DEPARTMENT OF CONSERVATION AND
NATURAL RESOURCES
ADVISORY BOARD MEETING

TRANSCRIPT OF PROCEEDINGS

Location: Lakepoint State Park
Eufaula, Alabama
Date: May 15th, 2010
Time: 8:58 a.m.

Before: Victoria M. Castillo, CCR #17

CHAIRMAN MOULTRIE: The May 15th, 2010 meeting of the Conservation
Advisory Board will come to order. I would like to welcome everyone to the Lakepoint
State Park. The Board is glad that you're able to be here today.

The invocation will be given by

Mr. Bill Hatley. Mr. Hatley --

MR. HATLEY: Let us pray.

Heavenly Father, we pray today for our
nation and for our state and we pray in a
special way that you would give wisdom and
knowledge and strength to all of the many
men and women who are fighting the disaster
on the gulf coast.

We pray now that you would be
with this Board and all who would gather
here today, and we pray that you would let
the words of our mouths and the meditations
of our hearts be acceptable in Thy sight,
Oh Lord, our strength and our redeemer.
Amen.
(Audience replies "Amen".)

CHAIRMAN MOULTRIE: Thank you, Mr. Hatley.

For the next order of business
I'd like to call on Commissioner Lawley to introduce the Board. But before he does, a lot of people may not know this is Commissioner Lawley's last meeting, unless the new incoming governor is smart enough to appoint him for another four-year term as commissioner. And I want to go through some of the accomplishments that Commissioner Lawley has had during his almost eight-year tenure now.

One of those is the Archery in Schools Program. The program was implemented in 16 schools in the 2003/2004 school year. Today approximately 114 schools participate in the program. The annual state championship draws 1,000-plus students.

Alabama students are placed in the national championship tournament held in Kentucky.

Electronic hunting and fishing licenses -- sale of hunting and fishing licenses has traditionally been done by hand and in paper books. They had wanted for some time to create an electronic license system, but funds were not available. Partnership with Wal-Mart and Alabama Interactive made this possible.

Electronic and online license sales, again in 2003, the system has generated thousands of dollars in savings for the Department, eliminating thousands of hours in labor for vendors.

The online system has grown to include registration of special hunts. Hunter registration, becoming (inaudible) outdoor (inaudible) workshops and magazine subscription purchases.
There were new choices for hunters during this administration. He (inaudible) the legalization of crossbows (inaudible) in 2005, so the hunters have additional options for harvesting animals. Buck limits -- a three-buck limit was imposed in Alabama in 2007 to help improve deer herds. License and boat registration price increases -- seeing the need for increased revenue for the Department, Commissioner Lawley worked with other conservation leaders in the legislature to gain support for an increase in hunting and fishing licenses went into effect in 2007. Boat registration fees were also increased across the board. State park renovations -- since Commissioner Lawley took office, many improvements have been made to our state park system. Bald Rock Lodge at Cheaha State Park reopened in 2003. Essential improvements to the water, sewer, and electrical systems were completed. The lodge has 12 sleeping rooms, a commercial kitchen, large meeting room, board room, and large patio. Cathedral Caverns Visitor Center opened in 2003. The structure houses a ticket office, restrooms, snack bar, souvenir shop, park manager's office, and an open-classroom type area with benches, chairs, and tables. Montesano Lodge opened June 2004 after the structure destroyed by fire in 1947. The lodge contains two meeting rooms, concession areas, commercial kitchen, and restrooms. Cottages in marina at Lakepoint -- eight new cottages and the renovation of the marina & grille opened in 2005. Cottages in pavilion in Gulf
State Park -- eleven new cottages and 10,000 foot square beach pavilion opened in 2006.

DeSoto Lodge Caverns -- seven new cabins opened in 2006.

Guntersville Lodge and Convention Center opened February 2008 with 112 new rooms, restaurant, lounge and convention center.


Meaher State Park Campground -- the 12 original gravel-based camping sites were converted to storage sites, and 56 improved camping sites were constructed.

Gulf State Park Pier opened 2009 after being destroyed by Hurricane Ivan in 2004. It's currently the longest pier on the gulf coast at 1,540 feet.

Lakepoint Lodge and Convention Center opened September 2009 after extensive renovations of 101 new lodge rooms, lounge, restaurant, convention and meeting space.

DeSoto Campground renovations -- new bathhouses, 94 renovated camp sites open in 2009.

Working with tourism -- Commissioner Lawley has been a good friend and advocate of tourism in Alabama. In 2006 he was given the Alabama Tourism Advocate Award in the government category in recognition of his contributions to the travel industry.

Under his leadership, DCNR and the Alabama Bureau of Tourism and Travel partnered to promote Alabama's beautiful outdoor destinations and activities. Both agencies cooperated to celebrate 2006 as "The Year of Alabama". And as a result, Outdoor Alabama is now a household name and message.

Forever Wild -- several major
purchases have taken place during Commissioner Lawley's tenure, but there are too many to list individually. But some of the prominent ones are Walls of Jericho Tract in Jackson County; Yates Lake West Tract in Elmore County; Coosa Wildlife and Management Area, Cahaba and Columbiana Tracts in Coosa County; Old Cahaba Parade Tract in Dallas County; State Cattle Ranch Tract in Hale County; Splinter Hill Bog in Baldwin County; Perdido River Long Leaf Hills Tract in Baldwin County; 94-year leases on the Cahaba Wildlife Management Area and Mulberry Fork Wildlife Management Area; the Five Rivers Delta Resource Center.

The State Lands Facility in Spanish Fort opened in 2007. It provides education about the delta ecosystem to thousands of visitors annually.

Aquatic Biodiversity Center opened in 2006. This is a largest state non-game recovery program of its kind in the United States. Its mission is to promote the conservation and restoration of rare freshwater species in Alabama waters, and in turn restore cleaner waters to Alabama waterways.

Alabama Conservation and Natural Resources Foundation -- Commissioner Lawley has enthusiastically run the foundation to raise money for many conservation initiatives. This has been done through the development of the one-shot turkey hunt and other hunting fundraisers.

Just a few of the projects the foundation has supported include scholarships in the School of Forestry and Wildlife Sciences, the Archery in Schools Program, and the hunters helping the hungry.

Leadership during disasters -- this is, I think, one of the key areas.
Mr. Barnett has shined and will continue to shine.

Commissioner Lawley has shown great leadership during the times of emergency. From Hurricane Ivan, to the cleanup, to the recent oil spill, he has been a leader and advocate for Conservation.

If I could get everyone to give Commissioner Lawley a great round of applause.

(Audience applause.)

Chairman Moultrie: Now, if you would introduce the Board, Commissioner.

Commissioner Lawley: Dan, thank you very much, and thank you-all. And I'm not going to stand up here in a hypocritical way and take credit for all these things, because of the people of this Department -- it's what Gary does with Ray Metzger with the school -- archery in the schools. And that program has grown way beyond what it was envisioned, and it's very popular.

The work of the Parks -- and Mark, it's good to see you. It's a good group -- the Department of Conservation, all in all, is a good group of people to work with. They have a common goal, and that goal is the conservation of the natural resources and doing what's right for the long term in the state of Alabama.

Sometimes that's hard for people to realize that you are looking for long term, and you have some cause and effects on the short term because of it. But we will be a better state, I can assure you.

