

0001

1 DEPARTMENT OF CONSERVATION AND  
2 NATURAL RESOURCES  
3 ADVISORY BOARD MEETING

4  
5  
6

7 TRANSCRIPT OF PROCEEDINGS

8  
9  
10

11

12 Location: Lake Guntersville Resort State Park  
13 Lodge, 1155 Lodge Drive,  
14 Guntersville, Alabama

15 Date: March 8, 2008

16 Time: 8:55 a.m.

17  
18  
19

20

21

22

23 Before: Victoria M. Castillo, CCR #17

0002

1 CHAIRMAN MOULTRIE: The  
2 Conservation Advisory Board will come to order. I  
3 would like to welcome everyone to beautiful Lake  
4 Guntersville State Park, and the Board is glad that  
5 everyone is able to be here. We have even been  
6 looking at the snow falling today. The invocation  
7 will be given by Mr. Johnny Johnson -- John --

8 MR. JOHNSON: Let us pray -- Dear  
9 Heavenly Father, we thank you for loving us, for  
10 being so good to us. We pray that you will give  
11 each of us the grace to take things as they are,  
12 with your help, resolve them, and make them what  
13 they should be according to your will. Since we  
14 usually will be criticized, let it be for doing too  
15 much or too little rather than doing nothing.  
16 Strengthen our faith, we pray, and save us from  
17 discouragement as we deal with everyday problems  
18 facing the conservation and natural resource  
19 practices and laws in Alabama. Help us in  
20 resolving these problems and deciding issues

21 according to your will. We pray for your guidance  
22 for our national, state, and local leaders. Please  
23 help each of them with the important decisions that  
0003

1 face them each day. We pray that you will continue  
2 to be with our military, bless and comfort them,  
3 and bring them home to their families soon. Guide  
4 us this day for thy mercy's sake and continue to  
5 guide us in the future. Be with each of us that we  
6 will have a safe trip home. Lord, we pray all  
7 these petitions in Jesus' name -- Amen.

8 (Audience responds with "amen".)

9 CHAIRMAN MOULTRIE: Thank you,  
10 Mr. Johnson. For the next order of business, I'd  
11 like to call on Commissioner Barnett Lawley to  
12 introduce the Conservation Advisory Board --  
13 Commissioner --

14 COMMISSIONER LAWLEY: Thank you,  
15 Dan. Before we do that, there is a bit of  
16 information that I wanted to share with everybody.  
17 The Alabama Wildlife Federation, ALFA, and the  
18 forest landowners, and several other groups are  
19 drawing up legislation, which I understand was  
20 introduced yesterday -- probably will be in  
21 Committee next Wednesday -- which addresses some of  
22 the fines for breaking game violations, that a lot  
23 of them hadn't been addressed since 1940. So it's  
0004

1 certainly something that we are totally supportive  
2 of -- although we are not the ones that are  
3 initiating the legislation -- but it's House Bill  
4 677.

5 For those of you at other meetings  
6 who haven't met the Assistant Commissioner Bobby  
7 Sealy and his wife, Brenda, we are going to have  
8 them with us today. As we have done in the past,  
9 we are going to let the Board members introduce  
10 themselves -- Mr. Gaines, we will start at this end  
11 of the table and go down.

12 DR. SMITH: I am Gaines Smith  
13 fourth contingent system, Ad Hoc, State 5.

14 DR. STRICKLAND: Warren  
15 Strickland, Congressional District 5.

16 MR. HATLEY: Bill Hatley,  
17 Congressional District 1.

18 MR. SELF: Ross Self,  
19 Congressional District 1.  
20 MR. COLES: Louis Coles,  
21 Congressional District 2.  
22 MR. LYNCH: Grant Lynch,  
23 Congressional District 3.

0005

1 DR. MAY: Wayne May, District 7.  
2 MR. JOHNSON: Johnny Johnson,  
3 District 7.  
4 MR. JONES: Raymond Jones,  
5 District 5.  
6 MR. HARBIN: George Harbin,  
7 District 4.  
8 COMMISSIONER LAWLEY: Thank  
9 you-all.

10 CHAIRMAN MOULTRIE: Thank you,  
11 Commissioner Lawley. The minutes of the February  
12 9th, 2008 meeting are not in the final form, and  
13 they will be approved at the May 17th Advisory  
14 Board meeting instead of today.

15 The next order of business is the  
16 public hearing. When your name is called, please  
17 go to the microphone and give your name and the  
18 subject on which you wish to speak. I will remind  
19 that you may only speak at the time that you are  
20 called and that any interference will not be  
21 tolerated. Also, no one may sign up and speak for  
22 another person -- the person must speak for  
23 themselves. There are standing Board rules. Robin  
0006

1 will be keeping a three-minute time limit on  
2 everyone.

3 With that said, the first speaker  
4 will be Mr. Pete Barber.

5 MR. BARBER: Thank you,  
6 Mr. Chairman. My name is Pete Barber. I am the  
7 executive director and president of the Alabama  
8 Seafood Association. I am here to talk to you  
9 about some proposed changes to the fishing  
10 regulations we gave you in Montgomery at the last  
11 meeting. Since that time -- I am sorry -- and  
12 Board members, Commissioner -- since that time, we  
13 have had two meetings with Marine Resources, our  
14 fishermens' group. I think we are making

15 progress. I would like to hope that we are going  
16 to make more progress. Our issue -- and not to  
17 recover what I spoke about last time -- but our  
18 issue is similar to all the other issues you see,  
19 with one clear distinction.

20         The other user group conflicts you  
21 see -- people are talking about their access to our  
22 wonderful natural resources. They are talking  
23 about their access as a recreation. Our people's  
0007

1 access to the resource is their livelihood and  
2 their business. There will be five or six  
3 fishermen behind me, and they will explain to you  
4 how they run their business and what it means to  
5 them. A lot of the things that were promulgated in  
6 the regulation of either April 11th or 12th were  
7 done back in a very heated legislative session,  
8 like I said before, and the Commissioner was trying  
9 to address a situation. I fully concur with his  
10 motives. I just think he overdid it a little bit.  
11 But if he had to do it right now -- we've had a  
12 year to live under it. Some of what we're having  
13 to fish, like, is severely impacting our ability to  
14 make a living.

15         I think our proposals, if it is  
16 separating the user group, I think is -- is a good  
17 thing. It's something we'd do. But if you will  
18 look, we have 58 days mandated right now where we  
19 can't fish -- two months. That gives the weekends  
20 and everything for the tourists, or recreational  
21 fishermen and stuff. Don't like it, but it's  
22 probably a good idea. But while we are out there,  
23 we need to be able to catch fish and make a  
0008

1 living. We have proposed a slight change to  
2 enforcement. Rather than enforce by restricting  
3 the gear, we could take -- the federal government  
4 already has a minimum size limit on Spanish  
5 mackerel, for instance. If we enforce it by size  
6 limit, let the fishermen who are the professionals  
7 fish the gear they know, they can catch the fish  
8 that they need to catch. Enforcement could enforce  
9 it on the water for catching small fish. They can  
10 write a ticket right there. If they miss them on  
11 the water -- there are only six fish houses in this

12 state that buy marine fish. They can go to the  
13 fish house, if they found an undersized fish, they  
14 can write the ticket to the fish house owner and  
15 the fishermen. I think it would make their  
16 enforcement a little bit more efficient.

17 MS. NUMMY: Time.

18 MR. BARBER: Can I just close?

19 CHAIRMAN MOULTRIE: Go ahead and  
20 close, Mr. Barber.

21 MR. BARBER: It is kind of  
22 ironic, Magnuson-Stevens, which is the Federal  
23 Fisheries Management Act that allows for the -- if  
0009

1 there is a species that's managed by the Feds that  
2 optimum yield is not achieved -- Spanish mackerel,  
3 for instance, 9 million pounds, is what it allowed  
4 for the whole (inaudible) we typically catch,  
5 residential and commercial, less than 4 million  
6 pounds. The provision that Magnuson-Stevens says,  
7 the National Fisheries Service can give that unused  
8 quota to foreign fishing interests. Wouldn't it be  
9 ironic if something that this Board does, something  
10 that the legislature does, puts these fishermen  
11 that I represent out of business and brings in a  
12 factory ship from Japan to catch fish that we are  
13 not allowed to -- that is all I have to say.

14 CHAIRMAN MOULTRIE: Thank you,  
15 Mr. Barber. Any other comments?

16 (No response.)

17 CHAIRMAN MOULTRIE: The next  
18 speaker will be Mr. Avery Bates.

19 MR. BATES: This is not the first  
20 time I've come before this Board over the years. I  
21 am a commercial fisherman. My name is Avery Bates.  
22 I am of vice president of Organized Seafood  
23 Organization of Alabama. We do this for a living,  
0010

1 gill net fishing. We produce food for this country  
2 and this state. Many of our other commercial  
3 fishermen -- like the trade of shrimping, like the  
4 trade of oysters -- have to sometimes depend on  
5 these gill netters to jump on the stern of their  
6 boats to provide for their families as deckhands.  
7 We have many shrimp boats now being tied up. Some  
8 of their deckhands are caught on the stern of these

9 fishing boats. To further restrict them and to  
10 keep the restrictions they have now, you're causing  
11 a problem with our seafoods, and we need food in  
12 this country. We don't need to leave these  
13 seafoods coming out of these foreign countries  
14 where the FDA only inspects a little over one  
15 percent. We produce a healthy product. We employ  
16 people. We have a trade. It is a trade that's  
17 been going on for thousands of years. My family,  
18 five generations of commercial fishermen. It is  
19 important not to restrict our food producers, not  
20 to hamper them with gear that will not catch the  
21 fish that is good for the market. Keep in mind,  
22 the recreational fishermen have no size limit on  
23 Spanish mackerel. They are allowed 12 a day. Over  
0011

1 2 million trips were made by the recreational  
2 fishermen in 2004 -- they are migratory fish. In  
3 Florida alone in 2006 there were 29 million trips  
4 made by the recreational fishermen. That  
5 recruitment in Florida in 2006 for the Spanish  
6 mackerel was over 50 percent back to restock. That  
7 stock goes up and down the gulf coast. Why let a  
8 foreign country come in and keep letting our  
9 seafoods go to a foreign country that puts them  
10 back on our market that they don't even have an FDA  
11 to inspect the fish. Why put our people out of  
12 work, or put them at such a hardship -- and this  
13 country's food producers, whether you farm the sea  
14 or farm the land, are being put out of business  
15 every day. Please don't put our fishermen out of  
16 business. With these kinds of restrictions you are  
17 implementing -- shortening the days, increasing  
18 these mesh sizes -- you are hampering, you are  
19 hurting your farmers that farm the sea. When I go  
20 out and eat a plate of fish, I want Americans to  
21 produce that fish, out of American waters -- out of  
22 Alabama waters preferably, because we've got some  
23 of the cleanest, some of the best seafood in the  
0012

1 world right here.

2 Please, Seafood Board, reconsider  
3 some of these restrictions you have put on us. Let  
4 our fishermen, let my brothers, let my kinpeople  
5 keep doing what they have always done, producing

6 food for you and these other trucks that come into  
7 Bayou LaBatre. We are ranked 17th in the nation as  
8 far as output in our little state, in Bayou  
9 LaBatre. We have the seafood capital of Alabama.  
10 Let's not put the capital out of business by  
11 hampering our seafood industry and putting their  
12 fishermen out of work -- thank you.

13 (Audience applause.)

14 CHAIRMAN MOULTRIE: Thank you,  
15 Mr. Bates. The next speaker will be Ben Harvard.

16 Mr. Harvard, go to the front, please,  
17 sir.

18 MR. HARVARD: Commissioner,  
19 Board, my name is Ben Harvard, District 1. I am a  
20 professional net fisherman from this state. I make  
21 my entire living net fishing. I, as some of the  
22 other fellows here in this state, fish over 90  
23 percent of the time in the gulf, catching our gulf

0013

1 fish. I am the one who handed out a handout with  
2 some numbers there. I don't know if I am going to  
3 get into that. I would like to address a little  
4 different issue there, but I may jump on them  
5 numbers. That's okay -- I think I can explain to  
6 you what you need to know. I think it says a lot.

7 First of all, I'd like to go back. I  
8 read some minutes of the February meeting last year  
9 when it was talking about snapper and how the Feds  
10 were going to go the (inaudible) 4-inches snapper.  
11 Mr. Self was addressing it. One of the issues in  
12 it -- and it was brought up quite a bit and  
13 discussed quite a bit -- about the impact  
14 financially this was going to bring on the  
15 people -- whether it was charter boats, other  
16 people in the work in that industry. It was quite  
17 a big discussion and concern about the financial  
18 burden this was going to bear -- and that's good --  
19 that's a good thing to talk about. I read the  
20 minutes and the time where Mr. Self mentioned about  
21 the mackerel here and whether he would like it to  
22 be looked into to see if there was a problem  
23 because they weren't catching as many mackerel. It

0014

1 seemed harder to catch. One of the last things he  
2 said, he said he just wanted to see if there might

3 need to be some adjustments to the harvest of the  
4 Spanish mackerel -- he wanted to look into it to  
5 see if there was. Well, within 30 days there was  
6 an emergency draft. It came fast, it came quick,  
7 and it was way over the top. It hit us very hard.  
8 It doesn't -- there was no discussion at that  
9 particular time about whether this was financially  
10 going to hurt anybody. Well it does, because we  
11 make a living catching fish. Everybody knows the  
12 Spanish mackerel stock is at an all-time high -- or  
13 I shouldn't say it like that. It is one-and-a-half  
14 times larger than it needs to be to sustain optimum  
15 sustainable yield for these type of fish. They  
16 move in and out of our waters all the time. As we  
17 fish the gulf, you must understand, we only fish  
18 the beaches. Our gear only works in 20 feet of  
19 water. We got 3 miles of gulf Alabama water that  
20 we don't fish out there in that -- the fish is  
21 there. The mackerel is jumping and cutting --  
22 anything that's offshore, our gear does not work  
23 there. We fish strictly the beach, and the beach  
0015

1 is not the normal place for Spanish mackerel to be.  
2 That's the ones that make the mistake. If they  
3 make a mistake and come into shallow water, our  
4 gear works there. Half a mile offshore, a few  
5 miles offshore, mackerel everywhere. We can ride  
6 out there and look at them, and we can come back to  
7 the beach and wait and hope something messes up.  
8 Point being is that we're pleading with you to at  
9 least maybe somebody to put this on your agenda as  
10 New Business to look at the situation. We have  
11 some proposals that we think if they were looked at  
12 within the confidence of the Conservation  
13 Department, that maybe we could look at this,  
14 achieve what you would like to achieve, and still  
15 not be quite so detrimental to us. We need this  
16 income. This regulation is affecting other fish  
17 that we catch. The way the mesh size works and the  
18 --

19 MS. NUMMY: Time.

20 CHAIRMAN MOULTRIE: Go ahead and  
21 finish up real quick.

22 MR. HARVARD: The way it  
23 affects -- it affects the skipjacks we catch, the

0016

1 ladyfish. We have caught a lot less of them this  
2 year. This (inaudible) amount that they have put  
3 on fishermen with that smaller mesh, if we happen  
4 to catch a few more mackerel with what we are  
5 trying to catch something else, we're illegal.  
6 It's just a bad regulation. It's written up bad.  
7 We understand you ought to do something, some  
8 weekend closures, daytime, maybe we shouldn't be  
9 there -- but we need to adjust this -- we really  
10 do.

11           These numbers, I wish I could talk to  
12 you about them just a little. They really show  
13 some good stuff.

14           CHAIRMAN MOULTRIE: Thank you --  
15 thank you very much.

16           MR. HARVARD: Thank you.

17           CHAIRMAN MOULTRIE: The next  
18 speaker will be Jerry Kee.

19           MR. KEE: My name is Jerry Kee.  
20 I am a fifth generation commercial fisherman. I  
21 raised four kids out of my boat.

22           MS. NUMMY: Could you step up a  
23 little bit -- we can't hear you.

0017

1           MR. KEE: My name is Jerry Kee.  
2 I am a fifth commercial fisherman. I started  
3 fishing with my grandfather and my father when I  
4 was a little boy, and we've got a net band against  
5 us, and we've got regulations that we can't work  
6 with, so they are basically putting us out of work,  
7 and I would like for you-all, if you would, to look  
8 into that and see if you can help us to get back to  
9 producing fish -- and the mesh size regulation is  
10 my biggest concern -- thank you.

11           CHAIRMAN MOULTRIE: Thank you  
12 very much. The next speaker will be Terry Morali.

13           MR. MORALI: I am Terry Morali --  
14 Mr. Moultrie, Mr. Lawley, Board members, I been  
15 fishing gulf, I fish bays -- I fish both of them,  
16 and there is a little segment of our industry that  
17 are the older people, that's getting even older  
18 than me, that cannot fight the weather during the  
19 roe mullet seasons. During this period they got a  
20 law that says a 4-inch net and up is a roe mullet

21 net. That's about a \$500 license for that, just  
22 like the mackerel. These men don't have to fish.  
23 All they (inaudible) that part we want you-all to  
0018

1 look at and maybe get a little help on that for the  
2 older generation.

3 The open bay closures, that too we  
4 would like to be looked at. The economics is  
5 changed on the roe mullet and stuff to where having  
6 the bay closures is not near as bad as it used to  
7 be. We need more fishing time before the roe  
8 mullet season starts, and I too feel like in the  
9 gulf we have really been put to a stressed point,  
10 as far as making a living out in the gulf with the  
11 new regulations. We not only lose our weekends, we  
12 lose our mesh size, right on down the line. The  
13 fish that we could catch, like the bait fish and  
14 stuff, like the -- hell, all of it -- runners, the  
15 whole works because of the size of the mesh. When  
16 you go to a 3-and-a-half, it just eliminates that  
17 fish altogether, and they're really a bigger part  
18 or as big a part as the mackerel are to us.

19 And as far as the rest of it, you-all  
20 know how -- when your money cuts in half on your  
21 own job, you know what that means to you at the  
22 house. It means you are going to buy gas and stuff  
23 to go to work, but you are still not going to have  
0019

1 near as much food as you had before. That's where  
2 it's getting into us, our food. Our kids going to  
3 school -- you can't save money and put them through  
4 college if you are not making money. The way we're  
5 going about it right now, it's -- we're just trying  
6 to survive. I mean, it's gotten to the point we  
7 are just trying to survive. We are not making no  
8 extra out of it like we used to. It's hurting our  
9 pocketbooks bad, the way things are going down. If  
10 we can get a little relief from the mesh size or  
11 something, even with the weekends gone, we can  
12 survive and we can make it -- that's about all I  
13 got to say, gentlemen.

14 CHAIRMAN MOULTRIE: Mr. Harbin --

15 MR. HARBIN: What size mesh do  
16 you recommend?

17 MR. MORALI: Well, it really

18 depends. We've got a proposal in there already  
19 with (inaudible) and during the mackerel run -- we  
20 have a mackerel run that's right there in May, the  
21 early run. We had proposed 3-and-a-quarter for  
22 that run. You will catch a mackerel there that's a  
23 good-size mackerel. He's a pound-and-up mackerel,  
0020

1 which is -- the Feds says is 12 inches -- full  
2 length, 13 overall length. This mackerel we are  
3 catching, he's that or bigger every time than  
4 3-and-a-quarter. Very seldom -- I doubt you ever  
5 catch anything smaller than that out of  
6 3-and-a-quarter. To propose that size for that --  
7 and then after the mackerel run gets through --  
8 these mackerel are migratory. They are coming  
9 through -- and to prove that, you can go any time  
10 you want to -- when them mackerel start coming down  
11 in May -- April and May, March -- them mackerel  
12 coming down -- every head is pointing to the west,  
13 heading west back in -- you get into October and  
14 November coming back, the heads are pointing the  
15 other way, to the east. This is a migratory fish.  
16 When that fish comes through that first time, right  
17 behind him comes our ladyfish, our runners, all the  
18 other smaller fish. A ladyfish is long and slim --  
19 3-and-a-half, even 3-and-a-quarter, he's history.  
20 Then we propose, if we could, go to  
21 2-and-three-quarter, which will catch that ladyfish  
22 and be real good to him. The ladyfish itself is a  
23 pound fish or bigger most of the time. I mean,  
0021

1 it's a nice fish. It's not a -- we don't make no  
2 money out of minnows -- we don't do it. We got to  
3 have a good-size fish to make any money out of the  
4 price of it.

