeting adjourned at
4 approximately 10:48 a.m.)

5

6 * * * * *

7

REPORTER'S CERTIFICATE

8

* * * * *

9

10 STATE OF ALABAMA:

11 MONTGOMERY COUNTY:

12

13 I, Tracye Sadler Blackwell, Certified
14 Court Reporter and Commissioner for the State of
15 Alabama at Large, do hereby certify that I reported
16 the foregoing proceedings of the Alabama DCNR Board
17 Meeting on March 10, 2012.

18 The foregoing 117 computer-printed pages
19 contain a true and correct transcript of the
20 proceedings held.

21 I further certify that I am neither of
22 kin nor of counsel to the parties to said cause nor
23 in any manner interested in the results thereof.

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This 29th day of April 2012.

Tracye Sadler Blackwell
ACCR No. 294
Expiration date: 9-30-2012
Certified Court Reporter
and Commissioner for the State
of Alabama at Large