And I've just thoroughly enjoyed the eight years I've been here, in meeting you-all. Don Knight, told him I was going to join the dog hunters since my wife's little dog run a deer down the beach in
6 Bluemont(sic), Florida last summer.  
7 But it's just been a pleasure to  
8 work with everybody that's in this room,  
9 and many that are not in the room.  
10 Grady, I want to thank you, last  
11 night -- I thought you were at the other  
12 end -- for the hospitality. It was a fun  
13 evening. You'all were a lot lighter on me  
14 than I was anticipating, and for that I am  
15 truly thankful.  
16 MR. HARTZOG: The women were  
17 there.  
18 COMMISSIONER LAWLEY: That's  
19 right. But it was a good event. I do  
20 appreciate you hosting.  
21 As we normally do, we will start  
22 down here with George Harbin.  
23 If you would introduce yourself  

1 and your district.  
2 MR. HARBIN: I'm George  
3 Harbin. I represent District 4.  
4 DR. MAY: Wayne May,  
5 District 7.  
6 MR. R. JONES: Raymond  
7 Jones, District 5.  
8 MR. B. JONES: Brock Jones,  
9 District 7.  
10 MR. HATLEY: Bill Hatley,  
11 District 1.  
12 MR. SELF: Ross Self,  
13 District 1.  
14 MR. LYNCH: Grant Lynch,  
15 District 3.  
16 MR. HARTZOG: Grady Hartzog,  
17 District 2.  
18 DR. STRICKLAND: Warren  
19 Strickland, District 5.  
20 COMMISSIONER LAWLEY: Thank  
21 you everybody for being here today.  
22 At this time I'd like to get  
23 Chris Blankenship, Patty Powell, John --  

1 for you-all to stand up. We've gone  
2 through a lot of turmoil in the last three
weeks because of the oil spill on the gulf. These people and what they do -- Chris is there every day, it seems like all day long, trying to manage our park and what we can do to help with this anticipated event and trying to reduce the impact as much as we possibly can. I want to thank you-all for your tireless time and effort put on this, and the people of Alabama should indeed be grateful for all that you do.

And every department is represented -- Wildlife, Freshwater Fisheries, Parks, everybody is working. But you-all have kind of spearheaded our part in representing the Department of Conservation and delegating those duties to where they need to be. And it's going to be a long summer, folks, so we appreciate you-all and I thank you.

(Audience applause.)

COMMISSIONER LAWLEY: I would like to take a few minutes -- Patty just was on that conference call at 8:30 every morning. And just to kind of bring you up-to-date of what has happened with the oil. You may have seen on TV, they were going to try to insert a six-inch -- they call it a spear -- into the eight-inch line and plug it where they could drain the oil. They tried that, it failed, and they said they're going to try again. The dispersants, they're trying to use some of those and the skimmers, but it's really windy in the gulf today so they're limited on what they can do. I think they have 44,000 gallons of dispersants on the water on the surface, and it has been kind of crazy. The last week EPA told them they could not use those dispersants at the wellhead, and then a day later they approved them to start using.
them again.

We are seeing some problems in Alabama. We don't know exactly what's caused it. We've had some -- I think two dead pelicans -- one that's still living -- and a couple of seagulls, and we recovered those yesterday. And apparently there was no oil on the pelicans, but the fear is that the fish that they ate had the oil and that's what they're testing and that's what they're trying to find out now.

But they are back with the dispersants. And Patty doesn't know and I didn't know what it was. Somebody may have seen it on TV. It's a solidifier boom -- have you-all heard that term? That's the next thing BP is talking. And so far at this point, it's 29 miles of Louisiana shoreline that has oil. None in Mississippi or Alabama yet.

But this is very, very serious, and it could affect all of our lives and the way we live in Alabama for a long, long time, so mighty important problem.

I want to thank -- personally thank Dr. May. Last meeting we brought a bill talking about area, and I want to kind of explain that. Two people have worked hard on trying to define the area, and a regulation cannot change a law or statute.

This is not legalizing baiting. This actually defines -- it helps the game warden and the hunter, done correctly. And that's what we're trying to do is do it correctly.

Dr. May has worked long and hard hours trying to come up with a solution. He and Alan are the only two people I know that have offered a solution. Got lots of criticism -- that's easy. But if you're not part of the solution, you're part of the problem. And I appreciate his efforts. I appreciate Alan's efforts. I'm sorry
he's not here today.

But until everybody understands that this is not life or death for conservation. We've had several groups -- whether it be for political reasons or self-gratification -- that have jumped on this and said "oh, they're legalizing baiting. It's baiting." It's nothing to do with baiting. It just defines an area that you would be guilty of hunting over bait and lets the hunter know where he can hunt and be legal.

So we're going to do nothing until this is settled, and I think Dan is going to approach this later. But I just -- Dr. May, I appreciate your efforts on what you've done and, you know, it just needs to be positive. You know, nobody's saying it doesn't need to be done. It's just how you do it, and it's not an easy task -- as Corky can testify to -- because you've got to blend a statute and a supreme court ruling and make them fit, and it's quite difficult.

I have spent a lot of hours -- I know Corky has spent a lot of hours trying to figure it out -- but I think we're getting real close and hopefully that will be something that it will be agreed upon and there won't be any negative and there won't be the criticism that we've seen within the last few weeks, or misunderstanding of what it really does. I can't -- I know you're ready to say "your eight years are up, go on and sit down". But I would be very remiss if I didn't mention one of, what I think, is one of the most important programs in the state of Alabama, and that's Forever Wild. And you're going to hear a lot about it this summer, next fall, because we'll be going to the legislature.
It benefits everybody, and everybody has ownership and everybody has access if you're a citizen in the state of Alabama. It's a program that is copied by many, many states. Better funded by many, many states. But I think we've done a pretty good job in Alabama with the amount of money that we receive on Forever Wild. And you know, especially in light of legislation passed last session saying that we have to replace any lost hunting land in this state as soon as it's feasible. This is our method of replacing recreational hunting land, hunting and fishing, is Forever Wild. And we've been able to grow it since it started. And through Gary's help and the manager of the lands division we've been able to take some of our funds, put them together. We stretch our dollars. We try to match every dollar that we get to be able to buy more land. So don't let Forever Wild be out of your mind because it's very important, and it will be coming up. And I really enjoyed working with everybody. It's been a real experience in my life, and I appreciate you. Thank you.

(Audience applause.)

CHAIRMAN MOULTRIE: Thank you, Commissioner Lawley.

The next order of business is the approval of the March 13th, 2010 Advisory Board minutes. Are there any changes to the minutes?

MR. SELF: Mr. Chairman --

CHAIRMAN MOULTRIE: Mr. Self?

MR. SELF: There's a correction that needs to be made on Page
1 123, Line 3, the word "direct" should be
2 "district".
3
4               CHAIRMAN MOULTRIE: Any
5 other changes, Mr. Self?
6               MR. SELF: Yes, sir, on page
7 125, Line 17, the word "gulfery",
8 G-U-L-F-E-R-Y, should be -- should read
9 "gulf reef". That's two words, "gulf
10 reef", R-E-E-F. And the same thing on Line
11 19, and that's all.
12               CHAIRMAN MOULTRIE: Any
13 other changes from the Board?
14 (No response.)
15               CHAIRMAN MOULTRIE: If not,
16 then the minutes stand approved as
17 corrected.
18 The next order of business is
19 the public hearing. When your name is
20 called, please go to the microphone and
21 give your name, subject you wish to speak
22 on, and I will remind that you only may
23 speak at the time that you are called and
24 that any interference will not be
25 tolerated.
26               First to speak is Tim Gothard.
27               MR. GOTHARD: Thank you,
28 Mr. Chairman. Good morning, Commissioner,
29 Board members. It's Tim Gothard with the
30 Alabama Wildlife Federation. Great to have
31 the opportunity to be here with you.
32               Commissioner, my congratulations
33 to you as well on a great eight years.
34
35 It's certainly been a pleasure working with
36 you. We've still got some work to do
37 before you go out, so I want to echo your
38 comments about Forever Wild.
39               Last advisory -- or board
40 meeting before last, I talked to you about
41 Forever Wild. We made it through this
42 legislative session without any legislation
43 being introduced to attempt to divert
44 funding from Forever Wild.
45               That is a success, but we've got
to get this thing across the goal line.
And I want to echo the Commissioner's comments about that work will be ongoing.
It is not time to take a vacation on Forever Wild because the legislature is out.
In fact, it's time to get geared up and communicate with our legislators. I tell people all the time "Forever Wild needs to be a topic of everyday discussion. It needs to be a topic with your friends when you're fishing. It needs to be a topic with those legislators that are running unopposed, and you need to be scouting out the playing field of who's running against each other. And this needs to be something that we talk about on a daily basis, because we will have to do the work to get Forever Wild reauthorized.
And Commissioner, I appreciate your work in that regard, and this Board, I appreciate you passing a resolution earlier in the year to join the Protect Forever Wild Coalition. There are about 85 groups currently that are a part of that coalition, and we want to see that grow to 150 by the end of this year.
So I'd also challenge everybody here to make sure that you reach out to other organizations and businesses that share our positive view of Forever Wild.
Have them call me, we'll get them signed up for the coalition.
And Mr. Chairman, if I may, one announcement -- last year the Alabama Legislative Sportsman's Caucus was formed as well as the Alabama Legislative Sportsman's Foundation. This year, in December, coming up in 2010, we will be hosting the national meeting of the National Assembly of Sportsman's Caucuses.
down on the coast. There will be legislators from all over the United States that are members of the sportsman's caucuses in each state that will come down for this national meeting.