5 CHAIRMAN MOULTRIE: Any other  
6 questions from the Board?

7 (No response.)

8 CHAIRMAN MOULTRIE: Very good --  
9 thank you, Mr. Morali. The next speaker will be  
10 John Scott.

11 MR. SCOTT: I am John Scott. I  
12 want to speak on the last item on the agenda  
13 today. Are you aware of that?

14 CHAIRMAN MOULTRIE: You are to do

15 what, sir?

16 MS. NUMMY: We put it in groups

17 -- we put all this stuff in groups.

18 MR. SCOTT: My name is John

19 Scott, and I am from (inaudible) Alabama, and I

20 want speak on the Item C, within 100 feet of

21 shore. I certainly support this, in the areas

22 where there is public docks or residential

23 property, but I don't see the need for it or the

0022

1 value of it in most areas. For recreational

2 (inaudible) and it's very seldom you can find this,

3 what with the barges and traffic like that, so I

4 just appreciate it being considered by a

5 (inaudible) only where it's needed -- thank you.

6 CHAIRMAN MOULTRIE: Thank you,

7 Mr. Scott. The next speaker will be Tony Cooley.

8 MR. COOLEY: I am Tony Cooley,

9 and I own Cooley Grocery, Bait and Tackle here

10 close to Guntersville. I am on the south side of

11 the Guntersville Dam, and I want to talk about the

12 striper fish and mainly how it is in salt water. I

13 talked to our local biologist at the last

14 Conservation meeting, which was here in

15 Guntersville about the situation. The saltwater

16 striper haven't been stocked in several years, and

17 we are starting to see less being caught below the

18 dam -- and that's one of the main attractions for

19 the dam is the saltwater fishing and the hybrid

20 fishing. It's got to be a pretty big deal. We

21 have catfishing, striper fishing, bream fishing,

22 but there's been bigger interest in the 1990s and

23 into 2000s from the saltwater striper. I believe

0023

1 they are just now starting to get real popular over

2 probably the last seven to five years, but that was

3 when I started to see less of them at my store. I

4 probably see more of the saltwater striper than

5 anybody in our area at the Tennessee River because

6 most people come by the store and they show them

7 off. I haven't really seen them in the last

8 several years, so I think we need to stock some

9 more. I think it's been in the '90s since they

10 were last stocked. There are hardly any hybrids

11 left. The saltwater striper are reproducing below

12 the dam. We have a lot of one-to-four pound  
13 striper, and I'd also be interested in getting a  
14 (inaudible) limit to keep these small saltwater  
15 striper from going out. I see a lot of these guys  
16 bringing them out one-to-two pounds, and of course  
17 can you keep 30 of those, and I tell everybody --  
18 you need to be throwing these back -- but I do see  
19 a lot of them coming out from the river. Until we  
20 get more of the saltwater striper, and especially  
21 the hybrids, I think we might could consider a  
22 (inaudible) limit for these striper. I know that's  
23 something that's not normally happened, but it  
0024

1 would help fishing for the time being, maybe  
2 another five or six, eight years. Because these  
3 saltwater striper, they grow pretty fast, but we  
4 don't have many big ones right now. On the  
5 hybrids, they don't reproduce, so there is very low  
6 numbers of hybrids left in the Tennessee River --  
7 in our area -- I am not sure about other areas. So  
8 I would like to see some more stocking, and I'm  
9 going to get back with our biologist. He told me  
10 to get back with him, and we would discuss it some  
11 more. I think it would be a big attraction for --  
12 because like I said, there has been a big interest  
13 in the last five or six years, and everybody knows  
14 there is less fishermen every year -- it seems like  
15 every year -- the last couple of years especially,  
16 less fishermen. This will be a big interest to  
17 some of the fishermen in this area that don't see a  
18 lot of the saltwater striper. What I try to  
19 advertise -- I have a talk show every week, and I  
20 mention the saltwater striper a lot. So I think it  
21 would help fishing in general also -- thank  
22 you-all.

23 CHAIRMAN MOULTRIE: Thank you --  
0025

1 Mr. Cook, would you like to comment on the  
2 stocking?

3 MR. COOK: We do have a striped  
4 bass and hybrid bass stocking program, both, in Alabama.  
5 He is correct -- it has been several years since we  
6 have stocked striper within the Tennessee system.  
7 We were getting a good bit of driftdown from upper  
8 reservoirs, and Tennessee, and above that state,

9 which was providing us enough numbers that we  
10 thought at the time to meet the need, so we backed  
11 off on our stockings. But we are certainly open to  
12 the idea of restocking the Tennessee system. We  
13 don't have a problem with it.

14 CHAIRMAN MOULTRIE: Very good --  
15 any other questions -- Mr. Lynch?

16 MR. LYNCH: What about this  
17 reduction from 30 down on the smaller ones that we  
18 are talking about? Is the limit 30 on the little  
19 stripers, is that what he said?

20 MR. COOLEY: You can harvest up  
21 to 30 under 16 inches. That is inclusive of white  
22 bass, yellow bass as well.

23 CHAIRMAN MOULTRIE: Any other  
0026

1 questions?

2 (No response.)

3 CHAIRMAN MOULTRIE: Thank you,  
4 Mr. Cook. The next speaker will be Mike Mitchell.

5 MR. MITCHELL: My name is Mike  
6 Mitchell. I am from Albertville, Alabama,  
7 president of Southern Catfishermans' Association.  
8 I want to talk to you just a little bit on  
9 protecting our trophy catfish. It's become a big  
10 business from Ohio and Indiana, people coming down  
11 and taking our trophy catfish out of the river.  
12 It's grown in the past five years since it started,  
13 and commercial fishermen are turning over. In this  
14 area there are about six commercial fishermen that  
15 I know of in Marshall County, and most of them are  
16 selling to the Ohio pay lake, selling live  
17 catfish. It's taking our sport catfish in Alabama  
18 and moving them to another state. We are not  
19 getting any profit off of it that I can see, except  
20 from these few people that are doing it. From the  
21 studies that we've seen and since I've been to the  
22 Guntersville catfish meeting that they had, these  
23 fish are 20 and 25 years old, a lot of them,

0027

1 upwards of 30 pounds or so, and they are just not  
2 going to come back in a few years. From quoting a  
3 few of the local anglers, commercial anglers, that  
4 are for our 30/40 proposed limits on catfish, they  
5 say if we don't get this stopped, there will be no

6 more big cats, and they won't come back. Because  
7 it's growing every year. The market price for a  
8 live catfish is over double than what it is to sell  
9 to the meat market, and it's spreading. There is a  
10 guy that I know that rents acres of ponds in  
11 Alabama to store catfish between transit times.  
12 From what I hear, from the commercial guys, they  
13 are hauling in upwards of 4,000 pounds a week  
14 during prime months of big catfish, not small  
15 ones -- and the small market is diminished to the  
16 point where it's hard for them to make a living  
17 selling to the meat market, so everybody is  
18 starting to go over to sell to the live market, and  
19 it's going to end up depleting our trophy  
20 catfish -- that's all I got.

21 CHAIRMAN MOULTRIE: Mr. Mitchell,  
22 what's the end use of the live catfish market that  
23 you just referred to?

0028

1 MR. MITCHELL: The end use --  
2 there are or two -- say an acre or a two-acre lake  
3 in Ohio, and fish -- they pay by the day or the  
4 hour -- and I tell you, now, I've been on some of  
5 these websites to where they are advertising their  
6 ponds and some message boards where they are  
7 talking about them. From what I understand, they  
8 are putting five to six, ten times the amount of  
9 fish in the pond that the pond can sustain. They  
10 are not feeding them at all, and the fish are  
11 basically starving to death. From what I have  
12 heard, there are people that say that they have  
13 seen dumpsters full of 40 and 50-pound catfish,  
14 that they are digging holes and burying them in it.

15 CHAIRMAN MOULTRIE: But it's for  
16 hook-and-line cats?

17 MR. MITCHELL: It's for  
18 hook-and-line cats.

19 CHAIRMAN MOULTRIE: Any other  
20 questions from the Board?

21 (No response.)

22 CHAIRMAN MOULTRIE: Very good --  
23 thank you, Mr. Mitchell. The next speaker will be

0029

1 Allen Neuschwander.

2 MR. NEUSCHWANDER: Allen

3 Neuschwander, Madison County. I am a member of the  
4 Southern Catfishermans' Association, too, here to  
5 talk about trophy catfish conservation. There are  
6 a lot of different things that are affected when  
7 you take these big cats out. It's not just  
8 everyday Joe's going out and catching them.  
9 There's long-term effects, and I would just kind of  
10 like to touch on some of them today.

11         You know, zebra mussels are a big  
12 problem. They are not here yet, but they are  
13 coming. I hope not, but you know they are leaving  
14 on down through, and blue catfish eat a lot of  
15 zebra mussels. There are places in Kansas and  
16 Missouri that actually stock blue catfish to help  
17 slow down the zebra mussle procreation on the  
18 Arkansas River. In those studies 8 percent --  
19 there were times that 8 percent of catfish fed on  
20 zebra mussels, and they fed more (inaudible) on  
21 zebra mussels than anything else -- that's  
22 including (inaudible) so you are moving an A-sex  
23 predator, which we all know if you add or remove  
0030

1 one it's bad for any ecosystem.  
2         There are a lot of economic effects  
3 when it comes to tournament catfishing. Tournament  
4 catfishing is becoming a multimillion dollar  
5 industry -- carrying the names of Cabela's, Bass  
6 Pro Shops. These are multi-day events. They are  
7 scheduled just like a bass tournament you see here  
8 on Guntersville. These tournaments can bring 250,  
9 300 anglers on a weekend. The recent economic  
10 impact study done on Muscle Shoals during the  
11 (inaudible) a bass tournament, economic impact per  
12 angler was \$167 per day, and that's over a  
13 weekend. So over that weekend tournament there was  
14 nearly \$700,000 spent in Muscle Shoals area, and  
15 the only difference between a catfish tournament  
16 and a bass tournament was about -- would be about  
17 \$25. A bass fishermen spends about \$25 on baits.  
18 There are five major tournaments -- matter of fact  
19 there is one going on today in Eufaula -- five  
20 major tournaments in Alabama this year. If you add  
21 that up, we are in the millions of profit in the  
22 state of Alabama in small rural towns -- like  
23 Wetumpka, Eufaula, Rodgersville -- small that

0031

1 places could use the money. By the way, I have  
2 this handout for you guys. I am sorry I left that  
3 out.

4           There's a lot of biological effects  
5 also in the ecosystem (inaudible) there has been a  
6 lot of studies done on the Atlantic (inaudible)  
7 side where they basically process five generations  
8 of fish, removing the top 90 percent, the topmost  
9 fish, and in five generations the average size of  
10 fish was cut in half. So what that means to us if  
11 you go out here and you remove all these big cats,  
12 you know, it takes 25 years to raise a trophy  
13 catfish out in these waters. It might take decades  
14 before we see it, but it will happen.

15           CHAIRMAN MOULTRIE: If you would  
16 sum it all up for us, Mr. Neuschwander.

17           MR. NEUSCHWANDER: Okay -- they  
18 live longer and grow slower, and it takes a  
19 devastating effect. In that handout I also had  
20 other states that have current catfish laws. I'd  
21 just like to say you read Mark Twain wrote that  
22 there was 200 and 300-pound catfish back in the  
23 day. I don't want to read this tomorrow to read

0032

1 that there is 80 and 90 pounders in Alabama.

2           CHAIRMAN MOULTRIE: Thank you,  
3 Mr. Neuschwander.

4           MR. SELF: Mr. Chairman --

5           CHAIRMAN MOULTRIE: Yes,  
6 Mr. Self --

7           MR. SELF: I'd like to ask  
8 Mr. Andress a question about the Lacey Act. I know  
9 that that act protects movement of some species  
10 across state lines --

11           CHAIRMAN MOULTRIE: Illegally.

12           MR. SELF: Would that apply to  
13 these catfish?

14           MR. ANDRESS: Only if the  
15 transaction or transportation was illegal to start  
16 with.

17           MR. NEUSCHWANDER: And the game  
18 fish also, I might add -- a catfish is not  
19 recognized as a game fish.

20           MR. SELF: I realize that -- I

21 think this applies only to game fish in the Lacey  
22 Act; is that right?

23 MR. ANDRESS: Well, not  
0033

1 necessarily, if --

2 CHAIRMAN MOULTRIE: Mr. Andress,  
3 could you go to the microphone, please?

4 MR. SELF: Where I am going with  
5 this is to try to find out if you have any laws on  
6 the books now that would prevent this from  
7 happening.

8 MR. ANDRESS: Well, the Lacey Act  
9 wouldn't apply if the catch, the transportation,  
10 possession, or sale, if that takes place, was legal  
11 to start with. What the Lacey Act does is makes it  
12 a federal violation to engage and to catch,  
13 transport, buy, or sell, game or fish illegally and  
14 then transport it across state lines. So if the  
15 act was illegal here and then they transport it  
16 across the state lines, that would be a violation  
17 of the Lacey Act. Does that answer your question?

18 MR. SELF: I think so.

19 CHAIRMAN MOULTRIE: I believe  
20 he's asking too, Mr. Andress, is there anything we  
21 have that would protect against that, any kind  
22 of -- what would --

23 MR. ANDRESS: No, we don't have  
0034

1 any law on the books that would prevent someone  
2 from catching a large catfish here, taking them to  
3 another state for resale, provided they were  
4 properly licensed to do so.

5 MR. SELF: Is it feasible that we  
6 could come up with a regulation that would prevent  
7 that?

8 MR. ANDRESS: Yes, it could be  
9 done.

10 MR. SELF: I think we might ought  
11 to visit that and find out what other repercussions  
12 it might cause if we did come up with a regulation.

13 CHAIRMAN MOULTRIE: Would you  
14 like to report on that, Mr. Self, at the next  
15 meeting?

16 MR. SELF: Yes, I would like to  
17 see what we can do.

18 CHAIRMAN MOULTRIE: Mr. Address,  
19 do you think that would be possible?

20 MR. ANDRESS: Yes.

21 CHAIRMAN MOULTRIE: Thank you,  
22 Mr. Neuschwander. The next speaker is Arrion  
23 Tucker from Marshall.

0035

1 MR. TUCKER: Good morning, my  
2 name is Arrion Tucker. I am a third generation  
3 Marshall fishermen. I am out here local, and I  
4 probably could say a double third generation  
5 because both my grandfathers and all my uncles in  
6 my family commercial fish, and I am the last of my  
7 kind. We would like to legalize working gill nets  
8 at night, as they do in Tennessee. The benefits of  
9 this would take pressure off the lakes by opening  
10 up water that we cannot fish while the  
11 hydroelectric plants are running. Being the first  
12 20 or so miles below each one of the hydroelectric  
13 plants, the current is too stiff for us to fish  
14 nets, so we cannot fish there. If we were able to  
15 work at night, it would be easier to stay out of  
16 the sports fisherman's way by fishing more in the  
17 (inaudible) than in the lakes where the bass  
18 fishers fish in the grass and all. Beside that, it  
19 would cut down our fishing time. From a normal set  
20 we would fish 12 to 15 hours -- put out in the  
21 afternoon, fish all night, and we will pull it the  
22 next day. That's the soak time on them. If we  
23 were able to fish at night when they cut the dams

0036

1 off, we could fish from four to six hours and be  
2 gone before daylight, and we would cause less  
3 trouble. We'd be on the water less time, but yet  
4 we would be able to sustain our income and might  
5 even get a little bit better. This regulation  
6 change might relieve some tensions between the  
7 sports fishermen and the commercial fishermen --  
8 because we've had a lot of trouble in the last  
9 couple of years with that. We'd just like to try  
10 to smooth things over a little bit, and it would  
11 help us also -- thank you.

12 MR. JONES: Mr. Chairman --

13 CHAIRMAN MOULTRIE: Yes,  
14 Mr. Jones --

15 MR. JONES: I'd like to ask  
16 Mr. Tucker, being a commercial fisherman, how you  
17 feel about what the speaker before you spoke about,  
18 the large catfish in this area -- and just I would  
19 like to get your input on that.

20 MR. TUCKER: We've always caught  
21 big cat here. There have always been tons and tons  
22 of them. Back in the '80s we lost our big cat  
23 market for meat. It was hard to sell it, so we

0037

1 threw them back, and that's the reason we've got  
2 so many great big fish in this lake now -- and in  
3 Joe Wheeler, (inaudible) Pickwick -- is because  
4 we've left them alone, we've thrown them back.  
5 You can catch them in gill nets, and as long as you  
6 run your nets in a responsible manner and don't  
7 leave them out too long, your fish is in great  
8 shape when you turn them back loose, and they will  
9 swim off, and they don't float up on the bank  
10 dead. In the last probably six years one man came  
11 in from Ohio and started fishing with hoop nets and  
12 big gill nets on Lake Guntersville, and he started  
13 up in -- at the state line, and this fellow would  
14 fish like 100 pieces of gear, and he'd come down to  
15 work his gear, and he'd go back home and come back  
16 three or four days later and work his gear again.  
17 We had a lot of dead fish floating down the river,  
18 and he started this big cat movement, that you  
19 might say, because he bragged up there that the  
20 biggest fish that was in the United States was down  
21 here on this lake. So the other fish haulers have  
22 solicited the commercial fishermen down here to  
23 catch the trophy catfish to put in the pay lakes up

0038

1 north. It's become a pretty big business, and  
2 there's tons and tons of big cat going out.  
3 MR. JONES: I realize that --  
4 you, being a commercial fisherman, with this big  
5 cat market that's out there, I mean if we were to  
6 place a regulation on that market, would it  
7 devastate your business, would it change your  
8 business, what would it -- I am looking for the  
9 commercial fishermen's aspects --

10 MR. TUCKER: As far as for me,  
11 I've been throwing the big ones back. I could care

12 less for the big market.

13 MR. JONES: You are one of six,  
14 it sounds like, commercial fishermen -- do you know  
15 how your friends feel?

16 MR. TUCKER: There are some folks  
17 -- some other ones -- that it will -- in the 90-day  
18 season that you're able to haul big cat in -- it  
19 will be March, April, and May is about the only  
20 months that you can haul big cat and put them in  
21 the lakes up there without them dying. So in that  
22 90-day season, yes, it's going to hurt some folks  
23 bad because they make a lot of money off of that  
0039

1 during that season. But we've got plenty of  
2 regular catfish to catch, and that's just like, I  
3 guess you would say the gravy on the top. But it  
4 won't devastate nobody. We've got plenty of  
5 regular catfish to catch.

6 MR. JONES: Thank you.

7 CHAIRMAN MOULTRIE: Thank you,  
8 sir. The next speaker will be Lonnie Gant.

9 MR. GANT: How are you-all doing  
10 today -- my name is Lonnie Gant. I live in Fayette  
11 County. I come here today to talk to you-all again  
12 about the fox hunting, spoke at the last meeting.  
13 You-all said that you-all would make some  
14 investigation, find a little more information about  
15 it, and I was wondering today if anything -- come  
16 up with anything, or had talked about anything, and  
17 also maybe see a motion made today to change  
18 regulations to where we can trap and transport fox  
19 and coyote (inaudible) game to these fox pens and  
20 make it to where we can keep our hunting alive.  
21 All these people here today are here speaking and  
22 trying to keep or protect something they love  
23 doing, and fox hunting is something that I love  
0040

1 doing. I've got two young boys, twin boys, 17  
2 months old, and I'd like nothing greater than to be  
3 able to take them fox hunting when they get  
4 older -- like my grandpa carried me, and my  
5 father -- and it kept me from out doing things that  
6 I shouldn't be doing, and it's a real good  
7 tradition.

8 These fox and coyotes in these pens

9 are well taken care of. There's a lot of field  
10 trials that go on in other states that Alabama does  
11 not get because of the regulations. The most  
12 recent one was the American (inaudible) it was at  
13 Grapevine, Arkansas, and they had close to 600 dogs  
14 entered into this hunt, and there were several  
15 hunters there. This is a three-day hunt and most  
16 people stayed four days. Well, that's four days  
17 that hunters are there spending their money,  
18 staying in motels, eating out, and that's a big  
19 economic advantage for these small towns -- like  
20 Waterloo and Carbon Hill and places that's got  
21 pens. It can really help them out. Pen owners,  
22 they can get a license to transport game. If you  
23 can get a trapping license for trappers, it would  
0041

1 bring money into the state also. Paying the fee,  
2 buy the license to be able to trap. It just seems  
3 like there's a lot of good aspects to changing the  
4 regulations.

5         These people whose land these animals  
6 are on, most of them are nuisances. My father owns  
7 a cattle farm, and he doesn't like coyotes out  
8 there chasing his cows, and a lot of deer hunters  
9 don't like these coyotes out there, and it would be  
10 a big help to them if trapping was legalized -- and  
11 I'd just really like to see the motion made to  
12 change the regulations and go from there -- thank  
13 you-all.

14             CHAIRMAN MOULTRIE: Thank you,  
15 Mr. Gant.

16             MR. COLES: Mr. Chairman --

17             CHAIRMAN MOULTRIE: Mr. Coles --

18             MR. COLES: Again, I have a  
19 couple of questions. You stated that the coyotes  
20 and fox inside the pens are well taken care of.

21             MR. GANT: Yes, sir.

22             MR. COLES: Do they reproduce  
23 inside these pens?

0042

1             MR. GANT: No, sir.

2             MR. COLES: They don't?

3             MR. GANT: No, sir.

4             MR. COLES: If they are well  
5 taken care of, why do you need to replenish their

6 stock?

7 MR. GANT: They die out when they  
8 get older.

9 MR. COLES: So mortality is the  
10 reason?

11 MR. GANT: Yes, sir.

12 MR. COLES: It's not that they  
13 are caught or anything like that?

14 MR. GANT: No, sir -- most pens  
15 -- every pen I go to -- matter of fact, I'm going  
16 tonight. Anybody that wants to go with me are free  
17 to come. Most pens we go to, we have to wear  
18 muzzles. I got muzzles on my dogs. I got plastic  
19 muzzles I order. All my dogs get muzzled before  
20 they go. There's catch pens in these pens, pipes.  
21 These coyotes go in these pipes, and the dogs can't  
22 get in there inside these pens. There's also  
23 smaller pipes for the fox to get in, you know, the

0043

1 dogs get closer to them, these fox go in these  
2 pipes, and the dogs do not catch them. They do not  
3 harm them, and all your pen owners, they do not  
4 want these game killed because of the money they  
5 pay for them.

6 CHAIRMAN MOULTRIE: Mr. Harbin,  
7 you have the next question.

8 MR. HARBIN: If that coyote can  
9 get in a pipe, what's to stop a dog from getting in  
10 there?

11 MR. GANT: The size of the pipe.

12 MR. HARBIN: The coyote is going  
13 to get in a pipe, he's smaller than most fox dogs.

14 MR. GANT: The coyote can get in  
15 the pipe, but a fox dog, he can't get in that pipe.

16 MR. HARBIN: How does that work?

17 MR. GANT: A fox dog is too big.  
18 He won't fit in a pipe.

19 MR. HARBIN: I represent the  
20 fourth district, and I've had a lot of calls that  
21 are against this fox and coyote trapping and  
22 transporting, most of them on account of the  
23 inhumane treatment of animals and that to the

0044

1 disease. They just don't want any transporting or  
2 trapping of foxes and coyotes.

3 CHAIRMAN MOULTRIE:

4 Dr. Strickland, did you have a question?

5 DR. STRICKLAND: Mr. Gant, you  
6 know this is a very complex issue, and one of the  
7 things that this Board does not want to do, we do  
8 not want to take away anybody's ability to hunt and  
9 pursue their tradition. But I got a chance to,  
10 after the last meeting, just -- and I want to tell  
11 the Conservation Department, I thank you all for  
12 sending us this literature for your review -- to  
13 just take a look at fox hunting and some of the  
14 potential problems.

15 One of the things that I'm really  
16 fighting with as a physician is the human aspect,  
17 the probability of having disease transfer and the  
18 potential of having disease transferred from one  
19 population of animals to the next. I feel that at  
20 this point that it's going to be very difficult for  
21 us to make a decision without more information --  
22 and what I would like to ask, Mr. Chairman, if it's  
23 possible, before we make a decision that we may  
0045

1 regret sometime down the road, if we can have a  
2 subcommittee put together -- for instance Frank  
3 Boyd. I read an article from the (inaudible) that  
4 was authored by Kevin (inaudible) if we can get  
5 some of these experts together and maybe give us  
6 some recommendation on how we can handle this.

7 Looks like there are some other  
8 options that we have from the information that was  
9 given by the Conservation Department. For  
10 instance -- one other question I want to ask --  
11 other than fox hunting in enclosures, I mean, they  
12 are excellent opportunities in wildlife management  
13 areas and things of -- why hasn't that been -- why  
14 isn't that not an option?

15 MR. GANT: They do it in other  
16 states like Grenada, Mississippi. They have got  
17 the world's largest external fox pen -- it's  
18 surrounded by water -- and the state actually --  
19 Mississippi actually holds a hunt there. But these  
20 dogs that we raise most of the time are so  
21 long-winded and are so (inaudible) that they will  
22 be gone so far.

23 DR. STRICKLAND: You have

0046

1 tracking collars?

2 MR. GANT: Yes, sir, I own  
3 tracking collars myself. It's really hard to run  
4 these pen animals outside because they get on  
5 people's property that don't want them on them, and  
6 that's one of the reasons pens are --

7 DR. STRICKLAND: And another big  
8 issue that we have to consider is how nonhunters  
9 look at this, and it's fair chase. I mean, it's a  
10 fair chase issue as well. But these are some of  
11 the concerns that as Board members that we have to  
12 entertain, and I think today is going to be very  
13 difficult for us to make that decision, and I'm  
14 sure some of the other Board members --

15 CHAIRMAN MOULTRIE: There was a  
16 couple of more questions.

17 Mr. Jones, did you have a question --  
18 you were first.

19 MR. JONES: One question I had  
20 is: Why are they not reproducing in these pens?  
21 If you put a male and a female in there, I have a  
22 hard time believing that they will not reproduce.

23 MR. GANT: It's the stress,

0047

1 stress of being run.

2 MR. JONES: Well, how long -- I  
3 mean, you run them every day, or do you --

4 MR. GANT: Most pens are running  
5 four and five nights a week.

6 MR. JONES: Okay.

7 MR. HARBIN: Year-round?

8 MR. GANT: Yes, sir, in general.

9 DR. MAY: How many acres are in  
10 your pen?

11 MR. GANT: I don't own a pen  
12 exactly, but I have a pen reserved I go to. The  
13 smallest pen I go to is (inaudible) and it's a  
14 hundred acres -- it's a puppy pen. The largest I  
15 know of is in Waterloo, and it's 1,800 acres.

16 CHAIRMAN MOULTRIE:

17 Mr. Johnson --

18 MR. JOHNSON: How many of these  
19 pens are in Fayette County?

20 MR. GANT: There is one in

21 Fayette County, but it is currently not under  
22 operation.

23 MR. JOHNSON: So there is none in  
0048

1 Fayette County?

2 MR. GANT: No, sir.

3 CHAIRMAN MOULTRIE: Mr. Hatley --

4 MR. HATLEY: You said you reserve  
5 a pen -- did I misunderstand you?

6 MR. GANT: Yes, sir, I reserve a  
7 pen.

8 MR. HATLEY: So this is a  
9 commercial operation on someone's part?

10 MR. GANT: Yes, sir.

11 MR. HATLEY: How many pens are  
12 there in the state of Alabama?

13 MR. GANT: I do not know exactly.  
14 Mr. Andress at the last meeting said -- he quoted a  
15 number that was pretty hefty.

16 CHAIRMAN MOULTRIE: How many,  
17 Mr. Andress?

18 MR. ANDRESS: About 30 by our  
19 last count -- approximately 30, 34 by our last  
20 count.

21 MR. HATLEY: Are these scattered  
22 throughout the state, or are they congregated up  
23 here in north Alabama?

0049  
1 MR. GANT: They are scattered  
2 throughout the whole state. There is one in Elba,  
3 there is one in Cuba -- they are scattered through  
4 the whole state.

5 MR. HATLEY: So it's a commercial  
6 operation as well as a sport?

7 MR. GANT: Yes, sir -- there is a  
8 lot of commercial. It costs us to run your dogs in  
9 these pens -- it costs generally \$5.

10 CHAIRMAN MOULTRIE: Mr. Lynch --

11 MR. LYNCH: Mr. Andress, do you  
12 know the average acreage of those 30 pens?

13 MR. ANDRESS: The last survey  
14 that we did the pens ranged in acreage, the pens  
15 are almost a thousand acres average to being about  
16 350.

17 CHAIRMAN MOULTRIE: Everybody get

18 that, 350?

19 (No response.)

20 CHAIRMAN MOULTRIE:

21 Dr. Strickland --

22 DR. STRICKLAND: One more

23 question, Mr. Gant. About how many coyotes

0050

1 annually would the average pen require?

2 MR. GANT: The average pen,  
3 debating on the size, most of these pen owners buy  
4 ten coyotes at a time, most of them do, and they  
5 probably buy three and four times a year. About  
6 30, 40 coyotes a year is what they buy. If you  
7 have a big field trial, you lose some more  
8 coyotes -- I mean, run coyotes -- being run, they  
9 do die.

10 DR. STRICKLAND: Thank you.

11 CHAIRMAN MOULTRIE: Any other  
12 comments?

13 (No response.)

14 CHAIRMAN MOULTRIE:

15 Dr. Strickland, me and the commissioner have spoken  
16 with Frank Boyd. We will try to put a committee  
17 together to look at that and have something at the  
18 next meeting for you on that.

19 DR. STRICKLAND: Thank you,  
20 Mr. Chairman.

21 Mr. Gant, we will make a decision.

22 MR. GANT: Thank you.

23 CHAIRMAN MOULTRIE: Thank you --

0051

1 the next speaker will be Johnny Kittle.

2 MR. KITTLE: I am Johnny Kittle.  
3 I am from Geraldine and DeKalb County. I'm  
4 president of the Iron Gate Hunting Club. Many  
5 hunters in this state would love to see a tagging  
6 system implemented to encourage harvesting of  
7 larger bucks, most like the states already have.  
8 We've balanced our buck/doe population, and we'd  
9 like to take another step to increase our buck size  
10 in Alabama. A lot of Alabama hunters are going to  
11 other states -- like Illinois, Kentucky, and  
12 Indiana -- in search of big bucks, and we could  
13 have those big bucks here, a tagging system or some  
14 other way of encouraging big bucks. I don't really

15 know what the answer to this is, but you're the  
16 guys that can do that. But we've got a lot of  
17 hunters that's hunting for meat, and of course  
18 we've raised the doe to kill, you know, in all the  
19 counties now. But there is a lot of hunters in  
20 this state in search of big racks, and we've got  
21 some big racks in Alabama, but there is more big  
22 rack deer in other states, and that's where the  
23 hunters are going. We'd like to see more big racks  
0052

1 in our state, and we'd also like to see some more  
2 severe penalties for the people that's not taking  
3 our game laws serious.

4 CHAIRMAN MOULTRIE: Mr. Kittle,  
5 are you suggesting a tagging system -- I believe  
6 you said metal tagging system for the current  
7 three-buck limit in this state, is that your  
8 suggestion?

9 MR. KITTLE: Yes.

10 CHAIRMAN MOULTRIE: Okay -- any  
11 other questions?

12 (No response.)

13 CHAIRMAN MOULTRIE: Very good --  
14 thank you, Mr. Kittle. The next speaker will be  
15 Mr. Philip Hester.

16 MR. HESTER: My name is Philip  
17 Hester. I live in Decatur, Alabama, hunt in  
18 Pickens County, and I am the vice president of the  
19 central Alabama branch of the Quality Deer  
20 Management Association.

21 I am here today to talk about a  
22 couple of things -- the baiting issue is primary  
23 concern. I am against the baiting concept because  
0053

1 it is an unnatural, unhealthy-type way to feed  
2 deer, particularly because corn is used to do so.  
3 As you know, corn is low in protein, 7 percent  
4 protein, high in carbohydrates and fat -- kind of  
5 like feeding your children ice cream all the time.  
6 That is not a very healthy situation. There is a  
7 potential for spreading disease, coming to a bait  
8 pile on the ground, such as that, if there is a  
9 disease prevalent in the herd. We had some  
10 adjacent states that had (inaudible) disease  
11 outbreaks quite a bit this last year because of the

12 drought. This practice does not limit itself  
13 toward teaching our children and our hunters the  
14 concept of woodsmanship and how to learn about a  
15 deer and track a deer, and such as that, and the  
16 pattern of the deer. I hope we are not getting to  
17 the point of where the hunters just are coming --  
18 the concept of just taking a bag of corn out there  
19 and pouring it out, hiding behind a tree, waiting  
20 for something to come along, and shoot it. That is  
21 not the concept of what I think Alabama hunters are  
22 all about. I would rather see baiting outlawed  
23 during the entire hunting season where no baits are  
0054

1 allowed on any hunting property, if you are going  
2 to hunt on that property. That makes more sense to  
3 me. There are some areas where this may not  
4 apply -- South Alabama with poorer soil quality,  
5 very sandy soil, they may need additional  
6 nutrition. It's kind of like south Texas and some  
7 of those areas. I guess one of the biggest  
8 concerns is it's going to be really difficult on  
9 the poor man, the poor hunter who doesn't have a  
10 lot of assets. If your property joins a large  
11 acreage or a commercial operation, it can't even  
12 begin to compete with those guys, and more than  
13 likely they are going to pull the deer from you --  
14 so that's my thoughts about that.

15 I would also like to see a  
16 muzzleloader season extended. As a deer manager,  
17 it gives me the opportunity to harvest the does  
18 earlier in the season and save the food for the  
19 rest of the deer. I would be happy for some time  
20 period -- two weeks, to start November 1st,  
21 something like that -- does only is great. That's  
22 what I am after, not trying to just harvest the  
23 bucks. I've gotten to the point where I want to  
0055

1 try to manage the land rather than I want to kill a  
2 big trophy buck myself -- thank you for your time.

3 I want to especially thank you-all  
4 for the progressive nature you've directed to our  
5 state and gaming laws and regulations here the past  
6 few years, and so you are to be applauded for  
7 that -- any questions?

8 CHAIRMAN MOULTRIE: Thank you,

9 Mr. Hester.

10 DR. MAY: I have a question.

11 CHAIRMAN MOULTRIE: Dr. May --

12 DR. MAY: While we are at it, we  
13 were listening to you on supplemental feeding, but  
14 you talked about baiting more than you did  
15 supplemental feeding -- to me there is a lot of  
16 difference.

17 MR. HESTER: There is -- there  
18 is -- and supplemental feeding will generally  
19 involve a high protein food source. But for the  
20 most part, what I fear is it will turn into a  
21 corn-baiting situation, where people just haul out  
22 corn, and it's supposed to be supplemental feeding.

23 DR. MAY: Well, we have a baiting

0056

1 law -- as long as you are not shooting more -- I  
2 mean, we have a supplemental feeding law, too. You  
3 just have to quit for ten days. It has to be all  
4 gone before you can hunt, which is a disadvantage  
5 to a person managing his deer herd.

6 MR. HESTER: Well, I put out some  
7 supplemental feeding in the month of February and  
8 the month of August, the two stressed periods where  
9 there is low nutrition in the woods for the deer.  
10 After March the spring (inaudible) occurs and  
11 everything is fine, they don't need food at that  
12 point for the most part.

13 DR. MAY: Well, a lot of your  
14 winter months we've been fortunate we haven't had a  
15 lot of cold. But if we do, corn is not a bad food  
16 for carbohydrates.

17 MR. HESTER: It is loaded with  
18 carbohydrates, but not much protein for them.

19 DR. MAY: Well, if you are not  
20 (inaudible) animals at that time or birthing young,  
21 and breeding season only -- I agree with you, after  
22 breeding and (inaudible) season is when you really  
23 need a lot of supplemental feeding. I don't like

0057

1 supplemental feeding confused with baiting because  
2 I don't feel it -- it's not the same.

3 MR. HESTER: I certainly  
4 understand that distinction, and I do some  
5 supplemental feeding myself. Off-season, like I

6 said in the month of February and in  
7 August/September time frame, when I go --

8 CHAIRMAN MOULTRIE: Mr. Hester,  
9 you are representing the Quality Deer Management  
10 Association. What is, for the Board's information,  
11 what is you-all's policy statement on supplemental  
12 feeding?

13 MR. HESTER: I am really not  
14 prepared to discuss that from a national standpoint  
15 because it involves so many states, localities --

16 CHAIRMAN MOULTRIE: So you-all  
17 don't have a policy stated on supplemental  
18 feeding?

19 MR. HESTER: There is a policy  
20 that really kind of refers back to those local  
21 regulations.

22 CHAIRMAN MOULTRIE: That's  
23 you-all's policy statement?

0058

1 MR. HESTER: Pretty much, yes,  
2 sir. But what I am here to do is, from a local  
3 standpoint, just to represent our local branch. I  
4 am certainly not here to represent QDMA on a  
5 national basis, but we feel like that the baiting  
6 is not a good practice. You indicated that we do  
7 have a law against baiting, and we do. But when I  
8 go to the game processors, you know, he tells me  
9 about 80 percent of the deer that come in there got  
10 corn in their belly.

11 DR. MAY: There are tons and tons  
12 of it that is used for baiting, and that is one  
13 reason you need to make the playing field a little  
14 level. I think you would cut out some baiting if  
15 you add supplemental feeding.

16 CHAIRMAN MOULTRIE: Thank you  
17 very much. Thank you, Mr. Hester.

18 MR. HESTER: Thank you.

19 CHAIRMAN MOULTRIE: The next  
20 speaker will be Chiquita Baker.

21 MS. BAKER: I am Chiquita Baker  
22 from Franklin County, and I just want to thank the  
23 Board because I've been coming to these meetings

0059

1 for a whole lot of years, and you are the most  
2 progressive and open-minded Board that I have seen

3 since I have been coming. You've given us a lot  
4 more opportunities to hunt in many different ways  
5 than previous Boards have. One thing you have  
6 given us is the opportunity to hunt during archery  
7 season with crossbows. That has become my very  
8 favorite -- that is my hunting passion right now,  
9 since I got my crossbow. I hunt public land, and I  
10 tremendously enjoy hunting with my crossbow, and I  
11 just hope you keep that available to me -- thank  
12 you.

13 CHAIRMAN MOULTRIE: Thank you,  
14 Ms. Baker. The next speaker will be Barry Howton.

15 MR. HOWTON: Thank you,  
16 Mr. Chairman, Board, my name is Barry Howton, and I  
17 am the president of Hickory Hill Hunting Club in  
18 Sumter County. We've been in existence for 75  
19 years, and I have been hunting on this land for the  
20 last 35 years. We are not a dog hunting club, and  
21 we are on approximately 6,000 acres of one  
22 continuous tract of land.

23 The quality of buck deer we are

0060

1 seeing has been on the decline the last four years,  
2 and we, the membership, attribute that to not being  
3 able to observe a rut. We plant spring and fall  
4 crops, we harvest our does appropriately, and we  
5 have had antler restrictions for a number of years  
6 and are continuing to increase those restrictions.  
7 We are doing what the experts and the State  
8 recommends, and that is to plant as much nutrition,  
9 feed as much nutrition to the deer as you can  
10 afford, harvest your does appropriately, and let  
11 your young bucks walk. Our members have been  
12 patient, but are beginning to get frustrated with  
13 the lack of harvesting of quality deer. By quality  
14 deer, I mean at least a 3-and-a-half-year-old buck.