We met last week to begin in the planning process on that. I think it's a great opportunity for us to showcase Alabama. It's a great opportunity for us to showcase what hunting and angling means to this state. And by the same time, it also gives us an opportunity to point out some of the key hunting and fishing-related topics that really need to be addressed across the United States as a whole.

But I will keep you, as a Board, informed as we go along in that process. I think there may be some opportunities that you might want to be involved with and that your involvement will be very helpful as well.

But that will be December 6th through the 9th down at the Grand Hotel in Point Clear, and we'll also probably be contacting some of you -- Ross, in particular, I'd like to contact you about some outdoor activities for them while they're down here in December as well.

But thank you again for the opportunity to speak, and we certainly appreciate what you do as a collective Board.

CHAIRMAN MOULTRIE: Thank you.

Commissioner Lawley, you have some more comments?

COMMISSIONER LAWLEY: Just got one quick comment that -- probably most important one -- you know, I was very remiss in welcoming Robin back after having --

(Audience applause.)

COMMISSIONER LAWLEY: She
never shirks her job. The last meeting she couldn't be here because of giving birth, so she sent her husband. So we appreciate her and appreciate her dedication. Congratulations.

CHAIRMAN MOULTRE: You stole my thunder. We are glad to have Robin back.

The next speaker will be David Erickson.

MR. ERICKSON: Good morning. I'm David Erickson from Birmingham, Alabama. I'm here today to renew -- or voice again my support for improving the trout fishery below Smith Dam in the Sipsey Tailrace. Specifically I'd like to ask for increasing the stocking of trout to a monthly basis in that area; to begin stocking brown trout below the tailrace; and third, I'd like to ask for your support in establishing a quality fishing zone, half a mile in length, starting at the Birmingham Water Works Pumping Station going toward the dam.

And this quality zone would help to improve the trout fishery to keep fish and provide a better experience for the trout fishermen. Hopefully it would involve basically a catch-and-release type situation with artificial-lure only. Thank you.

CHAIRMAN MOULTRE: Thank you.

The next speaker will be Tim Herring.

MR. HERRING: Good morning. Tim Herring from Lay Lake, Alabama. Also spend some time down in Gulf Shores, since I just want to thank those that are here that are involved with doing cleanup of
that spill -- and it's just devastating.
Each of you should have a PowerPoint presentation I printed off.
I come here today to ask the Board to address the problems associated with jug, float, and trotline fishing.
These problems were not caused by the responsible fishermen, but rather by the irresponsible fishermen in abandoning their gear. It's causing problems with litter, safety issues, wasted fish, and oil and chemical contamination of the lakes when they're using the oil and chemical product jugs for these.
I'm asking the Board to consider some regulations to encourage responsible use of this subject fishing gear. The consequences for the violation similar to what's being done in Mississippi, Florida, and Tennessee, our surrounding states. There is no intent here to ban or eliminate any type of fishing. We just want some responsible use of the fishing area.
Some of the suggested regs I put in the presentation there are some standardized marking -- either a permit number, or a name and address. Mississippi requires name and address. Tennessee requires their TWRA ID number.
We'd like to see the number of jugs limited to a manageable number. Again, just using some of our surrounding states' regulations, for example, Mississippi limits to 25; Tennessee limits the number of jugs or floats from 10 to 50, depending on the waters. And then we'd like to see a regulation not allowing jugs or bottles containing petroleum or chemical products. And I'd like to have these regulations with identifying the marking applied to limb lines, trotlines, and jugs.
or floats. A lot of guys are using noodles now, and that's probably better as far as contamination.

That's it. Any questions?

MR. HATLEY: Yes, I have a question.

CHAIRMAN MOULTRIE: Mr. Hatley?

MR. HATLEY: Mr. Herring, you're on Lay Lake. Is that correct?

MR. HERRING: Yes, sir.

MR. HATLEY: And you say that other states are more restrictive than we are, i.e. could you give us some examples, please?

MR. HERRING: Yes, sir. In my research, Mississippi, they actually have an identification for jug fishing. They call it free-floating fishing devices, FFFDs. They allow no more than 25. Those 25 jugs must be in the sight of the angler during daylight hours, and they each must be marked with the name and address of the angler.

Tennessee -- each float on trotlines or jugs must be marked with a TWRA ID number. And they should be limited to 10 to 50, depending on the water. Each reservoir has its own regular site.

In Florida jugs -- trotlines and jugs should be marked with name and address, and they're limited to 25.

MR. HATLEY: Excuse me -- are you having a specific problem on Lay Lake or --

MR. HERRING: I fish all the waters -- from Eufaula here; Lake Martin; I'm on Lake Martin a lot; Guntersville; and Lay Lake; and the Coosa River chain, of course. I fish all over the state.

And I see this going on everywhere. We just recently had -- as you may know, the Alabama Power sponsors a lake
cleanup along with the homeowner/boat owners' groups of these different lakes.

We pick up every year thousands -- literally thousands, I'm not exaggerating here -- of these jugs still with lines tied to them.

I took just some brief pictures, just ran out one day and just took some pictures. But not a week goes by that I don't rescue a fish off of a jug that's been abandoned and festered sores and everything. It's obviously been on there for a number of days.

The pictures there of the fish that you see floating in that presentation are off an abandoned trotline.

MR. HATLEY: Have you discussed this with marine police?

MR. HERRING: I have discussed it with marine police and with our law enforcement conservation officers.

The problem is they don't have the tools to identify who's abandoning this gear, so there's not much they can do about this.

MR. HATLEY: Thank you,

Mr. Herring.

MR. HERRING: Yes, sir.

Thank you.

CHAIRMAN MOULTRIE: Thank you. The next speaker will be Brandon Jackson.

MR. JACKSON: Brandon Jackson, Walker County. I'm addressing the trout fishing again. And we made a presentation package to the Board last time, and I want to make sure there weren't any questions on that.