15 We believe the problems are that we  
16 haven't had a good rut in four years. The rutting  
17 activity has moved from later and later in January  
18 to on into February. We spend approximately  
19 \$75,000 a year on our land, and I am afraid if our  
20 hunting doesn't improve, we are going to have to  
21 reduce our antler restrictions and then have enough  
22 members to pay the bills. We believe the problem  
23 is that we haven't had a good rut in four years. A

0061

1 friend of mine, Jack Williamson, from Conecuh,  
2 County, spoke at the February meeting, and he  
3 talked about similar problems in Conecuh County,  
4 and he referred to a study that the State had done  
5 on a 4,000-acre tract at Stacey Farms, and that  
6 study showed that 70 percent of those does were  
7 bred in February, and the average conception date  
8 was February 8th. We think this is a problem that  
9 needs to be reviewed in the State. We would like  
10 to ask the Board and the Commissioner to view  
11 Sumter and Conecuh County as a test program,  
12 allowing deer season in these two counties to  
13 extend ten days into February. This would be  
14 similar to what you did in Barbour County with buck  
15 restrictions. We believe in three-to-five years we  
16 would have data available to show that the ten days  
17 in February would not be a detriment to the deer  
18 herd, but rather show that it would increase the  
19 quality and age structure of deer being taken by  
20 being able to hunt the true rut of the county. I'd  
21 also like to add that the county commissioners of  
22 Sumter and Conecuh County one hundred percent  
23 support this change and would endorse such with a

0062

1 resolution at their next county commission  
2 meeting -- thank you.  
3 MR. COLES: Mr. Chairman, I have  
4 a question.  
5 CHAIRMAN MOULTRIE: Mr. Coles --  
6 MR. COLES: How would you propose  
7 the data be collected on deer harvested in  
8 February?  
9 MR. HOWTON: Well, I have  
10 enlisted about -- and I've got a handout I hope you  
11 have -- at this point I have enlisted about 75,000  
12 acres of various landowners and clubs that I would  
13 assimilate the data, and the format -- you know, I  
14 can come up with a format unless the State or  
15 you-all have a better idea of what information is  
16 needed, but I would think the age -- certainly have  
17 accurate ages of the deer, weights, and antler  
18 measurements -- I would suppose. I would collect  
19 it and submit it -- be responsible for doing that  
20 for that 75,000 acres that I now have enlisted

21 annually.

22 CHAIRMAN MOULTRIE: Mr. Howton,  
23 how would you ascertain the correct ages of those  
0063

1 deer?

2 MR. HOWTON: Now, our club has  
3 previously pulled jawbones, but we are going to go  
4 to a different method of pulling the front tooth  
5 and sending it to (inaudible) laboratories for  
6 their evaluation. Many of these clubs pull  
7 jawbones though, and that would probably be the  
8 method most of those rely on.

9 MR. COLES: Is the proposal for  
10 buck and doe, or just bucks, or just does -- or  
11 what is the proposal?

12 MR. HOWTON: Our main interest is  
13 buck, but I didn't restrict the proposal to just  
14 bucks. I submitted it in a fashion that would  
15 indicate buck and doe.

16 CHAIRMAN MOULTRIE: Dr. May --

17 DR. MAY: Barry, would you  
18 continue to do your checking on the age of the  
19 embryo on the does that you kill?

20 MR. HOWTON: That study did do  
21 that do that, and we would love to do that. We  
22 haven't necessarily firm plans to do that, but I  
23 know the State did it. I think they went in in May  
0064

1 and took the does at night and stated the embryos,  
2 and we are certainly willing to do that, as many of  
3 these other landowners have indicated.

4 CHAIRMAN MOULTRIE: Any other  
5 questions?

6 (No response.)

7 CHAIRMAN MOULTRIE: How many  
8 acres did you say you had assimilated to --

9 MR. HOWTON: At this point 75,000  
10 acres, but I continue to get calls that everybody  
11 would help participate as well.

12 CHAIRMAN MOULTRIE: Mr. Harbin --

13 MR. HARBIN: How would extending  
14 the season by ten days help this out?

15 MR. HOWTON: Well, based on our  
16 observations and adjoining landowners and the  
17 people we have talked to, our rut has moved from

18 where it once was the middle of January to the  
19 latter days of January, and we are seeing very  
20 active scrapes that weren't there at the end of  
21 deer season into February. We believe our rut, our  
22 primary rut, has moved into February. The very,  
23 very last days of January we saw the very young  
0065

1 bucks begin to chase the does a little bit, like it  
2 was just beginning to get started -- and that's  
3 what we believe, as do a number of others.

4 CHAIRMAN MOULTRIE: Mr. Jones --  
5 MR. JONES: A couple of questions  
6 about that -- your doe harvest, how has your doe  
7 harvest been, and when was the State study done,  
8 the (inaudible) study done, and how many years did  
9 they do the (inaudible) studies in that area?

10 MR. HOWTON: You are talking  
11 about the Conecuh County study?

12 MR. JONES: Yes.

13 MR. HOWTON: I am not sure --  
14 Bill (inaudible) -- I don't know if he's here or  
15 not --

16 MR. JONES: How many years ago?  
17 When was that study done?

18 CHAIRMAN MOULTRIE: Mr. Moody,  
19 are you familiar with that study?

20 MR. MOODY: I am not familiar  
21 particularly with that study, but if memory serves,  
22 it's been several years.

23 CHAIRMAN MOULTRIE: What would  
0066

1 several be?

2 MR. MOODY: Six or seven.

3 MR. JONES: And how has your doe  
4 harvest been overall since then?

5 MR. HOWTON: Well, at one time we  
6 were on the BMP program, and we harvested what  
7 they gave us tags to do, which was 60 per year on  
8 the 6,000 acres. Recently, we have not harvested  
9 quite as many. We have been in about the 35 to 40  
10 range, and we've cut back some because on all our  
11 food plots -- and we have about 60 acres of food  
12 plots on the land that I hunt -- we set up the  
13 cameras, and we are just not seeing the numbers of  
14 does and what we guess that our buck-to-doe ratio

15 is, so we have cut back a little bit.

16 MR. JONES: Since you have cut  
17 back, is this during the time period when your rut  
18 has shifted into February?

19 MR. HOWTON: I am not sure that I  
20 could say that. We cut back probably I guess about  
21 seven or eight years ago.

22 MR. JONES: And since that time,  
23 it's fair to say that your rut is now shifted into  
0067

1 February?

2 MR. HOWTON: It's shifted the  
3 last four years very noticeably.

4 CHAIRMAN MOULTRIE: Any other  
5 questions?

6 MR. HOWTON: But I might add  
7 there is a number of landowners, very large  
8 landowners, that have the same observations that we  
9 are just not seeing the deer in the area. Some  
10 think it's the coyotes -- I don't know. But we  
11 just don't see the deer at all with our visual and  
12 camera sightings.

13 CHAIRMAN MOULTRIE: Mr. Hatley,  
14 do you have question?

15 MR. HATLEY: Yes -- you say you  
16 have 6,000 acres?

17 MR. HOWTON: Yes, sir.

18 MR. HATLEY: Do you own that land  
19 or do you lease it?

20 MR. HOWTON: We lease that land,  
21 have always leased that.

22 MR. HATLEY: On an acreage basis,  
23 on a dollars basis, do you think if you had a  
0068

1 season that extended ten days into February that  
2 that would not affect your lease payment?

3 MR. HOWTON: Lease pricing would  
4 be going up as a result of that -- no, sir, I  
5 don't. I don't think ten days would be significant  
6 enough to impact that.

7 MR. HATLEY: You don't think that  
8 it would impact the influx of out-of-state hunters  
9 that would like to come and hunt in Sumter County?

10 MR. HOWTON: I don't believe ten  
11 days would be significant enough to impact that,

12 no, sir.

13 MR. HATLEY: You and I vary very  
14 greatly on this issue, and I would like to see as  
15 we discuss this a lot of thought and time put into  
16 this effort. I think some of the concept is good,  
17 and I can appreciate the effort that you have  
18 extended at this point. But I think there's a lot  
19 that we would have to take into consideration  
20 before I could ever personally vote to approve  
21 something of this nature.

22 CHAIRMAN MOULTRIE: Any other  
23 questions -- Mr. Johnson --

0069

1 MR. JOHNSON: How many people do  
2 you have in your hunting club there?

3 MR. HOWTON: We have 40.

4 CHAIRMAN MOULTRIE: Mr. Hatley --

5 MR. HATLEY: And your dues are  
6 what?

7 MR. HOWTON: Approximately \$1,500  
8 per year.

9 MR. HATLEY: I don't have any  
10 more questions.

11 CHAIRMAN MOULTRIE: Very good --  
12 thank you, Mr. Howton. The next speaker will be  
13 Gary Phillips.

14 Mr. Phillips, before you speak --

15 Commissioner, I think you wanted to  
16 acknowledge some people?

17 COMMISSIONER LAWLEY: Yes, I  
18 did (inaudible) Mark Easterwood Talmadge in the  
19 county of Butler -- I saw him in the hall. I don't  
20 know if he's back in there or not. But I just  
21 wanted to (inaudible) good standing, Mark  
22 Easterwood Talmadge is the manager of Guntersville  
23 State Park. Mark Easterwood is the director of the

0070

1 Parks Division, and I hope everybody is pleased  
2 with this facility that you have seen today and  
3 hope you enjoy it.

4 (Audience applause.)

5 CHAIRMAN MOULTRIE: Okay --  
6 Mr. Phillips --

7 MR. PHILLIPS: My name is Gary  
8 Phillips.

9 CHAIRMAN MOULTRIE: Speak in the  
10 microphone, please, Mr. Phillips.

11 MR. PHILLIPS: I am sorry -- my  
12 name is Gary Phillips. I don't represent any big  
13 hunting club or anything like that. I'm a small  
14 landowner, live about 25 miles from here, down  
15 around Altoona. I got one farm about 87 acres,  
16 another farm ten miles down the road of 30 acres --  
17 and for the past 15 years or so I have been  
18 planting food plots, planting corn, planting  
19 soybeans, doing whatever I could to get the deer to  
20 come on my property -- so I hunt exclusively by  
21 myself. Ten years ago I had a run-in with a tumor  
22 that took out my hearing on the right side where it  
23 is not safe for me to be in the wood where there is  
0071

1 other people shooting and walking, or something  
2 like that, because I have no capacity to tell where  
3 sound comes from anymore. It's all on my left side  
4 no matter where it is, so I hunt (inaudible) what  
5 I would like to get you-all to consider is, like  
6 the last gentleman that talked, I have noticed  
7 basically the deer that I take are in the latter  
8 part of -- the last 16 deer I have taken on my  
9 property, where I hunt exclusively, 13 of them have  
10 been the last week or the last two weeks of the  
11 season. This last season I didn't even see a buck,  
12 mature buck with antlers, on my property. I saw a  
13 lot of does. I don't shoot does. We don't have a  
14 lot of the deer in my area, but they are not -- the  
15 cameras that I keep up show that the bucks are  
16 there. There is three and four bucks on my  
17 property at night eating on the green fields. I  
18 have kept the cameras up this year, especially  
19 until now, I am getting pictures of mature bucks,  
20 eight, even one ten-pointer, in the daytime now and  
21 in February. What I would like to ask you-all to  
22 do is consider maybe a special muzzleloading hunt  
23 that would extend in -- I can't speak about any  
0072

1 other area, but up around Etowah and Blount County  
2 for 10, 15 days in February. I wouldn't mind  
3 paying an additional license fee, or whatever it  
4 would take, to allow us to -- as this other  
5 gentleman talked about, to have some sort of

6 opportunity to see some bucks in the daytime,  
7 legally, when they are in the rut. The pictures  
8 that I am getting off my trail cameras are showing,  
9 like I said, big bucks out in the green fields now  
10 that three weeks ago you weren't seeing them. You  
11 would see them at three o'clock in the morning, but  
12 not in the eight, nine o'clock in the morning.

13 CHAIRMAN MOULTRIE: Very good --  
14 thank you very much, Mr. Phillips. The next  
15 speaker will be Mr. Donnie Weldon.

16 MR. WELDON: I am Donnie Weldon.  
17 I am from Cullman, Alabama, and I would like to  
18 suggest that we go to a point system on bucks for  
19 this coming season because too many of our button  
20 bucks are being killed, in my opinion, with this  
21 open doe season like it is. In areas where it's  
22 like the entire season, or for 50 days, I believe,  
23 in Cullman, some people are just shooting anything  
0073

1 that gets up, anything that moves, they shoot it.  
2 You go to these processing places, and you see  
3 button bucks that dress out 15, 20 pounds of meat  
4 -- and that to me is a total waste. I would like  
5 to see doe tags brought back. I would like to see  
6 a two-week either-sex season during the holidays  
7 that we used to have, and then issue doe tags to  
8 people, landowners and club members, that feel they  
9 need to kill more does. But in some areas you have  
10 more deer, of course, you have overpopulation --  
11 some areas you have a moderate population. So the  
12 people that have the most does need to have the doe  
13 tags in order to balance the herd up. But to put a  
14 total blanket over the state and open the season  
15 that wide open, to me, is wrong.

16 CHAIRMAN MOULTRIE: Question,  
17 Mr. Weldon -- wouldn't those same yearling bucks be  
18 killed during these same doe days? How would you  
19 suggest to the Board that they be protected?

20 MR. WELDON: The tag would read  
21 "doe tag" -- not "either sex", but "doe tag".

22 CHAIRMAN MOULTRIE: I understand  
23 that, but if a deer -- realistically if you have  
0074

1 someone hunting on a green field, let's say at 100  
2 yards, and it appears to look like a doe walks out

3 and he shoots it and it happens to be a yearling  
4 buck, how can that be disseminated?

5 MR. WELDON: When in doubt, don't  
6 shoot. Just like when you see a person in the  
7 woods -- when in doubt --

8 CHAIRMAN MOULTRIE: Yes, sir, I  
9 am all for protecting young bucks, but that's a  
10 very difficult challenge you've got.

11 Dr. Strickland, what do you think of  
12 all that?

13 MR. WELDON: Plus, may I add that  
14 it would be so simple to enforce a point  
15 restriction for our game wardens and law  
16 enforcement.

17 CHAIRMAN MOULTRIE: Any other  
18 questions?

19 MR. HARBIN: The only thing I've  
20 got to comment on that is: We've tried that doe  
21 tag system a few years back, and there's been a lot  
22 of little buttonhead bucks left in the woods.

23 CHAIRMAN MOULTRIE: Left in the  
0075

1 woods?

2 MR. HARBIN: Left in the woods --  
3 when you get a little buck and you get up there and  
4 see him, you are not going to take a chance at  
5 getting caught with that game warden.

6 MR. WELDON: You are going to  
7 have unscrupulous hunters everywhere. You can't  
8 avoid that. That is a problem we have.

9 CHAIRMAN MOULTRIE: Mr. Weldon,  
10 one of the best things I think we've ever seen with  
11 the does -- Mr. Moody and his staff have worked on  
12 our educational system to educate the hunter of the  
13 difference between a yearling buck and a mature  
14 doe, and I think that, if it has the chance to  
15 operate and work, has been effective, and is  
16 working --

17 Wouldn't you feel, Mr. Moody?

18 MR. MOODY: Yes, sir.

19 CHAIRMAN MOULTRIE: Thank you for  
20 your time.

21 MR. WELDON: One other point I'd  
22 like to make --

23 CHAIRMAN MOULTRIE: Yes, sir.

0076

1 MR. WELDON: When people go to  
2 Texas and Illinois and Nebraska and kill these big  
3 bucks, they are going to agricultural areas where  
4 they grow big there. If you go to Texas and watch  
5 the films on TV, these big bucks are feeding down  
6 the dirt road. There is no natural grain in a -- I  
7 mean, natural feed in a dirt road. But unless you  
8 implement year-round feeding and supplement  
9 feeding, you are not going to grow the monster  
10 bucks that they go out of state to get -- that is  
11 the only way.

12 (Audience applause.)

13 MR. WELDON: We don't have the  
14 soil or the climate to grow bucks like that.

15 CHAIRMAN MOULTRIE: Very good --  
16 thank you, Mr. Weldon.

17 COMMISSIONER LAWLEY: Didn't at  
18 one time you-all have a one-page a checklist of  
19 what you need to look for when the first deer comes  
20 in the field to try to eliminate some of these  
21 bucks? Let's dig that back out and get it on the  
22 website and get it in some of our publications.

23 MR. MOODY: It is supposed to

0077

1 have been on the website. We've got a  
2 full poster.

3 COMMISSIONER LAWLEY: If  
4 everybody will look at that, that's pretty good  
5 information.

6 MR. LYNCH: That laminated  
7 poster, that thing is good.

8 CHAIRMAN MOULTRIE: Very good --  
9 the next speaker will be Mr. Randy Bailey.

10 MR. BAILEY: I am Randy Bailey,  
11 Talladega County. I want to address the Board on  
12 some dog hunting issues we have in the area. There  
13 are 25 private property owners that own various  
14 tracts of land on Salt Creek Road, and this past  
15 year -- talking to the County -- we have had ten  
16 complaints of dog hunting from the County. We've  
17 had ten from Clay County -- the reason I say Clay  
18 County is the property joins together. I talked to  
19 the National Forest Commissioner. They had 24  
20 total complaints last year. What they are doing is

21 turning their dogs loose on the National Forest  
22 property beside private property and running our  
23 deer across our land. We've asked the State and  
0078

1 we've asked the Feds, and the Feds says it's sort  
2 of a unique issue to get the agencies involved. So  
3 anything the Board can do -- there's been threats  
4 made to the property owners. There has actually  
5 been guns pulled on some of the property owners --  
6 so we are asking the Board for a little bit of help  
7 on this issue.

8 CHAIRMAN MOULTRIE: What county  
9 was that again?

10 MR. BAILEY: Talladega County.

11 CHAIRMAN MOULTRIE: Were there  
12 cases made on the files being pulled?

13 MR. BAILEY: There was an  
14 investigation in the complaint file, yes.

15 CHAIRMAN MOULTRIE: Any other  
16 questions -- Mr. Lynch --

17 MR. LYNCH: It's in my district.  
18 I am going to mention this again in New Business.  
19 I met with Allan this morning and talked to him  
20 about this, about the unique situation with the  
21 National Forest being there, but I think it's  
22 pretty important that you've got every homeowner on  
23 this whole road that goes all the way down past the  
0079

1 National Forest who is backing their request, so  
2 I --

3 MR. BAILEY: We have a signed  
4 petition.

5 MR. LYNCH: And they have a  
6 signed petition, so that's one hundred percent all  
7 the way down, and probably looking to bring some  
8 kind of motion at our next meeting on this issue in  
9 that county.

10 CHAIRMAN MOULTRIE: That would be  
11 great. Thank you, Mr. Bailey. The next speaker  
12 will be John Barnes.

13 MR. BARNES: Good morning, I am  
14 here to speak about -- oh, and I represent Perry  
15 County, Alabama. I have a dog hunting issue also.  
16 The restrictions you put on last year closed off  
17 some of the area that joins my property, although

18 that worked out nicely. But the problem is now  
19 that the road that's the boundary line between my  
20 property and the adjoining landowner is the  
21 boundary between dog hunting and where it's  
22 available to me. I have the same issues that most  
23 landowners have where they border dog hunters --  
0080

1 dogs getting on me, using the roads as a stand  
2 layout, they lay out on the paved road, as well as  
3 the dirt road that joins my property, and my  
4 entrance -- they have a stand, or had a stand,  
5 directly across the road from the entrance into my  
6 cabin, and then on down the road they've got two  
7 other stands. So it's a safety issue also for me  
8 because one of the members of this particular dog  
9 hunting club last year got shot in the leg with a  
10 buckshot. So I hope that this -- you know, and the  
11 dog hunters get their way. They can hunt, but what  
12 about the landowners that it's affecting, like  
13 myself. I am practicing quality deer management,  
14 trying to do the right thing, and it's an uphill  
15 battle for me because I am constantly seeing tracks  
16 through my property. Like I say, the road that I  
17 border a mile on is -- they use it for stands, and  
18 they are running up and down the road. It's not --  
19 I wouldn't say a harassment issue, but it's my  
20 deer -- I am like these other guys -- my deer  
21 sightings -- bow season and then the last two weeks  
22 after the dog running is over. I haven't killed a  
23 buck, one buck, in two years, and it seems that the  
0081

1 deer go nocturnal. I have also observed scrapes in  
2 February, and I am not sure that the dog running  
3 and the constant harassment is not maybe forcing  
4 that issue until after the 15th when the dog  
5 hunting is not allowed. So I don't know what the  
6 remedy is for it, but I know it affects me  
7 adversely in my situation, and I would like to see  
8 it restricted, limited to the time that they can --  
9 or I don't know what the answer is, but I wish it  
10 was not available, my personal preference.

11 CHAIRMAN MOULTRIE: We have one  
12 question -- Mr. Johnson --

13 MR. JOHNSON: Would you be  
14 available for Wayne and myself to come down and

15 visit and to make a proposal that would do this,  
16 take action of some sort or address it --  
17 MR. BARNES: I am meeting --  
18 CHAIRMAN MOULTRIE: Let  
19 Mr. Johnson finish the question.  
20 MR. JOHNSON: At the May meeting?  
21 MR. BARNES: Right -- I am  
22 meeting with the property next to me Gulf  
23 (inaudible) owns, and I am meeting with them next  
0082

1 week to discuss this issue. Because they bought  
2 some Miller land, Miller & Company from Selma, they  
3 bought their property a couple of years ago, and  
4 the same leaseholders continued the lease. But  
5 they have so much to oversee that they really  
6 aren't that hands-on, but I am meeting with them  
7 next week to show them my situation and see if I  
8 can't work with them.

9 DR. MAY: Is your property north  
10 of 14?

11 MR. BARNES: Yes, sir, it's  
12 Morgan Springs --

13 DR. MAY: South of Morgan Springs  
14 and --

15 MR. BARNES: County Road 23, and  
16 it's a dirt road called Walter Bulls Road, and I  
17 think that's the cutoff on the dog hunting. It was  
18 below 23, the Brush Creek Swamp area. There is a  
19 guy that you-all have talked with that I work with,  
20 Mr. Levi, out at Tuscaloosa that you-all helped him  
21 out, and I have the same club, just shifted my way  
22 -- I've got out-of-state hunters that I charge a  
23 pretty good membership fee, and of course I am  
0083

1 selling out-of-state licenses at four or five a  
2 year, so I am bringing in some much-needed revenue.

3 CHAIRMAN MOULTRIE: Any other  
4 questions from the Board?

5 (No response.)

6 CHAIRMAN MOULTRIE: Thank you,  
7 Mr. Barnes.

8 MR. BARNES: Thank you.

9 CHAIRMAN MOULTRIE: The next  
10 speaker will be George Browder.

11 MR. BROWDER: My name is George

12 Browder, and I want to thank the Board for this  
13 opportunity to speak concerning, just like the  
14 gentleman before me, dog deer hunting, Crenshaw  
15 County. I am a lifelong resident of Crenshaw  
16 County, born and reared there, property owner, and  
17 business owner. Just like the gentleman before me,  
18 for many, many years we've been experiencing  
19 problems with dog hunters, and you've all heard  
20 them before -- dogs constantly running on our  
21 property, trespassing, broken gates, glued locks --  
22 safety issue -- hunters constantly standing in  
23 public roads, parking their vehicles in the

0084

1 right-of-ways to these public roads, shooting up  
2 and down these public roads -- which you know is a  
3 tragedy waiting to happen. Just like the gentleman  
4 before me, we have spent thousands of dollars  
5 building shooting houses, implementing good  
6 management, preparing food plots, and then to have  
7 the dogs constantly disturbing our deer and  
8 interrupting our hunts. On many occasions -- and I  
9 emphasize "many" -- we've had customers and friends  
10 travel hundreds of miles to hunt with us, only to  
11 have their hunts disturbed by dogs running through  
12 the food plots.

13 I want to pull my notes out. My  
14 memory relaxed me a little bit when I got over 50.

15 CHAIRMAN MOULTRIE: It gets  
16 worse.

17 (Audience laughter.)

18 MR. BROWDER: We have submitted  
19 several letters to the Board, complaint letters,  
20 from various landowners and concerned citizens of  
21 the County asking for you to review them. So I am  
22 speaking pretty much on their behalf, as well as  
23 mine also. We have outlined on the map, and it

0085

1 will be submitted to the Board for your review.

2 Frustrations are running high,  
3 tensions are running high. People are fed up, you  
4 know, with dogs constantly running over their  
5 land. I used to be a dog hunter. I had 15 dogs  
6 years ago, had two blue ticks shot by a landowner.  
7 I soon realized we didn't have enough land to run  
8 these dogs on. I am not against dog hunting in per

9 se, if it can be done in a controlled  
10 environment -- but that is not the case in Crenshaw  
11 County.

12 On one occasion, a family in the  
13 (inaudible) community has had two valuable cows  
14 killed by two catch dogs that were allowed to run  
15 with a pack of deer dogs. Crenshaw County  
16 Sheriff's Department was called in to investigate,  
17 along with a lot of other instances -- and by the  
18 way, I know you know, Crenshaw did not have a game  
19 warden this past season, so the Sheriff's  
20 Department has had a lot of frequent calls -- but I  
21 understand we will be getting one this coming  
22 season.

23 MS. RUMMY: Time -- you will wrap  
0086

1 it up.

2 MR. BROWDER: Can I conclude,  
3 Mr. Chairman?

4 CHAIRMAN MOULTRIE: Yes, sir.

5 MR. BROWDER: There are two  
6 points I would like to leave with you-all while  
7 you-all deliberate on this matter. The first one  
8 is the issue of safety. These hunters standing on  
9 these public right-of-ways is an accident waiting  
10 to happen.

11 The second one is the lack of respect  
12 for landowners and their rights. When my daughter  
13 was 16 years old -- and that's been five years ago  
14 now -- she was sitting in a food plot, overlooking  
15 a green patch, approximately 200 miles off of a  
16 public road, across a hay field, where she  
17 witnessed a pack of dogs being turned loose and  
18 headed through our property. So I thank you for  
19 your time, and I thank you for your service.

20 CHAIRMAN MOULTRIE: Any  
21 questions?

22 (No response.)

23 CHAIRMAN MOULTRIE: Thank you,  
0087

1 Mr. Browder. The next speaker will be Sam Coleman  
2 from Crenshaw County.

3 We will take a break after this next  
4 speaker.

5 MR. COLEMAN: My name is Sam

6 Coleman, and I live in Montgomery, Alabama, and I  
7 deer hunt in north Crenshaw County. I appreciate  
8 the opportunity to be here today seeking relief  
9 from what I call out-of-control dog deer hunting in  
10 north Crenshaw County, and to reaffirm the many  
11 letters that Commissioner Lawley has received from  
12 landowners, hunters, businesses, and county  
13 officials on this issue.

14 I lease a tract of land located on  
15 Garnersville Road, south of Highland Homes, and  
16 since I have had this property I have experienced  
17 numerous problems with deer hunting dogs running  
18 across my lease. My initial reaction was to  
19 contact the local game warden, only to discover  
20 that we didn't have a local game warden in this  
21 region. I am sure that all of you are very well  
22 versed in the practice of deer hunting with the  
23 dogs and the inherent problems that are associated

0088

1 with it -- with inadequate acreages (inaudible)  
2 hunting, invariably the dogs are going to run onto  
3 other lands, across public roads, and interfere  
4 with someone else's hunting pleasure. On several  
5 occasions this past season, the dog hunters would  
6 repeatedly drive up and down Garnersville Road,  
7 which is an unimproved road, which makes it  
8 (inaudible) looking for their dogs. They would  
9 also make up stands on this roadway to cut off the  
10 dogs. The hunters are spread out up and down the  
11 road adjacent to one of the best hunting areas on  
12 my property, and this noise and commotion would  
13 cause the deer to get up out of the bed, slip out  
14 into areas of my land that are so heavy that I  
15 can't effectively hunt it. I have also observed  
16 this practice on Bideford Road, an improved road, a  
17 few miles from my lease in north Crenshaw County.

18 With all due respect, I recommend and  
19 request the restriction for deer hunting with dogs  
20 in north Crenshaw County to forward some relief to  
21 landowners, hunters, businesses, and for highway  
22 safety. While my remarks have been minimal, my  
23 confidence is abundant that this Board will take

0089

1 this provision under advisory and act  
2 accordingly -- thank you.

3 CHAIRMAN MOULTRIE: Thank you  
4 very much.

5 MR. JOHNSON: What size property  
6 do you have?

7 MR. COLEMAN: Size property?

8 MR. JOHNSON: Yes.

9 MR. COLEMAN: I just have 200  
10 acres leased there.

11 CHAIRMAN MOULTRIE: Thank you  
12 very much, Mr. Coleman.

13 The Board will take a very brief  
14 recess. We will be back promptly, and it's on in  
15 ten minutes at 10:45.

16 10:36 a.m.

17 (Short break.)

18 10:52 a.m.

19 CHAIRMAN MOULTRIE: We would like  
20 to reconvene.

21 The next speaker will be Stephen  
22 Farris. Stephen Farris from Fayette County, are  
23 you back in the room?

0090

1 MR. FARRIS: I am Kirby Farris.  
2 I am from Fayette County, landowner -- same song  
3 and dance. The dog hunting issue, illegal dog  
4 hunting issue is what I am --

5 CHAIRMAN MOULTRIE: Mr. Farris,  
6 could you wait just a second?

7 MR. FARRIS: I came before the  
8 Board last year, last May 19th over in Huntsville  
9 and asked for the help for Fayette County, and I  
10 think the results of that help showed that we do  
11 have a substantial problem in Fayette County with  
12 illegal dog deer hunting. I am not addressing  
13 anything but the dog deer hunting -- I want to make  
14 that plain. But I am back again this year -- I  
15 don't know the answer. I think it's like oil and  
16 water -- I don't think it's ever going to mix.

17 Years ago, I dog hunted -- like the  
18 gentlemen from Perry County, Crenshaw County, same  
19 problems -- it's going to happen. It's the  
20 unethical people that's causing the problems for  
21 all of us. With that said, I am going to say, I am  
22 asking that you ban dog deer hunting in Fayette  
23 County.

0091

1 Changing the subject, you-all have  
2 heard all the other stuff -- I read an article from  
3 (inaudible) Tribune last night, and Outdoor Alabama  
4 Magazine about the fines Mr. Lawley covered and  
5 just touched on it about the bill that just got  
6 passed. I am one hundred percent supportive of  
7 increasing the fines for the illegal hunting.  
8 These fines were set in the '30s and '40s. A man's  
9 wages back in those days, a \$50 fine. If you will  
10 take that ratio and percentage-wise and force that  
11 on some of these people that's illegally hunting in  
12 the State now, I think that will solve a lot of our  
13 problems, things everybody here has got -- that is  
14 all I got to say -- thank you.

15 CHAIRMAN MOULTRIE: Thank you,  
16 Mr. Farris. The next speaker will be Truman  
17 Herren.

18 MR. HERREN: My name is Truman  
19 Herren from northeast Fayette County, and I am  
20 speaking in favor of the ban on dog hunting in  
21 Fayette County. I could stand here 30 minutes and  
22 relate to things that happens on our property  
23 (inaudible) I guess would be this year, but I think

0092

1 you know the problems. You have heard them several  
2 times this year and last year. I would just like  
3 to ask that we do something about it. I would  
4 especially like to thank all of you for your  
5 service -- Commissioner Lawley, and Mr. Johnson,  
6 Dr. May, and especially George for attending the  
7 meetings out in the County, and they spend a lot of  
8 their time trying to find an answer to this  
9 problem, and I think the answer is to ban deer dog  
10 hunting in Fayette County -- thank you very much.

11 CHAIRMAN MOULTRIE: Thank you,  
12 Mr. Herren. The next speaker will be Edison  
13 Thomas.

14 MR. THOMAS: Gentlemen, I am  
15 touching on the subject that we did -- I come to  
16 Montgomery and talked with you on the Salt Creek  
17 area of Talladega County that we live in. We have  
18 had a problem there for the last few years with  
19 people dog deer hunting. These people, they are  
20 actually hunting from the road. They (inaudible)

21 out in front of my cabin. On one day this year we  
22 were cooking hams and turkeys two days before  
23 Christmas, and I went and asked these people to  
0093

1 please move on down the road -- being it that they  
2 already should have known. We are within a half a  
3 mile of a church already, and it puts it in a  
4 safety zone where they shouldn't be hunting. I'll  
5 have to ask you gentlemen to move on down the road,  
6 please not be hunting in front of my cabin -- we  
7 have my wife and children down there. Well, he  
8 commenced cussing me to where he would make a  
9 sailor proud, told me that I thought that I owned  
10 that so-and-so mountain, or us landowners did --  
11 and I said -- well, sir, we do own this portion of  
12 it, and he commenced to loading a gun. He was  
13 going to take my life over a deer, and I have never  
14 seen an animal worth taking a man's life over.  
15 It's to the point, we live on a road, it's a 7-mile  
16 dirt road, county road. It's got 25 homes on it.  
17 It's got 21 miles of state four-wheeler trails, ORV  
18 trails on it. There's been instances where they've  
19 threatened to shoot the four-wheeler riders off  
20 their four-wheelers if they run them back through  
21 there. Last year I was coming off the mountain,  
22 they had one of their hunters, which happened to be  
23 a 15-year-old kid, sitting on the edge of the road  
0094

1 hunting over the road on power brake, and he had a  
2 7-millimeter magnum in his hands. What my worry  
3 is -- you can get killed with one of those rifles  
4 and never even hear the shot that killed you.  
5 You've got a recipe for disaster that's sitting on  
6 this mountain. You've got an 80-year-old preacher  
7 at the Salt Creek Church there. He's afraid to  
8 even go out. He's had his cattle threatened.  
9 Basically everyone on that road, it's like an  
10 organized crime, organized gang. This is not a  
11 hunting club by any stretch of the means.  
12 Basically all these guys that come up through there  
13 are outlaws. They are drinking, you can see their  
14 trails of beer cans from five o'clock in the  
15 morning until later that afternoon, trash throwed  
16 out all over the mountain.  
17 We are asking -- we are begging for

18 some kind of relief on that mountain. It's joined  
19 in next to National Forest. Our land, private  
20 land, is scattered through with National Forest  
21 joining. They are taking their dogs over into  
22 Cleburne County, which some of the old roads come  
23 in behind our place in Cleburne County, which does  
0095

1 not even allow dog hunting. They are turning them  
2 loose in there and running back through our land.  
3 Up until five years ago -- I've owned this property  
4 for 15 years. We haven't seen any --

5 MS. NUMMY: Time.

6 CHAIRMAN MOULTRIE: Try to finish  
7 up, please, sir.

8 MR. THOMAS: We haven't seen any  
9 deer up until five years ago. We started planting  
10 fields, clover, things of that nature. These  
11 gentlemen have picked up on that, and that's why  
12 they want to turn their dogs loose right in on us  
13 landowners and run through and reap the benefit of  
14 what we have tried to grow and tried to get a deer  
15 herd established in there. I believe that's part  
16 of the reason that these deer are not reproducing  
17 and the rut is going later on is they are being so  
18 distressed by the running of the dogs. It's like  
19 the gentleman said while ago about the coyotes in  
20 the pen, that they are under so much stress from  
21 being run that it's actually increasing their  
22 gestation and it's pushing it out further into the  
23 year -- and if there is anything you men could do,  
0096

1 we certainly would appreciate it.

2 CHAIRMAN MOULTRIE: Very good --  
3 thank you, sir. The next speaker will be James  
4 Bingham.

5 MR. BINGHAM: Good morning,  
6 Commissioner Lawley, Chairman Moultrie, I am James  
7 Bingham. I am from Colbert County. I serve on the  
8 Colbert County in the (inaudible) Board. I  
9 recognize all of you -- thank you. I serve on the  
10 Colbert County Commission up in Colbert County in  
11 the fourth term. I think we sent you a letter  
12 prior to the February 8th meeting. I think all of  
13 you had a copy. We asked that you leave hunting  
14 season as is in Colbert County for another year,

15 and I appreciate the job you-all do. If you can  
16 help us out, we'd appreciate it -- and I believe  
17 you also had a letter from the sheriff of Colbert  
18 County, too. As far as I know, we've had nothing  
19 come before the County Commission, no complaints in  
20 the last year, and I don't believe we've had any  
21 citations. So I think everything is going good,  
22 and I hope you don't have to break it -- thank you.

23 CHAIRMAN MOULTRIE: Thank you,  
0097

1 Mr. Bingham. The next speaker will be Russell  
2 Bird.

3 MR. BIRD: My name is Russell  
4 Bird. I come from St. Clair County. I have been  
5 coming to these things for years, and I have sat  
6 and listened to all this stuff, all these people  
7 being harassed. I am a dog hunter. I don't know  
8 where the game wardens are and where the sheriffs  
9 are. These people are getting harassed, they are  
10 getting their fence tore down -- where is everybody  
11 at? I asked the guy in Montgomery that got a piece  
12 of property closed in Perry County, I asked him a  
13 very important question that never gets asked at  
14 this meeting. I asked him, I said -- did you call  
15 the game warden, did you call the sheriff? He  
16 said -- yes. I said -- what did he do? He said --  
17 nothing. You know, that's a sad thing that you-all  
18 are punishing all us that dog hunt right for few  
19 things that idiots get out there and do. You know,  
20 Mr. Moultrie brought it up about raising the  
21 fines. That is the answer. I have got property in  
22 St. Clair County that I still hunt on. I got  
23 people coming in on there. How about let's close  
0098

1 deer hunting down in St. Clair County altogether  
2 and we will solve that problem? That's not the  
3 answer -- raise the fines. Knife hunting was a  
4 problem at one time, and, bam, we raised the fines  
5 up so high that these people slowed down. It's not  
6 quit yet, but if you raise the fine up to dog  
7 people turning their dogs loose so high for  
8 everybody in the truck -- don't fine one, get them  
9 all -- it will stop it -- it will slow it down.  
10 That is the answer. Don't do away with it. We  
11 care to death. We love it. I am not going to get

12 out there and act stupid. I try to do good. I  
13 have been dog hunting all my life, and I have come  
14 and listened to this stuff from these people -- and  
15 I feel bad about it. I hate it that I know there's  
16 people out there dog hunting that's acting like  
17 that. It's a disappointment to me, but I get out  
18 there and act right. Why punish me for something  
19 somebody else is doing? Fine them, stop them.  
20 Don't stop me -- that's all I got to say.

21 (Audience applause.)

22 CHAIRMAN MOULTRIE: Thank you,  
23 Mr. Bird. Mr. James Burch will be the next  
0099

1 speaker.

2 MR. BURCH: My name is James  
3 Burch, and I am from Huntsville. I have been  
4 hunting with dogs since before most of you were  
5 born. I still dog hunt. I go from Huntsville to  
6 Fayette County every year. The club I belong to  
7 has never had a ticket, but there's people that dog  
8 hunt that's not responsible. They don't look about  
9 what they're doing. They don't care about what  
10 they're doing, but don't let a few stop the good  
11 hunters from hunting -- that's all I have to say.

12 (Audience applause.)

13 CHAIRMAN MOULTRIE: Thank you,  
14 Mr. Burch. The next speaker will be Mr. Doug  
15 Coleman.

16 MR. COLEMAN: I am here in  
17 support of dog hunters. I am a founding member and  
18 president of a dog hunting club in central Perry  
19 County for 30 years. We've got good relations with  
20 our adjoining clubs, landowners, and neighbors. We  
21 have members from adjoining stalk clubs that come  
22 over and during the middle of the day hunt with us.  
23 We have summer cookouts for all the neighbors and

0100

1 landowners to come over and be with all of us.  
2 After having attended the first Board meeting, I  
3 would like to recommend all dog hunters to please  
4 work with your neighbors like we do. We go around  
5 and meet all the neighbors, landowners -- and if  
6 they hunt, we give them a permit to hunt on our  
7 land any time they like. If they are not hunters,  
8 they still appreciate the fact that they all know

9 exactly where we are if they have any concerns and  
10 problems.