But included in that there were some questions about dates. There were several things that we agreed with with the Alabama Wildlife and Freshwater Fisheries, including increasing the frequency of trout
18 stocking. And we would just like to know
19 when that might be expected and have some
20 dates or some target dates for implementing
21 those things -- increasing the quantity of
22 trout stocks, when that might occur, and to
23 what level we might be able to increase the
0035
1 stocking of trout.
2 And then there was some
3 discussion about brown trout and looking at
4 getting some more information concerning
5 that, as a day as to when that might be
6 expected, some idea of when we might have a
7 resolution concerning the stocking of brown
8 trout.
9 We included a lot of information
10 in our package, our response, that came
11 from other tailwaters, other divisions of
12 Conservation and Natural Resources
13 concerning their studies that are published
14 online. And we thought that that might
15 help further that discussion.
16 CHAIRMAN MOULTRIE: Thank
17 you, Mr. Jackson.
18 The next speaker will be Troy
19 Jens.
20 MR. JENS: Thank you. My
21 name is Troy Jens. I'm a professional
22 fishing guide on Lake Guntersville,
23 Alabama, and I believe you have the -- at
0036
1 least an outline of the petition that we
2 have submitted.
3 And before I get started, I'd
4 like to thank Commissioner Lawley and the
5 Board for their opportunity to speak and
6 for your help with our terminally ill kids
7 that we bring each year to Alabama.
8 And I'm speaking in regard to
9 representation of over 1,000 signatures --
10 including businesses, politicians, and
11 other interests and their contingencies
12 with respect to Lake Guntersville and the
13 fish creel limit. And my presentation is
14 brief.
Lake Guntersville -- it's no longer just a jewel of Alabama, but it is the jewel of the southeast. And it's now at the top of the list in terms of largemouth bass fishing as a tournament and visiting destination in the country.

Few other lakes have ever compared to the quality fishery that Lake Guntersville now provides. We are 100 percent convinced that the current creel limit regulations on the lake are outdated and should be changed to provide a more responsible foundation for future fishery use and enjoyment.

Anglers, businesses, and politicians in north Alabama, including all four mayors in the cities up and down the lake, have signed the petition. We are respectfully asking that the creel limit on Lake Guntersville be reduced from ten black bass, largemouth specifically, to five.

We believe that Lake Guntersville is a unique fishery and requires dedicated regulations specific to its characteristics in order to protect it from the down cycles that often occur. Over the past few years we are noting a decrease in grass habitat and sanctuary for the game fish -- due to weather and other factors -- while at the same time we are noting a very marked increase in lake usage, angling pressure -- largely due to media exposure, and we're experiencing a large national popularity of the lake with a lot of visitors from out of state.

We have noted more visitors to the lake leaving many filet carcasses at boat ramps up and down the river, an increase in poaching activity, and an increase in tournament activity and the tournament mortality numbers along with that.
We have noted that huge numbers of our game fish are taken legally, and then they are taken to stock other ponds in other states. We believe that while the lake is good now, that now is the time to enact protective measures and better legislation to ensure the future for those who are dependent upon the lake for consistent tourism revenue that the lake draws to our area.

We greatly appreciate, again, the opportunity to speak about this, and we're very concerned with what we are seeing and we're hoping that with a reduced creel limit we'll be able to stop the down cycle that we're expecting. Thank you.

CHAIRMAN MOULTRIE: Thank you.

MR. R. JONES: Mr. Chairman --

CHAIRMAN MOULTRIE: Raymond?

MR. R. JONES: Thank you.

Nick, would you give us a -- I mean, I know you-all do a lot of study in the Lake Guntersville area. Would you please, you know, try to address what Mr. Jens has said this morning?

NICK NICHOLS: We do have a separate program statewide where we're looking at all of our reservoirs, monitoring the population. In fact we have crews up there this year sampling Guntersville at this time, and we are acquiring all the data that we need to analyze as far as trying to answer the questions that you have as far as the (inaudible) --

So we'll be happy to be able to put together a report that we provide to the Board to give our analysis of the benefits or lack of benefits, whatever,
of -- I mean, a creel limit to change, so
that's something we ought to do.

CHAIRMAN MOULTRIE: Thank you.

MR. R. JONES: I would like
to see that report.

And in addition to that, can
someone from law enforcement address the
illegal activities that were taking place?
Can someone from law enforcement speak to
that?

CHAIRMAN MOULTRIE: With Alan not here, Corky, is there someone who
can speak?

KEVIN DODD: I think the
proper thing to do will be to call on
Captain Fred Bain. Since that is his
district, he'd probably address
any questions.

CHAIRMAN MOULTRIE: Captain Bain?

CAPTAIN BAIN: Well, I'm
aware of what Mr. Jens is requesting here.
And as far as activity from our enforcement
staff, I talked with them yesterday, the
officers that work Marshall and Jackson
County.

They've made a concerted effort
to check creels in about the last six
weeks. Of course I will mention they
normally check creels every time they check
a fisherman.

But as far as numbers of arrests
and indicating finding violations there,
you know, we're not seeing any significant
numbers. I mean, I think we may -- in the
last six weeks, one over the limit case,
several undersized bass cases.

CHAIRMAN MOULTRIE: Very
good.

Okay, the next speaker will be
Michael Key.
MR. KEY: Yes, my name is Mike Key, and I'm from Walker County. And I'm here today to commend and thank Commissioner Lawley, the entire Board -- the Advisory Board -- for not only what you're doing today, what you've done to ensure quality hunting and fishing and the opportunities for everyone that we have in Alabama. It's hard work. Your job is a donated job. Your time -- I'm sure you're like me -- you would like to have your boat trailer parked in that parking lot across the way. And we certainly appreciate that. We realize just how much it takes to serve the people that you've served. We'd like to thank the DCNR. We would like to thank Director Corky Pugh, Mr. Moody. There's a lot of people that I could name. But let me just try to keep it as a whole -- Robin, Johnny Johnson in District 1 -- Captain Johnson, Kim -- Kim Champion. All these people have been such a big help in obtaining information and giving us what we needed to make great -- make good decisions. And again, we have some of the greatest hunting and fishing of any state in the nation, and it's not because it just happened. It's hard work. It's all the officers. It's the biologists. It's all of the assistants -- whatever part you play in Alabama's outdoors is super, super important, and we certainly appreciate it and commend everyone for your efforts.

CHAIRMAN MOULTRIE: Thank you, Mr. Key.

The next speaker is Doug Smith.

MR. SMITH: Yes, I'm Doug Smith. I'm from Minter, Alabama, which is south Dallas, just out of Wilcox County. I appreciate the opportunity to address the Board today.

I understand the Board has been
discussing feeding and baiting of wildlife, and deer in particular. Statute 9-11-244 was passed by the Alabama legislature in 1951, some almost 60 years ago.

I think we would all agree that the reason statute 9-11-244 was passed was to prevent hunters from taking game by the aid of bait.

From time to time in dealing with other subjects and topics, you hear people make comments like "my goodness, that was 50 years ago. Things have changed. Or that rule went into effect 40 years ago, and things have changed and we need to adapt and change to keep up with changing times."

I would most certainly say that's not the case with Statute 9-11-244. I feel confident that today we are still opposed to hunters taking game by the aid of bait, and I would most certainly hope that the Conservation Advisory Board of the Alabama Department of Conservation and Natural Resources would be opposed to hunters taking game by the aid of bait.

Now, I have heard several proposals that have been put forth in the last few weeks that attempted to define an area as it pertains to Section 9-11-244, and each proposal has its own quirks, different distances, in and out of line of sight, hunter intent, et cetera.

What I would ask you is before you vote on a particular proposal that you have a clear understanding of each and every item that's in that proposal before you vote on it.

I would ask you just to have a complete understanding of that entire proposal before you would vote on it.

And also I would ask you before you vote to stop and ask yourself "does this proposal allow hunters to take game by the aid of bait"?
I thank you for your time.

CHAIRMAN MOULTRIE: The next speaker will be John Carter.

MR. CARTER: Good morning. My name is John Carter. I'm a property owner in the north part of Henry County. And I think it was 19 -- somewhere around 1955 I was present when the first deer was released on a dirt road right below my house, and I have lived there for 71 years. We own 640 acres.

And I'm being fenced out by high fences, which devalues my land. Can't lease it because the deer can't get to my property anymore.

So my question is, is how did the high fences get started and once a deer gets inside of the high fence, I realize the fences has been up since the beginning of time -- I got no problem with fences. The problem I got is entrapping a wild animal in a fence. And then, from what I understand, the deer becomes the property owner's property.

CHAIRMAN MOULTRIE: Mr. Carter, we will let Mr. Pugh answer that. Please address the Chair.

MR. CARTER: Who does the deer belong to?