11 I am not a fox hunter, but after  
12 hearing of their situation at the last meeting,  
13 they seem to really need the support of all  
14 hunters. I would like to commend Dr. Strickland  
15 for his compassion at the last meeting and for  
16 trying to help them with their situation -- that is  
17 it.

18 CHAIRMAN MOULTRIE: Thank you  
19 very much -- hold on, Mr. Coleman -- Mr. Johnson --

20 MR. JOHNSON: Where is your  
21 property located in Perry County?

22 MR. COLEMAN: It's about 2 miles  
23 north of Marion between County Road 29, 7, and 16.  
0101

1 MR. JOHNSON: What is the  
2 acreage?

3 MR. COLEMAN: We got 1,800 leased  
4 and another 600 that we have an exclusive permit  
5 on.

6 CHAIRMAN MOULTRIE: Very good --  
7 thank you, Mr. Coleman. The next speaker will be  
8 Mr. John Dover.

9 MR. DOVER: Good morning, my name  
10 is John Dover. I am a lifelong resident of Fayette  
11 County. I am here representing the Fayette County  
12 dog hunters, and I would like to reflect some of  
13 the feelings already spoken here. You've got  
14 outlaws, and I've heard some gentlemen get up and  
15 speak against dog hunting here, and you talk about  
16 the outlaws running down the roads, and they go  
17 over in the next county that doesn't have dog  
18 hunting and turn them loose -- and you're going to  
19 have those until you can make the fine, like the  
20 knife hunting, so prohibitive that they can't  
21 afford to do it. I know in Fayette County there  
22 was a bust put on of some undercover game wardens  
23 was in a club and wrote some tickets and made some  
0102

1 believers out of some of these people that weren't  
2 believers -- especially with the fines going up. I  
3 think we are on the right track. I am not saying  
4 there is not problems in Fayette County or in other  
5 parts of the state of Alabama, but there are large

6 portions of the state and in Fayette County that  
7 are not problem areas. There are large rural  
8 timberland tracts, you know, there is no conflict.  
9 What I would hate to see is everybody get punished  
10 for the actions of a very few -- thank you very  
11 much.

12           CHAIRMAN MOULTRIE: Thank you,  
13 Mr. Dover. The next speaker will be Paul Farmer.

14           MR. FARMER: Hey, how you-all  
15 doing? I am Paul Farmer from Shelby County,  
16 Alabama, and I am for the dog hunters. We've got  
17 1,373 acres that we lease, and we try to get along  
18 with all of our property surrounders and most of  
19 clubs around us are stalk hunters, but they come  
20 around and we all have cookouts.

21           The main thing I wanted to talk about  
22 was I've got a seven-year-old granddaughter, and  
23 she's coming up as a dog hunter, and you hear all  
0103

1 this stuff about -- well, take your kids hunting,  
2 take your kids and go fishing -- well, we take our  
3 kids hunting, we take our grandkids hunting. I  
4 just can't see where they should be punished for  
5 some of these outlaws that have no responsibility.  
6 They have no responsibility for what's going on,  
7 and I'm a firm believer if you raise the fines up  
8 high enough, we can stop that, and then the good  
9 dog hunters will still be dog hunters, and these  
10 outlaws will be in jail or be broke -- one of the  
11 two -- thank you.

12           CHAIRMAN MOULTRIE: Thank you  
13 very much, Mr. Farmer. The next speaker will be  
14 Bill Herren.

15           MR. HERREN: My name is Bill  
16 Herren. I live in Walker County and own property  
17 in Fayette County, and I appreciate what you --  
18 Mr. Chairman, Mr. Commissioner, members of the  
19 Board -- are doing. I hadn't had any contact with  
20 this Board or really was not familiar until just a  
21 year ago when I started. But I've gotten a few  
22 points that I would like to make concerning dog  
23 deer hunting in Fayette County. I wanted to  
0104

1 express my appreciation for the work you have done  
2 and are doing to resolve the issue of dog deer

3 hunting in Fayette County. You have been  
4 considerate and patient in hearing the plea of the  
5 landowners. You also have been patient, fair, and  
6 very gracious to the dog deer hunters. You gave  
7 them another year to clean up their act -- they  
8 failed. Little or no effort was made to work with  
9 landowners as they proposed to do before this Board  
10 in 2007. The Enforcement Division underkept  
11 (inaudible) did an outstanding job -- this past  
12 season hearing 50 complaints alleging at least 60  
13 violations, making 18 arrests with an additional  
14 ten pending, and issuing two warning citations in  
15 our area and our county. Even after this special  
16 emphasis on enforcement, there were dogs illegally  
17 running deer on our property numerous days and  
18 nights.

19 Mr. Harbin, Dr. May, Mr. Johnson,  
20 Chairman Moultrie, Commissioner Lawley, and others,  
21 you have devoted much time and effort in gathering  
22 facts and information for the landowners, dog deer  
23 hunters, and interested persons. As a result of  
0105

1 the facts that you have in hand, I respectfully  
2 submit to you it is now time to ban dog deer  
3 hunting in Fayette County. We pledge our support  
4 as sportsmen to work with you, your people and  
5 enforcement, and each department to preserve the  
6 privilege of hunting, fishing, and caring for our  
7 natural resources in this great state of Alabama.  
8 Thank you for the work you have done and seriously  
9 considering all aspects of the issues surrounding  
10 dog deer hunting in Fayette County and in this  
11 state -- I thank you.

12 CHAIRMAN MOULTRIE: Thank you,  
13 sir. The next speaker will be Chris Johnson.

14 MR. JOHNSON: Hey, my name is  
15 Chris Johnson. I am glad I got to come here today,  
16 and I would like to try our best to keep dog  
17 hunting because that's what I grew up on. I've  
18 been taught by my dad and my grandfather, and I  
19 know they ain't going to be here forever, so I  
20 would like to spend my time in the woods with them  
21 by dog hunting, and I hope some day that my kids  
22 will grow up to be able to dog hunt, and there is  
23 problems that these stalk hunters say that they

0106

1 have got with us and all this. But if a deer comes  
2 out in front of our dog, what are they going to do,  
3 they are going to shoot it -- that is just what  
4 they are going to do, and we try to do right. We  
5 hadn't had no tickets. We just want to do  
6 everything the way that we have been doing it so  
7 that we can have fun just like everybody else --  
8 and if we can't dog hunt, what is the point of  
9 everybody else being able to do what they do --  
10 thank you.

11 (Audience applause.)

12 CHAIRMAN MOULTRIE: Thank you,  
13 sir. The next speaker will be Phil Kizzire.

14 MR. KIZZIRE: Good morning, I am  
15 Phil Kizzire, resident of Fayette County. I am  
16 here today to speak about dog hunting in Fayette  
17 County. I would like to ask the Board members to  
18 keep the sport of dog hunting alive in Fayette  
19 County as it has been for many generations before.  
20 I have lived all my life in Fayette County and have  
21 lived my life for the passion of Saturday mornings  
22 dropping the tailgate and listening to my dogs bark  
23 at that fresh track. I am not just a dog hunter.

0107

1 I also go to the stands in the evenings, but there  
2 is no better feeling than the adrenaline rush from  
3 listening to those dogs. I am asking you today to  
4 keep the sport alive so that I can also pass this  
5 sport down from generation to generation in my  
6 lifetime. I would like to share this sport with my  
7 kids and grandkids one day, also. I don't want to  
8 be able to tell them about the goodtimes experience  
9 of the sport, but to be able to watch them  
10 experience it, too. This upcoming season I will be  
11 able to go out there by myself. I have been  
12 looking forward to that day all my life, and I  
13 don't want to see that opportunity taken away from  
14 me. In my lifetime I have experienced a lot of  
15 great times with the old men telling me stories  
16 about the great times that they had when they were  
17 my age -- and this is why I would like for you  
18 Board members today to keep this sport alive so  
19 that I can be there telling those the same stories  
20 one day.

21 (Audience applause.)

22 CHAIRMAN MOULTRIE: Thank you,  
23 Mr. Kizzire. The next speaker will be Phillip

0108

1 Kizzire.

2 MR. KIZZIRE: I am Phillip  
3 Kizzire, lifetime resident of Fayette County and  
4 landowner in Fayette County. I am here today to  
5 ask this Board to please keep dog hunting in  
6 Fayette County. We can't outlaw something just  
7 because of the few bad people. I could sit up here  
8 and tell you stories of trouble I have had with  
9 stalk hunters on my property, trouble I have had  
10 with people shooting my dogs -- not my deer dogs,  
11 people shooting house dogs -- yard dogs, because  
12 they come across a stalk hunter. I don't want to  
13 get up here and badmouth all of them. We as  
14 hunters out here, we all need to stick together.  
15 Because if we outlaw one kind of hunting, then  
16 we've got a way for somebody to step in here that  
17 don't like hunting, and they are going to come in  
18 and say -- well, they have outlawed this much,  
19 let's try to outlaw this much -- let's try to  
20 outlaw -- before long, we won't have the right of  
21 hunting. That would be a sad day in Alabama when  
22 we didn't have the right to hunt anymore -- thank  
23 you.

0109

1 (Audience applause.)

2 CHAIRMAN MOULTRIE: Thank you,  
3 Mr. Kizzire. The next speaker will be Don Knight.

4 MR. KNIGHT: Good morning, I am  
5 Don Knight. I am the state president of the  
6 Alabama Dog Hunters Association, and before I get  
7 started, I just wanted to bring this -- I don't  
8 know if you-all have seen it or not -- it is the ad  
9 that was put in the Fayette County papers for the  
10 names and numbers and all for people to call if  
11 they had any problems. We've gotten very few  
12 calls. I think one guy got a couple of calls. I  
13 just wanted you to be aware that it was put in the  
14 paper.

15 Now, leading back to what I told  
16 you-all at the last meeting -- it's a people  
17 problem, it's not a method of hunting problem. Dog

18 deer hunting is a good method of hunting. It being  
19 a people problem, the solution has to be in  
20 enforcement. Now, I like -- I am glad they did the  
21 sting up in Fayette County this year. I wish they  
22 could do another one on the hunting over bait and  
23 see how it came out. I think it would be very  
0110

1 interesting. I don't know how it would come out,  
2 but I think it would be interesting.  
3         We want to support totally the  
4 increase in the fines. We think that is a good way  
5 to go. I think that is enforcement, and I have  
6 heard this Board state that you wanted to support  
7 the increase in fines. Well, if you think the  
8 increase in fines is good and you want to support  
9 it, then why don't we give it a little time to work  
10 instead of shutting down counties and parts of  
11 counties and anything like that. Let's work  
12 together to get the fines increased. Let's work  
13 together to get these outlaws out by the fines. I  
14 think these fine increases, there is a percentage  
15 of people that are just borderline. They are half  
16 crook and half ethical hunter. These fines will  
17 take them, a certain percentage of them, back the  
18 other way. I think it will help. We want the  
19 fines to be higher, and we ask you-all to work with  
20 us -- give us time for these fines and these stings  
21 or anything else we use in enforcement, because  
22 that's where it needs to go. We are losing hunters  
23 each and every year because they lose their dog  
0111

1 hunting rights, and it's not necessary. We don't  
2 need it. It's kind of like the old cliche, I  
3 guess, throwing out the baby with the bathwater.  
4 We are throwing out good hunters that need to be  
5 hunting instead of sitting at home.

6         All right -- couple of quick things I  
7 want to try to get. Number 1, I am talking about  
8 this February deer season. The people in our  
9 association, the rabbit hunters and the squirrel  
10 hunters, would be very much against that. It's  
11 cutting into their time. Their time in the woods  
12 -- it's kind of like the bow hunters want their  
13 time in the woods. At the first of the year, the  
14 rabbit hunters and the squirrel hunters want their

15 time in the woods and territory. I think in most  
16 of these cases if the people will eliminate a lot  
17 of their does, their buck season and the rut season  
18 will rack up. I think we can ask a biologist  
19 that.

20           The other thing I want to wrap up  
21 real quick is our three-buck limit. I don't have a  
22 problem with that. I think that's something we  
23 didn't really need, but that is beside the point.

0112

1 My problem with the three-buck limit is the three  
2 bucks for the people that buy a state license and  
3 hunt all year. A person from out of state can come  
4 in and buy a three-day license -- correct me if I  
5 am wrong, please -- and can also kill three bucks  
6 and three does. A person from out of state can  
7 come in and buy a seven-day license, kill three  
8 bucks, and seven does, according to what the people  
9 want to let them hunt. I think we need to look at  
10 a recommendation on that. For the same reasons  
11 that people get up here and say -- let's have a  
12 three-buck limit, let's eliminate these people from  
13 being able to do the same that we do as citizens.  
14 These deer belong to the people of the state of  
15 Alabama, and they should have more of a right than  
16 somebody coming in from out of state. Maybe look  
17 at the three-day license, one buck. The does I  
18 think have to be by the state laws or by the  
19 landowner's recommendation. Seven days, give them  
20 two bucks and the landowner recommendation on the  
21 does, up to the state level. Come on -- my house  
22 taxes go up every year -- and I will wrap this up.  
23 Let's get something out of it -- and I know it

0113

1 don't come to you-all, but let's do something for  
2 the in-state hunters. You are losing them, and we  
3 need to get them back -- thank you.

4           (Audience applause.)

5           CHAIRMAN MOULTRIE: The next  
6 speaker will be Marc Mullins.

7           MR. MULLINS: My name is Marc  
8 Mullins. I reside in Attalla County. I am a dog  
9 hunter. I do not hunt to provide year-long meat  
10 for my family. I don't eat antlers. I hunt for  
11 enjoyment. I don't have a problem with bow

12 hunters, nor stalk hunters. I am used to hunting  
13 with dogs. I have taken Alabama deer by bow and  
14 stalk hunting. I enjoy the dog hunting more. I  
15 can kill a deer in my own back yard, instead I  
16 choose to pay club dues. I drive across the state  
17 140 miles one way. I do this not to kill more  
18 deer, but to have excess land to safely run my dogs  
19 without having to worry about them being shot or  
20 poisoned. This happens more than people realize.  
21 I spend more money on food and veterinary upkeep  
22 than a lot of stalk hunters do on hunting each  
23 year. These dogs can't read, nor can they tell the  
0114

1 difference in the paint colors on the pine tree. I  
2 have learned over the years that there are many  
3 Alabama stalk hunters that can't do that either.  
4 The dogs are not turned loose without a tracking  
5 collar. I have no problem keeping them on our  
6 42-hundred-acre lease. I am tired of automatically  
7 being looked at as an outlaw and a problem in the  
8 dog-hunting society because I dog hunt. I am told  
9 several times a year that landowners are calling  
10 day in and day out if they hear a dog bark. They  
11 don't care if it's on their land or not. I was  
12 approached by a man last season saying my dog barks  
13 and informed me he didn't like dogs. He's spent  
14 too much money on corn this year and was going to  
15 shoot every dog he saw. I never have seen that man  
16 before in my life. I spoke to the District 3  
17 captain of enforcement last Wednesday. I told him  
18 exactly where I hunted. He confirmed that there  
19 had been complaints. When I asked why we did not  
20 see a warden all season, he replied that area was  
21 not considered a problem. We did have problems.  
22 We had four acres of green fields destroyed by  
23 teenagers. Our vice president was told when he  
0115

1 called the warden that he didn't work on Saturdays,  
2 call the sheriff. We also had problems with  
3 trespassing stalk hunters, trespassing ATVs, people  
4 (inaudible) had we been a stalk-only club we might  
5 have got some relief. We don't allow supplemental  
6 feeding, yet seven out of 18 deer I have personally  
7 helped clean this year have had corn in their  
8 system. There is no corn on our property -- and

9 yes, even a dog hunter checks to see what deer eat.  
10 Are some dog owners and clubs causing problems -- I  
11 won't dispute that. Don't continue to punish those  
12 of us who do it legally. I think it's time you put  
13 some sting operations on. How about looking at  
14 your small three to four 20, 25 acre landowners  
15 that continue to corn the deer because they can't  
16 hold the herd. All you've got to do is follow the  
17 crows, they will tell you exactly where the corn  
18 piles are at.

19 (Audience applause.)

20 CHAIRMAN MOULTRIE: The next  
21 speaker will be Ethan Pate.

22 MR. PATE: My name is Ethan  
23 Pate. I am ten years old, and I have been hunting  
0116

1 with my papa since I was five years old. He has  
2 taught me the sport of dog hunting and the right  
3 way to do it. I hope to continue to keep on dog  
4 hunting in the future. Dog hunting is a big part  
5 of my life. My papa he is (inaudible) he is the  
6 one who taught me about deer hunting and safety --  
7 thank you.

8 (Audience applause.)

9 CHAIRMAN MOULTRIE: Thank you  
10 very much, Mr. Pate. The next speaker will be Joe  
11 Sachs.

12 MR. SACHS: My name is Joe  
13 Sachs. I appreciate all the Board members and  
14 Chairman and game wardens doing their job. I am a  
15 dog hunter who used to be a stalker, but I can't  
16 climb a tree stand anymore and stay like I used to  
17 could -- and sitting in a tree house looking over a  
18 green field, I'd just as soon be watching something  
19 rise up off the ground, if you know what I mean. I  
20 want to apologize to all the landowners and to the  
21 stalk hunters who, some dog hunters it seems, have  
22 run over. This is not what our club does or most  
23 clubs that I have ever been in. I wish that all of  
0117

1 you would consider letting us hunt. Last year was  
2 the first year of not dog hunting because they did  
3 away with hunting in Tuscaloosa County below 82  
4 north -- toward 82 north. That broke my heart. It  
5 felt like somebody put their hand inside my chest

6 and pulled it out. Because I love my dogs. They  
7 are what I live for, except for my God and for my  
8 wife and children. They love me whether I am  
9 dirty, that I don't look good, they still think I  
10 am fine. When I stink, they still love me. I just  
11 want you-all to consider letting us hunt again,  
12 especially as much land as we have, which is about  
13 eight to 9,000 acres. I appreciate it, and thank  
14 you.

15 (Audience applause.)

16 CHAIRMAN MOULTRIE: Thank you,  
17 sir. The next speaker will be Marty Smith.

18 MR. SMITH: Good morning, Board.  
19 Let me be the first to say you-all have a hard  
20 job. I hunt in the area that the gentleman was  
21 talking about in Perry County. The club is called  
22 Brush Creek. It's off of 49, and 7, and 16. We  
23 haven't had a hunter shot. Our stands are numbered  
0118

1 on the roads, but we go into the woods behind the  
2 stands. Now like several people have already said,  
3 dogs can't read signs -- it's people. It's not all  
4 dog hunters. Some dog hunters are outlaws. I have  
5 been dog hunting for 35 years. It's a wonderful  
6 sport in the state if it's done right. I've got a  
7 son that's ADHD -- he's seven. He can't go sit in  
8 the tree stands, he can't even be still, and  
9 without a dog hunting, he can't hunt -- thank  
10 you-all.

11 CHAIRMAN MOULTRIE: The next  
12 speaker will be John Ward.

13 MR. WARD: Good morning, Board.  
14 I run the (inaudible) Hunting Club in Fayette  
15 County. We've got a good clean club there and keep  
16 a good clean club. If all the stalk hunters and  
17 dog hunters would get along, like my club does,  
18 that would stop (inaudible) we'd have a good place  
19 to hunt. We got a lot of young youth in our clubs,  
20 and they love to hunt. Don't take everybody's dog  
21 rights away from them because of a few bad apples  
22 -- and the sting operation, like (inaudible) and  
23 John Dover said, it opened a lot of eyes in Fayette  
0119

1 County -- yes, it has. I talk to my members every  
2 morning before we hunt about our regulations and

3 rules, and I got some people out here that hunts  
4 with me that will tell you when I come off my truck  
5 they hear the rules. If they don't hear the rules  
6 and abide by our rules, (inaudible) we are not  
7 (inaudible) hunters -- and let's keep it cleaned  
8 up, and I think they are doing a good job -- thank  
9 you very much.

10 (Audience applause.)

11 CHAIRMAN MOULTRIE: Thank you,  
12 Mr. Ward -- did you have a question, Mr. Johnson?

13 MR. JOHNSON: Where is your  
14 hunting club, what part of Fayette County?

15 MR. WARD: It's on -- it's right  
16 outside the (inaudible) on (inaudible) Road. We  
17 got about 8,000 acres.

18 CHAIRMAN MOULTRIE: Thank you,  
19 Mr. Ward. The next speaker will be Tony Wynn.

20 MR. WYNN: Good morning,  
21 Mr. Chairman, Commissioner Lawley, and members of  
22 the Board. I spoke to you at our last meeting in  
23 Montgomery asking that you, some way or another,

0120

1 give us a permit or open back up the north part of  
2 Tuscaloosa County. I sat at the last meeting, and  
3 heard stalk hunter, landowner, and everything else  
4 save their rights -- where are the dog hunters  
5 rights? Where are the landowner's rights that we  
6 lease from that says he don't care for us. For  
7 over 50 years this club has never had a citation.  
8 We did have one complaint last year from the stalk  
9 hunting club south of us because we weren't turning  
10 our dogs loose. They weren't seeing any deer. I  
11 don't know -- I've got about ten days to make a  
12 decision whether I release the land or not. I  
13 spoke with Mr. Johnson earlier. Yay or nay, I've  
14 got to know something within the next ten days -- I  
15 appreciate your consideration.

16 (Audience applause.)

17 CHAIRMAN MOULTRIE: I want to  
18 congratulate the speakers today. That was the most  
19 assembled and organized that I think since we have  
20 been doing this -- that I think we have seen the  
21 (inaudible) and everybody is trying to work on  
22 being better neighbors, and I believe that will  
23 lead to better hunting on both sides of the fence.

0121

1 The next order of business is Old  
2 Business, and we will start with "A", hunting  
3 turkeys from March 15th until April 30th with a  
4 crossbow.

5 MR. HARBIN: Mr. Chairman, we  
6 have decided to pull that motion and go to Motion  
7 2. We are not going to make that motion at that  
8 time.

9 CHAIRMAN MOULTRIE: Okay.

10 MR. HARBIN: And I would like to  
11 propose another motion, please, sir.

12 CHAIRMAN MOULTRIE: Can you speak  
13 into the microphone -- can you-all get him a  
14 microphone, please?

15 MR. HARBIN: I would like to  
16 present this motion on dog deer hunting in Fayette  
17 County, please, sir. I feel the Commissioner, the  
18 Board, and the general public have made an honest  
19 effort to control dog deer hunting in Alabama.  
20 With all the talk, promises, closings, and even  
21 with the arrests that have been made, there has  
22 been no real change in this sport. We as a group  
23 have worked hard to establish a quality deer herd,

0122

1 a fair bag limit, and a generous season for  
2 everyone. All this has been done in an effort to  
3 give each hunter a fair choice to enjoy his style  
4 of hunting. There are a group of people who don't  
5 care what the rules are as long as they don't have  
6 to follow them. If dog deer hunting is going to  
7 survive, now is the time for someone to step up and  
8 say no more of these illegal activities, regardless  
9 of who you are, where you are, or what a good  
10 ethical hunter you are. The illegal activities of  
11 these unethical hunters will affect you.

12 We have all heard that an effort was  
13 being made in Fayette County, Alabama to correct  
14 this problem. But this year already there have  
15 been 50 complaints and 28 arrests. This is an  
16 excessive amount of illegal activity, and it is  
17 unacceptable. I would like to refresh your memory  
18 of our regular Board meeting in 2007 at which time  
19 the discussion on dog deer hunting in Fayette  
20 County, Alabama was tabled. This was done at the

21 request of our law enforcement personnel. There  
22 was a verbal warning entered at that time that all  
23 dog deer hunters should adhere to the rules and  
0123

1 regulations set forth by DCNR, or they would face  
2 severe penalties. Evidently no one was listening  
3 as we were not taken seriously.

4 Therefore, I would like to recommend  
5 to the Commissioner and this Board that Fayette  
6 County, Alabama be issued a ban on the use of dogs  
7 to hunt deer beginning with the 2008/2009 season.

8 I would like to also recommend that  
9 everything north of Highway 18 and west of 43 be  
10 closed to dog deer hunting. The remaining portion  
11 be left open to dog deer hunting. We can revisit  
12 this area after the upcoming season. Any  
13 complaints will result in the closing of this area,  
14 also. This exception will not impact any bans  
15 already in effect, and is to include that portion  
16 of Tuscaloosa County that has been recently closed  
17 to the use of dog to hunt deer with.

18 CHAIRMAN MOULTRIE: Yes, sir,  
19 Mr. Johnson --

20 MR. JOHNSON: Did he make that in  
21 the form of a motion?

22 CHAIRMAN MOULTRIE: That was in  
23 the form of a motion.

0124

1 MR. JOHNSON: I second the  
2 motion.

3 CHAIRMAN MOULTRIE: Mr. Harbing,  
4 I believe -- the Commissioner and I just spoke --  
5 was this brought up at the February meeting to be  
6 brought up as a motion for this meeting?

7 MR. HARBIN: No, sir -- this was  
8 discussed at the May meeting last year.

9 CHAIRMAN MOULTRIE: Okay -- in  
10 our order that will have to be -- this motion will  
11 have to be postponed and put on until the next  
12 meeting.

13 MR. HARBIN: Well, can I ask for  
14 suspension of the rules and ask that this motion be  
15 voted on today?

16 CHAIRMAN MOULTRIE: Just a  
17 minute.

18 Mr. Harbin, is that in a form of a  
19 motion to suspend the rules? Would you like to  
20 make a motion on that?

21 MR. HARBIN: Yes, sir.

22 CHAIRMAN MOULTRIE: Is there a  
23 second?

0125

1 MR. JOHNSON: Second.

2 CHAIRMAN MOULTRIE: There is a  
3 second -- Mr. Harbin would like to suspend the  
4 rules to take a vote on his previous motion.

5 All those in favor say I -- or let's  
6 have a show of hands. All those in favor raise  
7 your hands.

8 (Mr. Coles, Dr. May, Mr. Harbin, and Mr. Johnson  
9 raised hands.)

10 CHAIRMAN MOULTRIE: This motion  
11 as a point of order to the Board takes a two-thirds  
12 majority to pass.

13 All those that would like to suspend  
14 the rule to vote on his previous motion raise your  
15 hand.

16 (Mr. Coles, Dr. May, Mr. Harbin, and Mr. Johnson  
17 raised hands.)

18 CHAIRMAN MOULTRIE: All against.  
19 (Mr. Self, Mr. Hatley, and Mr. Smith raised hands.)

20 MR. HARBIN: Mr. Harbin, do you  
21 want me to present this again?

22 CHAIRMAN MOULTRIE: That motion  
23 will have to be presented at the next Advisory

0126

1 Board meeting, Mr. Harbin.

2 It will go into Old Business at the  
3 next meeting, and then it will be voted on.

4 MR. LYNCH: So as a point of  
5 clarity, if we talked about it a year ago you still  
6 have to bring it up two meetings in a row going  
7 forward?

8 CHAIRMAN MOULTRIE: Not two  
9 meetings before, at the previous meeting before the  
10 meeting that it is made a motion to be voted on.

11 MR. LYNCH: That's two meetings  
12 in a row.

13 CHAIRMAN MOULTRIE: Previous  
14 meetings -- what that is going to allow, Mr. Grant,

15 is that some rule or organization doesn't have  
16 something stuffed down their throat or jumped on  
17 them that they weren't prepared to defend.

18 MR. LYNCH: I am for it. I just  
19 want to make it clear in the future -- don't try to  
20 bring a motion for this meeting, you have to bring  
21 it --

22 CHAIRMAN MOULTRIE: Yes, sir --  
23 Mr. Johnson --

0127

1 MR. JOHNSON: Mr. Chairman, at  
2 the last meeting I spoke in terms of proposing an  
3 increase in fines, and I believe that this has  
4 already come before the legislature, and which goes  
5 before the legislature to be voted on there. But I  
6 would like to make a motion for the Alabama  
7 Conservation Advisory Board to support the proposed  
8 increase in fines for the Game and Fish Department,  
9 which should be voted on by the Alabama  
10 Legislature. Now, what I am saying is I would just  
11 like for our group here to go on record in support  
12 of this, even though it goes to the legislature to  
13 be voted on. I was just handed some time ago an  
14 article from the Gillette -- Gillette in Wyoming in  
15 which poaching mule deer he was fined --

16 MR. SELF: Mr. Chairman --

17 CHAIRMAN MOULTRIE: Yes.

18 MR. SELF: There is a bald eagle  
19 floating in the air right there outside the window.

20 CHAIRMAN MOULTRIE: Mr. Self, I  
21 don't know if we should congratulate you for seeing  
22 that or reprimand you for not paying attention.

23 Mr. Johnson, can you --

0128

1 MR. JOHNSON: I will put it into  
2 a motion, but I just wanted to point out that we  
3 are so lax in our laws here and the fines in which  
4 they offer, but this man was poaching in Wyoming --  
5 Gillette, Wyoming -- and he was fined \$10,000 for  
6 shooting a mule deer. I think that if we increase  
7 these fines tremendously we'll eliminate some of  
8 our problems that we have out here -- thank you.

9 CHAIRMAN MOULTRIE: Do I hear a  
10 second for the motion?

11 MR. JONES: Second.

12 MR. HARBIN: Second.  
13 CHAIRMAN MOULTRIE: Mr. Johnson,  
14 would you reread the motion one more time, please,  
15 sir.  
16 MR. JOHNSON: For the Alabama  
17 Conservation Advisory Board to support these  
18 proposed increase in fines for the Game and Fish  
19 Department, which should be voted on by the Alabama  
20 Legislature soon.  
21 CHAIRMAN MOULTRIE: Any other  
22 discussion on this motion?  
23 (No response.)

0129

1 CHAIRMAN MOULTRIE: This will be  
2 more in the form of a resolution.  
3 All those in favor raise your hands.  
4 (Unanimous vote.)  
5 CHAIRMAN MOULTRIE: All opposed.  
6 (No response.)  
7 CHAIRMAN MOULTRIE: Motion  
8 passes. Please let the record reflect that motion  
9 passed unanimously.  
10 The next form of Old Business is the  
11 youth hunts to have guidelines of the same  
12 regulations as are present for hunting and archery  
13 season -- Mr. Hatley --  
14 MR. HATLEY: (inaudible) and I  
15 put that in the form --  
16 CHAIRMAN MOULTRIE: Can you speak  
17 in the microphone, please?  
18 MR. HATLEY: I don't have a  
19 microphone -- Mr. Chairman, I would like to put  
20 this in the form of a motion. I would like to put  
21 this in the form of a motion that all youth hunts,  
22 regardless of whether it be turkey or deer, to have  
23 the same regulations and guidelines as are present,

0130

1 during any hunting season -- did I get it correct  
2 -- bag limits as would be out --  
3 CHAIRMAN MOULTRIE: That is your  
4 motion?  
5 MR. HATLEY: That is my motion.  
6 CHAIRMAN MOULTRIE: Is there a  
7 second?  
8 (Mr. Jones and Mr. Harbin raised hands.)

9 CHAIRMAN MOULTRIE: Mr. Hatley,  
10 would you restate the motion?

11 UNIDENTIFIABLE SPEAKER: Before  
12 you read the motion back, the regulation is going  
13 to cause a small piece of a problem because in the  
14 youth hunts the youth is required to hunt in close  
15 proximity to an adult supervisor (inaudible) and to  
16 deal with bag limits or get around that piece of  
17 the rules and regulations, that would be good.

18 MR. HATLEY: I would like to get  
19 this approved today, and whatever verbiage is  
20 necessary to concur with the rules and regulations  
21 of the --

22 CHAIRMAN MOULTRIE: You are going  
23 to have to state a motion.

0131

1 COMMISSIONER LAWLEY: I want to  
2 say that the youth hunts are subject to the same  
3 bag limits as everyone else.

4 MR. HATLEY: Thank you,  
5 Commissioner. We have a second to that motion.

6 CHAIRMAN MOULTRIE: Any  
7 discussion -- Mr. Harbin?

8 MR. HARBIN: Yes, I will second  
9 it.

10 CHAIRMAN MOULTRIE: We have  
11 already got a second. The motion has been restated  
12 by the Commissioner.

13 MR. HATLEY: Calls for the  
14 question.

15 CHAIRMAN MOULTRIE: I think we  
16 can move on without that, Mr. Hatley.

17 All those in favor.

18 (Unanimous vote.)

19 CHAIRMAN MOULTRIE: All opposed.

20 (No response.)

21 CHAIRMAN MOULTRIE: Motion

22 passes.

23 DR. MAY: Mr. Chairman, I have a

0132

1 motion I'd like to make.

2 CHAIRMAN MOULTRIE: Dr. May has a  
3 motion.

4 DR. MAY: This is on the mourning  
5 dove in the north hunting zone. If you recall last

6 year this Board passed the seasons which was to  
7 open on the fourth Saturday of September. I had  
8 several calls. I was one that made the motion, the  
9 Board passed it, I think it was eight to one, and I  
10 had calls requesting that I compromise and move it  
11 to the third Saturday, that which I did. This year  
12 the Department has come back and wants to move it  
13 back up to the second Saturday, and we are --  
14 biologically I feel we are hunting doves too  
15 early. This is based on a new study, they have  
16 proven that we kill 60 percent of them in the first  
17 ten days of the season. I was talking to someone  
18 the other day that says that all we are shooting  
19 early is -- he calls them "fluffies", some of them  
20 can't hardly get off of the ground. The fledglings  
21 don't reach maturity until they are 21 days of age.  
22 He said -- you wrap one with a piece of bacon and  
23 you think you are eating a pork sausage trying to  
0133

1 get it off the grill -- so little dove there and  
2 more bacon fat. But the proposed seasons that I  
3 would like to propose is basically the same thing  
4 is just beginning the third Saturday in September,  
5 which will be September 20th to run through October  
6 12th. The second season will be October 25th to  
7 run through November 15th. The third season will  
8 be December 13th and run through December 27th.  
9 This is a 60-day season, 15 a day, 15 in  
10 possession.

11 CHAIRMAN MOULTRIE: Is there a  
12 second?

13 MR. JOHNSON: Second.

14 CHAIRMAN MOULTRIE: There is a  
15 second. The motion is again the north season  
16 hunting zone 15 a day, 15 possession, 60 days  
17 preseason, beginning the third Saturday in  
18 September -- September 20th through October 12th,  
19 October 25th through November 15th, December 13th  
20 through December 27th.

21 Dr. May, you have first right of  
22 discussion on this. Do you have any other  
23 discussion?

0134

1 DR. MAY: I don't think I need  
2 to. It's biologically sound, and we voted last

3 year eight to one. I don't see why we even should  
4 suggest a change. All this is moving it back one  
5 Saturday from what was proposed.

6 CHAIRMAN MOULTRIE:

7 Dr. Strickland --

8 DR. STRICKLAND: Do we have the  
9 code for hunting (inaudible) --

10 CHAIRMAN MOULTRIE: No.

11 DR. STRICKLAND: The problems  
12 that we have in northern Alabama opening the season  
13 this early, late in September, is we get one good  
14 weekend of hunting. The doves are gone. This  
15 really affects the kids. They get -- there are  
16 just no doves here. I understand that biologically  
17 it's sound, but we are going to impact the ability  
18 of, particularly our youth, to have them hunt.  
19 Most kids, their first experience in the outdoors  
20 with hunting is with a dove hunt, but we are being  
21 cheated by starting the season this late, Dr. May.  
22 Now, I would really like to see, you know, our dove  
23 season (inaudible) --

0135

1 CHAIRMAN MOULTRIE: Mr. Jones --

2 MR. JONES: Thank you,  
3 Mr. Chairman. I would also like to express concern  
4 because unfortunately the north zone is so large.  
5 It's well over 50 counties within our state, and  
6 that presents a real problem. The northern tiered  
7 counties of our state are greatly affected because,  
8 again, they are gone -- they leave. What might be  
9 good for central Alabama is not really good for  
10 northern Alabama when it comes to that. I would  
11 like to clarify -- every seven years the dates roll  
12 back. The dates, if we leave it the third  
13 Saturday, you also, Dr. May, are you going to be  
14 happy with it when it's back to September 13th as  
15 the third Saturday?

16 DR. MAY: I think the 15th will  
17 be the furthest it will roll back -- yes, I will be  
18 happy.

19 MR. JONES: But you are still  
20 saying it would roll back to the --

21 DR. MAY: Yes, it's going to  
22 fluctuate the 13th, the 15th, and the 21st.

23 MR. JONES: Well, I wanted to

0136

1 clarify this as part of what you are saying.

2 DR. MAY: If you put it on the  
3 second Saturday, you are going to rotate it all the  
4 way to the 1st of September.

5 MR. JONES: Historically, I think  
6 the way the Department has handled it is it is  
7 usually opened on or about the 15th, is that  
8 correct, whatever the Saturday is on or about the  
9 15?

10 UNIDENTIFIABLE SPEAKER: We've  
11 had some fluctuation, but usually the Saturday  
12 after Labor Day or the second Saturday, depends on  
13 how it falls.

14 DR. MAY: It can run all the way  
15 to the 1st of September.

16 MR. JONES: I guess in my  
17 lifetime I never recall dove season starting around  
18 the 1st of September. It's always started roughly  
19 around September 15th.

20 UNIDENTIFIABLE SPEAKER: More  
21 often in the middle of the month, than earlier, I  
22 think we have had a couple of years where we did  
23 have it open probably about the 10th or 11th -- I

0137

1 forget exactly the dates (inaudible) -- but never  
2 on the 1st, never on September 1st.

3 MR. JONES: Is that something you  
4 could look at and tell us what those typical dates  
5 have been and give us the last 15, 20 years?

6 UNIDENTIFIABLE SPEAKER: Sure.

7 DR. MAY: The third Saturday is  
8 going to be more fair to the north zone than it is  
9 to the southern part of the north (inaudible) they  
10 would prefer it on the last Saturday or the first  
11 Saturday in October.

12 MR. JONES: Speaking from people  
13 in this area -- and as I live about 20 minutes from  
14 here -- people up here wish it would open up  
15 September 1st because Tennessee opens up September  
16 1st.

17 DR. MAY: But you are talking  
18 about four counties up there on the Tennessee line,  
19 and you are talking about 57 more counties in  
20 central Alabama.

21 MR. JONES: And that's true that  
22 we have got to --

23 DR. MAY: We've got to please  
0138

1 more than four or five counties.

2 CHAIRMAN MOULTRIE: Mr. Coles,  
3 you have the next question.

4 MR. COLES: This seems to be an  
5 ongoing problem as to starting dates and  
6 what-have-you. Turkey season starts on March 15th.  
7 It doesn't matter a whole lot if it's on a Sunday  
8 or a Thursday or a Friday or a Tuesday. Other  
9 seasons start on other days of the week as opposed  
10 to starting on a Saturday. Might I suggest that we  
11 possibly look into starting all of our seasons on a  
12 specific date, as opposed to --

13 11:53 a.m.

14 (The court reporter took time to adjust software.)

15 11:54 a.m.

16 CHAIRMAN MOULTRIE: Mr. Coles,  
17 are you ready to start back -- are you ready?

18 COURT REPORTER: Yes.

19 CHAIRMAN MOULTRIE:  
20 Dr. Strickland, you have the next opportunity.

21 MR. COLES: I am waiting on an  
22 answer.

23 CHAIRMAN MOULTRIE: I am sorry --  
0139

1 I thought you were finished.

2 MR. PUGH: We have to be very  
3 careful about changing the system (inaudible)  
4 Saturday, and for instance we open deer season --  
5 on the Saturday before Thanksgiving you have deer  
6 season, and I hate to see us go to a calendar  
7 date that disrupts the opportunity for all the deer  
8 hunters. As far as doves go, as Dr. Strickland  
9 pointed out, there are tremendous opportunities for  
10 youth to get involved in hunting, through dove  
11 hunting, and because of school and other things,  
12 Saturday is their window, so I encourage the Board  
13 to stay with a Saturday opening on doves.

14 CHAIRMAN MOULTRIE: Does that  
15 answer your question, Mr. Coles?

16 MR. COLES: Not to my  
17 satisfaction.

18 CHAIRMAN MOULTRIE: Well, let's  
19 ask it again then.

20 MR. COLES: We have other seasons  
21 that start on other days that have a specific  
22 date. Why not start them on Saturdays?