CHAIRMAN MOULTRIE: Mr. Carter, we will let Mr. Pugh answer that. Please address the Chair.

MR. PUGH: The assertion that the deer becomes the private property of the individual with the fence is incorrect. By Alabama law, all wild game belongs to the state and is held in public trust for the benefit of the citizens of the state.
MR. CARTER: Well, the problem you have is being -- they put their fences up on your property line, and you are fenced out where they fenced in. And deer -- I killed a second deer that was killed in Henry County the first day of the first season. And in my opinion I just don't think it was meant -- if I had been down on the dirt road with a net the day they turned the little deer loose and netted them all up, they would have been my deer, is the way I look at it. I don't understand how this got to be. I got no problem with the fence. I just got a problem with the fence entrapping wildlife. It's not fair to the deer to go in a pen and shoot it. And I'm in litigation, by the way, about four deer -- the property owner says a little fluffy dog -- my dog killed his four deer. There was four lying between my house and Abbeville dead, the buzzards was eating, wasn't worth nothing, but his four deer is worth $42,000 because they was in that fence, and he's suing me for that now.

CHAIRMAN MOULTRE: Mr. Carter -- Mr. Pugh, do you have one more comment?

MR. PUGH: Yes, sir. The issue of high fences is one that is very, very complex and controversial. It's my understanding that in some other states what has happened to this gentleman that he's describing has also happened to where you've got landowners who have found themselves with fences on two or even three sides or four sides of their property. And there's an emerging body of public policy being driven by the sentiment of landowners like this gentleman. I'm not sure when that will happen if it will happen in Alabama, but it may one day.
And he makes a valid point about being, quote, fenced out. It can happen to the landowners.

CHAIRMAN MOULTRIE:

Mr. Carter, I think a question I keep hearing on it -- and Corky, you may can tell me what this is -- across the whole United States at what point does a fence become high?

MR. CARTER: I can answer that for you. It's when a deer cannot jump over it.

CHAIRMAN MOULTRIE:

Mr. Carter, if you --

MR. CARTER: You can't call a deer and a turkey over that fence. I can tell you that, because I've tried.

CHAIRMAN MOULTRIE:

Mr. Carter, thank you very much.

Okay, next speaker is Johnny Smith.

MR. SMITH: Yes, I'm Johnny Smith. I live in Barbour County. I'm like Mr. Carter about the high fences. He's covered everything I want to say, but I don't know if people have heard this chronic wasting disease or not. But how it got started, especially up in northern states, from penned deer and deer behind fences.

And the place I know of, he's got 1,000 acres of high fence. He's got 7 acres on the inside of a pen. And if chronic wasting disease ever hits the state, we can kiss all the deer goodbye. I ain't got to tell nobody about the chronic wasting disease. There's a pamphlet over there you can get and read all you want to about it. But it will desiccate the deer herd, and the economy of Alabama is going to be hurt by it also.
CHAIRMAN MOULTRIE: I think we've got some very good measures in place on CWD.

Mr. Pugh, do you want to address that just real quick, about transportation in or out of the state of deer?

MR. PUGH: Three points -- first of all, importation of cervids is not legal in Alabama and we need to keep it that way. The greatest threat to Alabama's native deer population would be somebody bringing a CWD-infected animal -- not just a deer, but an elk or other cervid, into the state.

Interestingly that prohibition against importation of cervids back in the '70s had nothing to do with chronic wasting disease. Nobody knew what chronic wasting disease was. But it did have everything to do with high fence hunting.

I wasn't around then, but it's my understanding in listening to people who were that Alabama adopted that prohibition against importation of cervids to have the effect of banning canned hunts. And at that point in time there was no law against canned hunts in Alabama. Thankfully now there is.

Another point, we're involved in a monitoring effort every year where our biologists are actually collecting data at processors and monitor for CWD.

And we -- I'm like you, we sure don't need it in our state because it would have a huge, huge detrimental impact to hunting and to our deer population.

CHAIRMAN MOULTRIE: Okay, the next speaker is Jerome Boone.

MR. BOONE: I'm Jerome Boone. I was at the last meeting about the dog hunting issue in Tallapoosa County, High Hill Conservation Club. I sent some letters to Mr. Lynch. I'm appreciate it.
I've talked to him before and appreciate everything that you-all have done to try to help us. I've got a picture here of one of my dogs that was shot last Saturday -- I'd like to -- if anybody would like to look at it? Would anybody like to see it? (No response.)

MR. BOONE: One thing that I would like to ask -- and I've tried to talk with the power company. The power company adjoins my land and a lot of land that we've got leased, and they put "no dogs allowed" on their contract. And -- which that's fine. But when the people come from out of county or out of state to lease the land, they're not told that they're joining a 30-year-old dog hunting club. And there's two more dog hunting clubs up the river from us. And I have talked to some folks that come in to look at the land. They've asked me where the land was, where the corners and stuff was, and I will explain to them that they was next to a dog hunting club, and they appreciate it and wouldn't lease it because I understand it'd make them mad that if you went off and paid high dollar for a piece of property and you got there first morning of the season and you heard dogs running. It would tee you off.

But I would like for you-all to talk with the power company and see if you can get something done about -- they shot my dogs. They shot my cows. They know they can get to me, and they don't shoot this dog -- they didn't shoot this dog to kill him. They shot his foot off. I had to have his leg amputated. I got the vet bill, cost me $435. And they know the dog will come back. I mean, the dog could have been
killed just as easy. And this ain't the first time it's happened. It's happened over the last ten years. And I just -- we need some help. I need some help. If any of you-all can help me, I will sure appreciate it. And the guy talking about the chronic wasting disease, there's a deer pen up the river for us and that's where we noticed deer floating down the river. And them deer was brought in from Michigan and some elks was brought in from Michigan. And that disease hit us about six years ago, about seven -- might have been -- it was close to the time that you-all opened up all the doe days. It about wiped us out. We don't got no does. We've never killed no does. We'll let a kid that hadn't ever killed one kill a doe. But it's the people around us. You know, they come in and lease a spot of power company, hunt a year or two, kill everything in there they can kill, and they're gone. They're gone somewhere else. But we all live there. We want a place for our kids, our grandkids, and all to hunt. Because we -- I'm a fourth generation on my farm.

MS. NUMMY: Time.

CHAIRMAN MOULTRIE: Mr. Boone, let me clear something up. Mr. Moody, is it right or is it wrong that there's never been a case of CWD discovered in the state of Alabama?

MR. MOODY: No, sir, never has.

CHAIRMAN MOULTRIE: So there's never been that case. I'm not saying there not could have been or whatnot. And Game and Fish certainly needs to know --
MR. BOONE: They did.

CHAIRMAN MOULTRIE: -- if deer are being brought in illegally and you have knowledge of that, I'm sure we would appreciate you --

MR. BOONE: Deer were found -- they go to water to die.

CHAIRMAN MOULTRIE: A lot of that may be hemorrhagic disease and blue tongue.

Please address the chair.

Mr. Gray, would you like to speak on that if that's typical of that with the blue tongue and hemorrhagic disease?

MR. GRAY: That disease is certainly found here in Alabama in the southeast every year -- some years more pronounced than others, depending on what's called (inaudible) some significant die-offs, maybe 20, 25 percent, you see that more in north Alabama where exposure to blue tongue or EHD is not as common as in south Alabama, and they knew they developed a high fever. They go to water to die. You find a lot of deer in August or September.

But that is a natural occurrence that happens every year across the southeast and has nothing to do with chronic wasting disease.

CHAIRMAN MOULTRIE: So we're very worried about all forms of disease, and our Game and Fish I think is well aware and monitors that as well as anybody in the nation. So we're all over that.

But thank you very much.

MR. BOONE: Thank you.

CHAIRMAN MOULTRIE: Next speaker, Don Knight.

MR. KNIGHT: Good morning.

I'm Don Knight, live in Anniston, hunt right here in Barbour County, and I'm the
state president of the Alabama Dog Hunter's Association.

And I'd like to take the opportunity to thank you, Commissioner, thank the Conservation Department, and thank this Board very much for your considerations in all that we bring before you.

I just want you to know that our state is being looked into or at as an example in handling of dog hunting situations for deer at this time. I've got calls from Virginia, South Carolina, and -- hadn't had one lately -- but I have in the past had one from Georgia, Florida, and Mississippi. So our state is coming to the forefront, and I thank you for that because we still have our dog hunting and it's very important as it's spreading all over the southeast and Alabama is being looked up to.

I'd like to apologize to Mr. Lynch. I hadn't been able to do much lately because my grandson is playing baseball. I've just totally been tied up with that.

Mr. Harbin, I spoke with you earlier. I've got that a gentleman up in your area that you introduced me to. We had a problem. We will be looking into that situation. I have not had time to get up there, but I will.

It just so happens that I have done some research on the who owns the deer in Alabama, so I'm going to bring that up. Corky is 100 percent right. The United States Supreme Court has upheld on many occasions that the people in each state own the game on the ground, in the water, and in the air. It belongs to the people, the state of Alabama, Conservation Department was established to take care of those deer for the people in the state of
Alabama. But that does belong to the people. Those deer inside that pen belong to you just as much as they do to anybody else. They become our property when we kill them, and that comes back to transportation regulations, and just thought I'd throw that out. And we take a minute here this morning to just say when you look around with our gulf situation, the oil, you know, our problems that we come to you with seem mighty small when we look at the problems that are coming up every day -- wars, people having to go off. Our dog hunting problems -- I just want to ask -- at this time I'd like to ask all of our dog hunters -- have done this many times -- try harder, try to do the best we can on keeping dogs off of other people's property. It's an impossible situation. We know that. But if we put forth our effort, we can possibly help the situation in more ways than any regulation could do. On the other hand, I would like to ask the people on the other side -- have a little patience. A dog running across your property, when you look at this world today, is probably the least of your problems. Maybe we can try to enjoy it a little bit and try to get the deer that's in front of the dogs. Let's work together. Let's solve the problems by working together. Let's don't fight each other. We got enough to fight with animal rights activists coming in, trying to put us all out. And I thank you. CHAIRMAN MOULTERIE: Our final speaker will be John Ward.
MR. WARD: Good morning, Commissioner, and the Board. My name is John Ward. I'm from Walker County. Last time we was at the meeting we had a guy that was talking about our dogs. We (inaudible) and that guy -- I will give each one of you report -- all he owns is -- this middle (inaudible) is what he owns.

In our hunting club we require tracking collars, names, telephone number, and the name of the club, and the channel that we run on. We know where our dogs are at all times.

I mean, sometimes they do get out, but we go get those dogs in a hurry. And we just want to keep everything peaceful and lovely where we hunt at because we got good members and a good club to hunt out of.

And I thank you very much for your time.

CHAIRMAN MOULTONIE: Thank you, Mr. Ward.

DR. MAY: Mr. Chairman, may I make a remark?

CHAIRMAN MOULTONIE: Yes, you can, Dr. May.

DR. MAY: I just want to say I appreciate earlier the remarks Commissioner Lawley made, and -- and but I'd just like for the public to hear the words from my mouth.

I in no way condone hunting over any feed or bait. I'm sorry that anyone misinterpreted my motion and used it to misrepresent to the public my intentions in the motion to define the area.

The statement I made at the beginning of my motion read as followed:

The purpose of the following motion is in
no way intended to riot prohibition against
hunting over a baited area or handle the
enforcement out of Alabama Code 9-11-244.
To the contrary, this proposal
is made for the express purpose of
providing clarity to both the hunting
public and enforcement officers, which
includes (inaudible) --
And I just wanted the public to
know that I do not condone hunting over
bait. Thank you.
CHAIRMAN MOULTRE: Thank
you, Dr. May.
With that, we will start Old
Business, and with that -- in communication
with Commissioner Lawley, Dr. May -- he and
I would like to see an area study
committee, and I'd like to ask --
Commissioner Lawley has asked to be on
that.
Mr. Hatley and Dr. May, if
you-all would convene at your convenience
and report back at your convenience -- and
Alan Andress also, if you-all would make
sure he's aware of that.
Mr. Hatley -- thank you very
much.
One more issue of Old Business
the chair has is I'd like to call Mike
Bloxom to report on the captive wildlife
regulation.
MR. BLOXOM: Yes, sir.
We've got a final draft to you on this
captive wildlife regulation, has to do with
exhibition of wildlife to the public,
basically petting zoos and smaller
privately owned zoos.
We have Ms. Fallin here
representing her and her husband's
operation in Blount County, and we've
worked with these people for the last two
years to come up with a solution that would
not be too economical, too much of an
economic hardship on them, but at the same
time provide additional protections to the
wildlife and also some humane treatments
and safety conditions for the caging and
perimeter fencing around their operations
in case of escape of animals like tigers
and lions and bears and those types of
tings.
So we've decided to grandfather
in existing operations. We have about 20
of these permitted operations around the
state. We haven't had any documented
problems over the last several years with
escapes or injury to the public, so most of
these people are also regulated by the
USDA, so we feel like that they have a
pretty good operation, but we want to try
to create these new standards for future
operations so that everyone getting into
that business knows exactly what they need
to do to build their caging, the sizes, the
standards that need to go into building
those and provide some protections against
escapes and also, like I said, some humane
conditions for the wildlife being kept.
So we'd like to go ahead and ask
the Advisory Board to vote on that.
CHAIRMAN MOULTRIE:
Mr. Lynch, is there a motion?
MR. LYNCH: Yes, I'd make a
motion to pass the possession of wildlife
for public exhibition purposes package
that's in our Board package today. I make
a motion that we pass these regulations.
CHAIRMAN MOULTRIE: Is there
a second.
UNIDENTIFIED BOARD MEMBER:
Second.
CHAIRMAN MOULTRIE: There is
a motion and a second.
Is there anymore discussion?
(No response.)
CHAIRMAN MOULTRIE: All
those in favor of the motion, raise your
hand.
(All Board members raised their hands.)
CHAIRMAN MOULTRIE: All opposed?
(No response.)
CHAIRMAN MOULTRIE: Let the
record show a unanimous vote. Motion
carried.
Also against the right-hand wall
before you leave -- and we're still a
little ways before we leave -- but there
are some Forever Wild brochures. I suggest
if you don't have one, pick one up. I
think you will find it very informative.
Patty, there's a sufficient
stack over there for everybody, correct?
UNIDENTIFIED SPEAKER: Yes.
And I will hold them up so you-all will
know which ones they are. But it's this
one right here.
CHAIRMAN MOULTRIE: I would
like to ask everybody that has not seen
that brochure, please pick one up.
MR. SELF: Mr. Chairman --
CHAIRMAN MOULTRIE: Yes,
Mr. Self?
MR. SELF: I'd like to make
a comment.
CHAIRMAN MOULTRIE:
Mr. Self, go ahead.
MR. SELF: This is in regard
to visiting the gulf coast. I know
everyone that watches TV and is concerned
that the oil may be coming to shore there,
and it may do it some day. But for the
time being those of you who might be
contemplating visiting Orange Beach or Gulf
Shores for the purpose of enjoying the
beautiful scenery down there or the
fishing, snapper season is still slated to
open on June 1st.
At this time the reefs, all the
manmade reefs are reachable. The waters are not closed there for fishing. And if you're hesitant to make a reservation because you think that there may be -- the oil may come in and the fishing closed, all the realtors in Orange Beach have agreed to waive all cancellation fees. So if you make a reservation for a condo or rent a house, or something like that, through some real estate agent there, there won't be any cancellation fees. And I encourage everybody that wants to visit the coast to go ahead and do it and not worry about having to pay cancellation fees.

Now, I can't say that for charter boat owners because I really don't know. Some of them may be willing to do that. If you want to charter a boat, then you probably ought to discuss that with the captain before you go.

CHAIRMAN MOULTRIE: Mr. Hatley, is there any other Old Business before we start on new business?

(No response.)

CHAIRMAN MOULTRIE: Anybody else?

(No response.)

CHAIRMAN MOULTRIE: Okay, the next order of business is New Business. There's a couple of items with the chair. Again, we've got a letter from Representative Johnny McMorrow. I'm going to read it real quick to the Board. It says "I represent Franklin County in the Alabama legislature. Franklin County has been designated as a closed county to deer hunting with dogs. Without a question this action has resulted in a declining interest for deer hunting in Franklin County. The youth of Franklin County

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have been denied the deer hunt because their father no longer hunts. Todd Harbin, president of Nebow Hill Hunting Club has approached me and asked that Nebow Hill Hunting Club be issued a permit to hunt with dogs beginning this fall.

Nebow Hill Hunting Club has a membership that consists of good honest men and women who respect all the hunting laws of the state of Alabama.

On behalf of the youth of my county, I want to make a passionate plea to the Department of Conservation that Nebow Hill Hunting Club is issued a permit to hunt with dogs beginning fall of 2010. Your consideration to my request is greatly appreciated -- respectfully,

Johnny McMorrow.

After discussing this with the Commissioner, Corky, we'd like to ask you and Gary and Alan to review this. And then if you would report back in July your findings of that, and there's a copy of that there.

Okay, Mr. Jones, you had a New Business motion?

DR. MAY: Before we get into New Business, I have we have -- I think this comes under Old Business and not new.

CHAIRMAN MOULTREY: Well, we will revisit Old Business for you. Go ahead.

DR. MAY: Well, I've had reports from two areas -- one in Choctaw County and one in Pickens County -- that is presently under the permit system, and they're still having problems. They admit that it's stopped a lot of the road hunting, standing on drives, but they're still running dogs across them. The area in Choctaw County,

Mayor Stanley Wright, from Bayou La Batre, he's hunted land and leases land there too
that they hunt on. But he's having trouble with Califlad(sic) Hunting Club, also Scott Mountain(sic) Hunting Club, and Mount Hebron(sic) Hunting Club.

The last two I mentioned there was the problem we had originally when we put that area in Choctaw County on the permit system. There was some -- Mr. Bice Smith complained, and I took the liberty of calling him and asking him how it was -- situation there is now since they were on the permit system, and he says "it was a lot better". He did still have a few times that dogs ran across his property, but it's definitely a lot better.

But it seems maybe these hunting clubs have moved south of him and affected another area. And minutes before I left to drive down here Mr. James Price called me at home, still complaining about his situation in Pickens County, and that area is on the permit system too.

So I just wanted to report that to the Department. And I think the permit system could work if we'll enforce it, but I'd like Mr. Knight -- I would like for you to help us enforce it because I think there's enough ethical deer hunters out there that want to do right. But if we let a few renegades interfere with the permit system, you're going to destroy the whole thing. Thank you.

CHAIRMAN MOULTTRIE: Thank you, Dr. May.

Okay, Mr. Jones would you like to go ahead with New Business?

MR. R. JONES: Thank you, Mr. Chairman. I would like to propose a motion, and it's really more of an amendment to our rules of protocol. I hereby move to further amend the rules and protocol as it pertains to
the introduction to of motions to be considered by this Board.

Currently an item must be brought up in discussion at the meeting prior to the following meeting before it can be voted on.

I'd like to amend this rule to state that the motion items must be brought up, discussed, and placed in writing for the record before it can be voted on at the next meeting.

This amendment in no way suggests that the Board be bound to what is written, meaning the written word can still be moved for discussion, tabled for a period of time, restated or amended as the Board sees fit.

This amendment will further help the public be informed and show transparency in our actions.

CHAIRMAN MOULTRIE: Is that your proposed motion?

MR. R. JONES: That is my proposed motion.

CHAIRMAN MOULTRIE: Is there a second?

UNIDENTIFIED BOARD MEMBER: Second.

CHAIRMAN MOULTRIE: There is a motion and a second.

Any other discussion?

(No response.)

CHAIRMAN MOULTRIE: Be it no further discussion, all those in favor of this motion raise your hand.

(All Board members raised their hands.)

CHAIRMAN MOULTRIE: All opposed?

(No response.)

CHAIRMAN MOULTRIE: Let the minutes reflect that it was unanimous.

Motion carries.

Any other New Business --
Mr. Hartzog?

MR. HARTZOG: Well, two or three things. Troy, we might want to argue with you that Lake Eufaula is the premier bass lake instead of Lake Guntersville, but we've got -- we've got two premier lakes in the state of Alabama.

If you look out in the parking lot when you-all drove in and saw the number of bass boats out there, with the tournaments and the revenue it brings into this town, it's a great asset.

I, at the last meeting, agreed to look at the trout fishing in the Sipsey. I apologize to the group. I did not get there to look at it as I told them I would. The weekend I was planning on visiting was the weekend that Memphis got ten inches of rain -- I actually went out there to work at the duck club. And when I left Arkansas, I had two tornados on the ground behind me, so I came on home.

But I have done a lot of research, looked at a lot of things, talked at length to Matt Bowden, the vice president of environmental management at the power company. There's still a lot of issues to be answered at the Sipsey River. The minimum flow probably won't start until January. The introduction of brown trout, that issue has not been fully addressed.

The amount of structure work, the amount of other things has not been answered by the power company, so it is my recommendation that we do nothing on the trout fishing until we've had time to look and see that once minimum flow and oxygen levels are increased whether or not that fishery will maintain a fishery that will have enough food source and oxygen source and temperature source to maintain that trout.
CHAIRMAN MOULTERIE: Thank you, Mr. Hartzog. If you will keep this Board aware of any trout issues.

MR. HARTZOG: The other thing is -- and I didn't show it up with the letter, and in fact I may call on a couple of people to speak.

There's a letter that was presented to us about the -- one other accolade Barnett gets is he helped push for Barbour County to have the three-point rule, which has been -- in my opinion and a lot of other people's opinion -- a great thing.

The Barbour County Management Wildlife Area started the three-point rule years earlier. And because of the success of the Barbour County Management Area, we ask that this Board would consider putting Barbour County as a whole -- I know he didn't even know I was going to call on him to speak.

But Kenny, would you say something about the benefits of the three-point rule?

UNIDENTIFIED SPEAKER: Well, we're adjacent to the Barbour Management area --

CHAIRMAN MOULTERIE: Would you approach the microphone, please, sir?

UNIDENTIFIED SPEAKER: Thanks for the heads-up, Grady.

MR. HARTZOG: I didn't see you out there until --

UNIDENTIFIED SPEAKER: I'm a landowner in Barbour County and our lands adjoin the Barbour Management Area. And for years prior to the county being on the three-point rule, it was -- deer hunters are a funny group. If we thought that deer was going to cross, you know, onto the management area or something, you know, we'd shoot it. You know, we -- it's just...
one of those things.
And after the management area went on the three-point rule, we went on a four-point rule. And I wish I would have known I was going to be called to speak.

We've got some photographs of deer on our property that would go in Sports Afield Magazine, and it has been a great asset to our county.

And there was a publication, I believe, Grady, in the one of the magazines talking about Barbour County Management Areas being one of the premier places in the United States to kill a trophy buck.

But we appreciate, you know, you-all implementing this three-point rule, and we hope it will stay in place for a long time. Thank you.

CHAIRMAN MOULTERIE: Thank you so much.

Mr. Hartzog, any other items?

MR. HARTZOG: Yes. Bill will you kind of speak on the weight increases and the stuff that -- when Barbour County agreed to go on this three-point rule, there was funding provided by the Department, as well as AWF and other organizations, to do a little research to show that the weights are increasing and the herd is benefitting.

Bill, would you speak to that?

CHAIRMAN MOULTERIE: Mr. Gray, if you could approach the microphone.

MR. GRAY: Yes, thank you, Grady. To be honest, I have not -- the last year of data on Barbour County as a whole is in my office and has not been punched in the computer.

We have not seen a tremendous swing in terms of weights, things like that, compared to deer in other counties.

We collect deer processors
throughout Barbour County, and there's some peripheral sites. So we can compare deer. We're not at the restrictions to deer in Barbour County where there were antler restrictions.

I guess the most (inaudible) thing we've seen -- and again, having not added the fifth-year data -- through the fourth year what we had seen -- and I had prepared a report for this Advisory Board last year, a four-year analysis of this thing -- you guys should have had a copy of it last year -- but have seen, in comparison to other counties, a big improvement to age structure of the four-and-a-half and older year class bucks that we kill, a reduction in the number of, you know, younger age class animals -- which is what you would expect with a regulation like that.

But I apologize, I don't have -- I don't have that data with me off the top of my head. Again, that fifth year has not been tacked into that complete data set. But you know, on the surface it looks like, you know, again, what you'd expect when you exclude that year-and-a-half old age class a four or five year period, you're going to see improvements to age structure.

And we have apparently seen that. So you know, I hear primarily favorable comments on it. I hear some negative comments, but I think by and large it's kind of been accepted and appreciated by most of the folks in Barbour County -- at least the folks that I speak with.

CHAIRMAN MOULTRE: How about buck to doe ratio, Mr. Gray?

MR. GRAY: Early on it was -- first couple of years in Barbour County where restrictions were in place, taking almost two does for every buck,
that's what came into the processor. Now,
these are limited sample sizes.
And then as it kind of -- last
couple of years it's kind of been about one
to one in Barbour County. The counties
without the restrictions still tend to be
inclined -- or at least that's what is
taken to the processors -- to shoot
slightly more bucks than does.
CHAIRMAN MOULTRIE: Sounds
to me like you achieved the county
maintaining a deer herd that could be the
envy of the state.
Congratulations on you-all's
efforts.
MR. GRAY: Thank you.
CHAIRMAN MOULTRIE:
Mr. Hartzog?
MR. HARTZOG: One last thing
and it's been said two or three different
times, but people, Forever Wild is our
future for our kids and their kids.
There's groups that want to raid
that money and use it for themselves. This
money is the people of Alabama's money, all
the people of Alabama's money in having
land for our future generations to use.
And again, pick up a booklet.
When you see your legislator, tell him how
important Forever Wild is and you want to
see them renew Forever Wild as it is with
all the money going to Forever Wild for the
future for our sport and heritage.
CHAIRMAN MOULTRIE: Any
other New Business?
DR. MAY: Yes, I have --
CHAIRMAN MOULTRIE:
Dr. May?

I know this is not
dove season coming up, but I think this is
the time we need to talk about it and not
wait until the last minute to make
decisions on what we think the seasons
should be.
I believe we go by mainly judging our season on Mourning Dove Nesting Season Patterns and Effects of September Hunting by Paul Gustler(sic), et al.
I'm really making a request here. I'd like to see all Board members have a copy of this scientific report.
As we've heard from Mr. Van Collins, who is a promoter of publishing hunts, I agree with him. They need to know what the season is going to be ahead of time so they can plan the planning dates; they can book their hunters; in-state hunters can plan what days they can hunt, and out-of-state hunters can plan what day they can come to Alabama and hunt.
And that's the reason I think we need to start working on it now. I've had suggestions over the past few years -- and I would like to give Mr. Harders some of the copies. And maybe if you're going to mail the scientific report to these members, I'd like to include some of this information because I think it's important.
I was very surprised when I started looking at the seasons of the upcoming seasons -- well, last year's season. Florida has already posted theirs on the Internet. Florida has a one 70-day season. Georgia has one 70-day season. Tennessee has a one 70-day season. Arkansas has a one 70-day season. Mississippi, they still have the two shooting zones, but it's a total of 70 days. That's what I would like to see us do. They have 28 different days, but to have 42 same days, that gives them a total of 70 days.
Now, we have -- Louisiana has two 70-day shooting seasons, 42 different,
Alabama, we have two 70-day shooting seasons, 68 different days, 36 of the same days, giving us a total of 104 days.

I think we're hunting too long and we're starting too early, and I think we can overlap some of those days and make south zone and north zone some of the same days.

South zone is the first top sewing -- well, the last top zone to start, which is September 15th. I think the south zone, I think the season set to start October 4th, I think it's great. I think it's biologically correct. But I do think it should include the Thanksgiving weekend in one of those seasons because I've had a lot of letters complaining about that.

The north season, I think it should start the first Saturday after the 15th of September. The reason for that, every planning zone will be planning that time. Maybe the snowmen will run them out of the north and ghost in the south zone where people say because everybody will be able to feed at the same time -- top sew -- excuse me.

But those are some of the ideas that I have, and I just thought this would be a time to go ahead and let the Department, people that plan these seasons, be thinking about it. And I just think it would help out where there won't be any last-minute interrupting people's plans as far as hunting. Thank you.

CHAIRMAN MOULTRIE:

Mr. Harders, could you make sure the Board receives that material that Dr. May requested. Thank you.

Mr. Jones?

MR. B. JONES: Also, I know there's been another study -- to be fair and balanced, I guess, so to speak -- that
has been done. I know Charles Kelley has referenced that study. If we're going to have this study, could we not have both studies, that way we could review from two different scientific pieces of data and determine for ourselves about some of those dates.

So while we're doing that -- and also, Dr. May, you had referenced several of these states their seasons, and I agree, we possibly are hunting doves too long in the state of Alabama. My question is when all those states you've referenced, their seasons all start September 1st, and we're surrounded by states that start September 1st.

I just wanted to point that out to the Board as well.

CHAIRMAN MOULTRIE: Any other comments from the Board?

(No response.)

CHAIRMAN MOULTRIE: The next order of business is the date and location of the next Advisory Board Meeting.

MR. HARBIN: I have a motion I'd like to make, please, sir.

CHAIRMAN MOULTRIE: Go ahead.

MR. HARBIN: I'd to make a motion to the Board that we legalize the crossbow for turkey season since we've included the --

CHAIRMAN MOULTRIE: Is this Old Business, Mr. Harbin?

MR. HARBIN: Yes.

CHAIRMAN MOULTRIE: This was brought up last meeting? Go ahead.

MR. HARBIN: I'd like to make a motion to the Board that would legalize crossbows, the use of crossbows in fall turkey season. Since we haven't had any crossbow use during that season, I can see...
where there would be no cripples added to it.

CHAIRMAN MOULTRIE: And you're making this motion, Mr. Harbin?

MR. HARBIN: Yes, sir.

CHAIRMAN MOULTRIE: Is there a second?

(No response.)

CHAIRMAN MOULTRIE: Again, a second?

(No response.)

CHAIRMAN MOULTRIE: Mr. Harbin, no seconds.

MR. HARBIN: All right.

CHAIRMAN MOULTRIE: Motion is removed.

Any other comments?

(No response.)

CHAIRMAN MOULTRIE: Okay, we're back on the next order of business is the date and location of the next Advisory Board Meeting.

The date will be February 5th, 2011, and it will take place in Montgomery, Alabama.

Being there is no further business, this meeting stands adjourned.

(The hearing was concluded at 10:26 a.m.)

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STATE OF ALABAMA:
COUNTY OF MONTGOMERY:
I hereby certify that the above proceedings were taken down by me and transcribed by me using computer-aided transcription and that the above is a true and correct transcript of said proceedings taken down by me and transcribed by me.
I further certify that I am neither of kin nor of counsel to any of the parties nor in anywise financially interested in the outcome of this case.
I further certify that I am duly licensed by the Alabama Board of Court Reporting as a Certified Court Reporter as evidenced by the ACCR number following my name found below.

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