23 MR. PUGH: Because of the need to  
0140

1 optimize an opportunity for most people to  
2 participate.

3 MR. COLES: Thank you.

4 CHAIRMAN MOULTRIE:  
5 Dr. Strickland --

6 DR. STRICKLAND: That answered my  
7 question.

8 CHAIRMAN MOULTRIE: Okay -- any  
9 other discussion?

10 (No response.)

11 CHAIRMAN MOULTRIE: We have a  
12 motion and a second for mourning dove north zone  
13 hunting seasons 15 a day, 15 in possession, 60-day  
14 split, season beginning the third Saturday in  
15 September -- September 20th through October 2nd,  
16 October 25th through November 15th, December 13th  
17 through December 27th.

18 All those in favor raise your hand.

19 MR. MOODY: Before you vote --  
20 and I apologize for the interruption -- just to  
21 bring to the Board's attention, and I think some of  
22 you are aware that there is a possibility that we  
23 will have a longer season offered for the north

0141

1 zone. We will not know until after the May  
2 meeting -- that is a problem, we understand.

3 CHAIRMAN MOULTRIE: How was that  
4 offered -- Mr. Moody, could you explain that real  
5 quick?

6 MR. MOODY: Yes -- the Dove  
7 Technical Committee -- and some of you may have  
8 seen this, but we will pass it around, and you-all  
9 can pass that for the Board. The Dove Technical  
10 Committee -- the reason -- I got this yesterday,  
11 and that is the reason you haven't seen it before  
12 now or heard about it before now. I have just  
13 finally got this -- but the Dove Technical  
14 Committee met, and their recommendation is -- to

15 the Fish & Wildlife Service -- is to increase the  
16 dove hunting opportunity to a 70-day, 15-bird bag  
17 limit, which would be able to offer ten more days  
18 in the north zone if they accept that. Before you  
19 vote on a final season, I am just making you aware  
20 that that opportunity may be presented, and we may  
21 want to discuss this at --

22 CHAIRMAN MOULTRIE: During  
23 discussion I wish that you had presented that, but  
0142

1 that is good that you got it in now.

2 Dr. May, in your motion what would  
3 your feeling be about when would you interject ten  
4 extra days, or would you want more time to review  
5 that?

6 DR. MAY: Well, I'd probably want  
7 more time, but I'd still have reservations about  
8 starting before the third Saturday in September. I  
9 still believe -- I know you-all say they leave from  
10 up there, but I don't know where they go. But I  
11 don't believe you need to start dove season -- you  
12 have fledglings still on the ground, you still have  
13 nesting going on in September, not a lot, but you  
14 have some, and I don't see the importance of  
15 starting it that early.

16 MR. JONES: Mr. Chairman --

17 CHAIRMAN MOULTRIE: Hold on,  
18 Mr. Jones.

19 Dr. Strickland, you have the mic.

20 DR. STRICKLAND: I was just  
21 wondering could I get a little input from our  
22 conservationist about starting the season early.  
23 Do you feel it's going to have that big of an  
0143

1 impact?

2 MR. MOODY: The Fish & Wildlife  
3 Service allows the season to start any time from  
4 September 1st after that.

5 The reason, Dr. May, that we have  
6 recommended an earlier season than last year is  
7 because our staff -- that is the comments they hear  
8 more than anything else -- we want to hunt earlier,  
9 not later. It's more of a people issue than a dove  
10 population issue, trying to satisfy the desire of  
11 the people when it doesn't have a negative impact

12 on the population (inaudible) but right now that's  
13 from the information we've got -- that's our  
14 recommendation.

15 CHAIRMAN MOULTRIE:  
16 Dr. Strickland, does that answer your question?

17 DR. STRICKLAND: It does -- but I  
18 just want this Board to know that it's going to  
19 have a big people effect in northern, in the  
20 northern counties. We just don't have the doves  
21 there, and I personally cannot -- you know, I don't  
22 support that late start.

23 CHAIRMAN MOULTRIE: Even though  
0144

1 we were in the middle of voting on a motion, I am  
2 going to reopen discussion again just for this  
3 purpose -- Dr. May --

4 DR. MAY: Well, I disagree with  
5 Dr. Strickland and Gary both. I think it does make  
6 a difference, and the study that's going on now  
7 with the banding of the birds, they are getting a  
8 report -- when you kill 60 percent of them in the  
9 first ten days, you've got to be killing some of  
10 these young doves and you are leaving a lot of  
11 young doves to die on the ground, or either eggs  
12 not to hatch, and you are definitely affecting the  
13 population of the base of the dove population. So  
14 I can't see where they are coming from when they  
15 say it doesn't affect them -- and that is the  
16 problem I had with you starting it early. Besides,  
17 you are pleasing at the most ten counties out of  
18 the 57 that's along the coast. There are other  
19 people that hunt doves than the northern ten  
20 counties.

21 CHAIRMAN MOULTRIE: Mr. Jones,  
22 you have the next opportunity to speak.

23 MR. JONES: Thank you -- I guess  
0145

1 I don't see this on the Old Business section, and I  
2 know Dr. May brought this up, but we never had this  
3 in the form of a motion at the last meeting. Now,  
4 that's just --

5 CHAIRMAN MOULTRIE: It doesn't  
6 have to be in the form of a motion to discuss. The  
7 Commissioner and I reviewed it and Mr. Smith has  
8 pulled it from the minutes here, and it was brought

9 up and discussed. It doesn't have to be in the  
10 form of a motion --

11 MR. JONES: I guess I am trying  
12 to understand the difference between this and the  
13 Fayette County issue.

14 CHAIRMAN MOULTRIE: It has to be  
15 discussed and brought up and talked about at the  
16 previous meeting.

17 DR. MAY: You don't have to make  
18 a motion.

19 CHAIRMAN MOULTRIE: You don't  
20 have to make a motion to bring it up -- okay --  
21 Mr. Lynch --

22 MR. LYNCH: I believe he was  
23 first.

0146

1 CHAIRMAN MOULTRIE: Okay --  
2 Mr. Self --

3 MR. SELF: Mr. Chairman, I  
4 believe at our last meeting that was held at  
5 (inaudible) State Park I had brought up three or  
6 four (inaudible) at least where a study be done by  
7 Dr. (inaudible) at Auburn University, and I  
8 received a copy of that report from Auburn, and  
9 what the report said was that there was no  
10 biological reason why the entire state dove season  
11 could not open as early as the 1st of September --  
12 that was the report that was returned.

13 DR. MAY: What report is this?

14 MR. SELF: That was a report that  
15 I requested at the (inaudible) Joe Wheeler --

16 DR. MAY: Is that the report  
17 you-all have been going back over the years that  
18 was on the nesting of the mourning dove?

19 MR. SELF: It addressed the  
20 fledgling population and the fact that it didn't  
21 have any biological impact.

22 DR. MAY: Well, most of that had  
23 to do mostly on nesting, and I am surprised we even

0147

1 went by it. It started 25 years ago, and they were  
2 nesting --

3 DR. STRICKLAND: Don't we have  
4 historical data from other states that open the  
5 seasons earlier? I mean, we can look at Arkansas

6 that opens September 1st. They have a pretty  
7 healthy dove population -- Mississippi -- you know,  
8 same doves, right?

9 CHAIRMAN MOULTRIE: Mr. Moody,  
10 would you like to address that, please?

11 MR. MOODY: They take advantage  
12 of that early season, and that's the reason that we  
13 feel assured that lots of our hunters are very  
14 concerned. They feel like they are being penalized  
15 for not being able to open closer to the earlier  
16 part of September because the other states are  
17 doing it. Still, just -- any time after September  
18 1st it's not biologically unsound, but it's trying  
19 to make sure that we understand what the hunters  
20 and the public are asking for and taking advantage  
21 of opportunities for our hunters, and our staff is  
22 here to (inaudible) earlier, but that's the reason  
23 you've got a recommendation from us to make it

0148

1 earlier.

2 CHAIRMAN MOULTRIE: Mr. Moody, to  
3 clarify for the Board, I believe we discussed the  
4 (inaudible) but again the issue is flamboyant and I  
5 want them all to know -- on the overlapping of  
6 normal agricultural planting of top-sown wheat as a  
7 method for dove hunting, how does that overlap with  
8 our zones now? What will that do to this effect?

9 MR. MOODY: Those two things are  
10 totally independent of themselves. The planting  
11 dates and agricultural dates are established by our  
12 agricultural community based on what is optimum for  
13 planting. They were not set for dove management or  
14 plant or managing doves or -- so they are totally  
15 independent, and we have --

16 CHAIRMAN MOULTRIE: I understand  
17 them being independent, but if we move -- the  
18 season was moved, one way or the other there would  
19 be some opportunity that someone maybe could not  
20 take advantage of that, would that be correct?

21 MR. MOODY: Depending on how it  
22 was set, potentially.

23 CHAIRMAN MOULTRIE: Then the

0149

1 Board be aware of that.

2 DR. MAY: Well, the seasons, we

3 still have planting seasons in most all the zones,  
4 wouldn't you? You are not penalizing anybody on  
5 planting season?

6 MR. MOODY: We are not penalizing  
7 anybody for it, but --

8 DR. MAY: I am talking about if  
9 you open the season, the 15th or the 13th, it was  
10 still -- both of them still have the planting  
11 season --

12 CHAIRMAN MOULTRIE: For the  
13 Board's information, what are those planting  
14 dates?

15 DR. MAY: Extension service is  
16 (inaudible) --

17 CHAIRMAN MOULTRIE: Right -- but  
18 just for information purposes, what are those  
19 dates -- and I believe that's divided into three  
20 zones instead of two, isn't it?

21 The north planting zone for top-sown  
22 wheat is August 25th to November 1st; the central  
23 planting zone is September 1st to November 15th;  
0150

1 and the south planting zone is September 15th to  
2 December 1st -- and again this is for top-sown  
3 wheat, and the State looks reasonably split into  
4 three separate parts, if you-all would like to  
5 review that.

6 DR. MAY: But all the seasons are  
7 still in advance?

8 CHAIRMAN MOULTRIE: That is  
9 correct, Dr. May.

10 Commissioner, you normally have two  
11 days, is that correct, Mr. Lawley?

12 (No response.)

13 CHAIRMAN MOULTRIE: Mr. Moody,  
14 how many people do you (inaudible) top-sown wheat  
15 nowadays in dove planting? Do you have an idea on  
16 that?

17 UNIDENTIFIABLE SPEAKER: Quite a  
18 few -- it's harder to predict exactly what that  
19 figure is, but they are fairly common.

20 CHAIRMAN MOULTRIE: So that  
21 wouldn't be something that would impact this  
22 (inaudible) --

23 UNIDENTIFIABLE SPEAKER: It

0151

1 could, yes.

2 CHAIRMAN MOULTRIE: Any other  
3 discussion?

4 MR. COLES: I also believe, like  
5 Dr. Strickland, that the social aspect of dove  
6 hunting and what it means for youth passing up some  
7 earlier hunts, which is a lot of what I hear.  
8 We've heard some reports back that it's not  
9 damaging the dove population, and I don't think the  
10 federal folks would be considering giving us ten  
11 more days to hunt if they were under any kind of  
12 stress from when we open our season, so I would be  
13 much more for keeping the season earlier myself as  
14 well.

15 CHAIRMAN MOULTRIE: Mr. Harbin --

16 MR. HARBIN: Never mind.

17 DR. MAY: I get back to the  
18 point, Mr. Lynch, you cater to your northern  
19 counties, and remember you got 57 counties in the  
20 north, so let's not forget about them -- let's have  
21 a later season than even the 15th, and all I hear  
22 people up this way talk about, let's cater to the  
23 commercial hunters up here on the Tennessee line.

0152

1 CHAIRMAN MOULTRIE:

2 Dr. Strickland --

3 DR. STRICKLAND: I don't think  
4 the other counties would complain about an earlier  
5 hunt.

6 CHAIRMAN MOULTRIE: Mr. Jones --

7 MR. JONES: I don't believe they  
8 would complain about that either -- and first of  
9 all, I don't know of any commercial hunters up here  
10 that are hunting doves in a commercial fashion on  
11 the Tennessee line -- and just because we do have  
12 such a large zone, are we saying we are going to  
13 discriminate against the northern tier of counties  
14 in favor of the southern counties, is that what I  
15 heard you say?

16 DR. MAY: The people up here want  
17 the earlier hunting --

18 MR. JONES: How is that  
19 discriminating? You are still having the season.  
20 If you take our doves away, how is that giving

21 favor?

22 DR. MAY: You are not taking your  
23 doves away.

0153

1 MR. JONES: Well, they are gone  
2 by the time we get to when you are talking about --

3 DR. MAY: Well, the county next  
4 to you must be feeding heavier than you-all are.

5 MR. JONES: You can't -- if you  
6 want to favor the southern tier of the northern  
7 zone, you're discriminating against the northern  
8 tier. That's not --

9 DR. MAY: It's just as fair to  
10 the northern tier of that zone as it is to the  
11 southern tier if you open the middle of September.

12 MR. JONES: Can I go dove hunting  
13 with you -- because we won't have any doves.

14 CHAIRMAN MOULTRIE: I will add  
15 your question, and then we are going to move on  
16 here.

17 MR. SELF: Well, I would just  
18 like to make comment that we all know that doves  
19 are migratory, and as -- and by late September  
20 you've got cold weather appearing in the northern  
21 part of the state, and the doves are pushed south.  
22 Personally, my farm is in Monroe County, which is  
23 just one county away from Baldwin and Mobile

0154

1 County, and I would prefer the dove season open  
2 early down there. Right now I am going to -- I go  
3 the Mississippi every year so I can dove hunt over  
4 there on the 1st of September. I would much prefer  
5 to see an earlier opening, as many of my neighbors  
6 would prefer that as well. Quite a few of my  
7 neighbors hunt in Mississippi so they can catch  
8 that early opening.

9 CHAIRMAN MOULTRIE: We've got  
10 a --

11 MR. SELF: We are in the  
12 southern-most part of the state.

13 CHAIRMAN MOULTRIE: Thank you,  
14 Mr. Self. We've got the motion and second that's  
15 been reread and we've opened discussion twice, we  
16 are going to go ahead and vote on the motion.

17 All those in favor raise your hand.

18 (Dr. May, Mr. Johnson, and Mr. Harbin raised  
19 hands.)

20 CHAIRMAN MOULTRIE: I will repeat  
21 the motion again, the motion being for mourning  
22 dove north zone hunting season 15 a day, 15 in  
23 possession, 60 days, split season, beginning the  
0155

1 third Saturday in September -- September 20th  
2 through October 12th, October 25th through November  
3 15th, December 13th through December 27th.

4 All those in favor raise your hand.  
5 (Mr. May, Mr. Johnson, and Mr. Harbin raised  
6 hands.)

7 CHAIRMAN MOULTRIE: All opposed.  
8 (Mr. Smith, Dr. Strickland, Mr. Hatley, Mr. Self,  
9 Mr. Coles, Mr. Lynch, Mr. Jones raised hands.)

10 CHAIRMAN MOULTRIE: Motion  
11 favored.

12 MR. COLES: Point of origin,  
13 Mr. Chairman.

14 CHAIRMAN MOULTRIE: Yes.

15 MR. COLES: I believe Mr. Moody  
16 said that we don't know whether we are going to  
17 have these ten days added or not; is that correct?

18 MR. MOODY: That is correct.

19 MR. COLES: And we just completed  
20 this motion so, Dr. May, after we find out whether  
21 the ten days are added, would you come back at our  
22 May meeting and bring another motion for dates at  
23 that time?

0156

1 DR. MAY: Well, I don't think  
2 it's going to be necessary if they are going to  
3 vote before September 15th.

4 MR. COLES: Well, we don't have a  
5 date now, we just defeated the motion, so there are  
6 no set dates for the --

7 CHAIRMAN MOULTRIE: We have the  
8 dates that they are recommending.

9 DR. MAY: They already have a set  
10 date.

11 MR. COLES: All right -- I am  
12 sorry -- can that be amended at the May meeting  
13 after the ten days, after we know whether the ten  
14 days are added?

15 MR. MOODY: We will not know the  
16 dates in the May meeting. What we would recommend  
17 for the Board to consider would be to establish  
18 two sets of dates -- one 60 days and one 70 days --  
19 if we get the chance for 70 days, we can offer that  
20 season and if we don't, we will drop back to  
21 60 days.

22 CHAIRMAN MOULTRIE: Dr. Smith --

23 DR. SMITH: The dates have not

0157

1 been set until we approve this correctly anyway.

2 MR. MOODY: That is correct.

3 DR. SMITH: This is still  
4 in draft form from the May meeting.

5 MR. MOODY: It is a  
6 recommendation.

7 DR. SMITH: What this is right  
8 now is a recommendation.

9 CHAIRMAN MOULTRIE: Okay -- the  
10 next issue of Old Business going down the list is  
11 "C", dog hunting in Coffee County, Butler County,  
12 and Pike County -- Mr. Coles --

13 MR. COLES: Chairman, I'd like  
14 defer those to the May meeting at this time,  
15 please, sir.

16 CHAIRMAN MOULTRIE: Okay -- the  
17 next is the Marine Resources Division --  
18 Mr. Jenkins and Mr. Heath, are you-all going to  
19 speak -- Mr. Jenkins -- or Mr. Hatley, are you  
20 going to speak?

21 MR. HATLEY: Yes -- at the last  
22 Board meeting, the Marine Resources presented some  
23 items for action. Those items were read by me to

0158

1 this group, and each one had a copy. Today I would  
2 like to put in the form of a motion that we adopt  
3 these four recommendations, which are stated in the  
4 agenda -- and, Mr. Chairman, I would put those four  
5 together in the form of a motion that we adopt.

6 CHAIRMAN MOULTRIE: Is there a  
7 second?

8 (Mr. Lynch and Mr. Self second.)

9 CHAIRMAN MOULTRIE: Mr. Hatley,  
10 would you restate the motion?

11 MR. HATLEY: Yes -- I would move

12 at this time that we adopt the four resolutions or  
13 recommendations by the Department of Marine  
14 Resources as presented by me at the last Board  
15 meeting.

16 CHAIRMAN MOULTRIE: Any  
17 discussion, Mr. Hatley?

18 MR. HATLEY: None.

19 CHAIRMAN MOULTRIE: Any  
20 discussion from the Board?

21 (No response.)

22 CHAIRMAN MOULTRIE: We have a  
23 motion and a second. All

0159

1 Those in all those in favor raise  
2 your hand.

3 (Unanimous vote.)

4 CHAIRMAN MOULTRIE: All opposed.

5 (No response.)

6 CHAIRMAN MOULTRIE: Motion  
7 passes.

8 MR. HATLEY: Thank you.

9 CHAIRMAN MOULTRIE: Item E is --  
10 we have already voted -- it is in support of the  
11 fines. We have already voted on that --  
12 Mr. Johnson -- next is listed "I", Marine Police  
13 Division -- Bob --

14 MR. HUFFAKER: Yes -- we've got  
15 the regulation to present adoption that I presented  
16 at the last meeting -- closure of vessels and  
17 watercraft on that portion of the gulf waters  
18 adjacent to the Gulf State Park. This is closing  
19 those waters during the construction period for the  
20 construction period of the construction of the new  
21 (inaudible) of the state park.

22 MR. HATLEY: Mr. Chairman --

23 CHAIRMAN MOULTRIE: Yes.

0160

1 MR. HATLEY: I would like to put  
2 in the form of a motion, the recommendation  
3 presented by the Marine Police Division.

4 CHAIRMAN MOULTRIE: Is there a  
5 second?

6 (Mr. Self and Mr. Lynch second.)

7 CHAIRMAN MOULTRIE: Mr. Huffaker,  
8 if you would read that one time, please, the motion

9 again.

10 MR. HUFFAKER: To accept the  
11 regulation for closure to vessels and watercraft on  
12 that portion of the gulf waters adjacent to the  
13 state park here, and it's regulation 2007MP-4.

14 CHAIRMAN MOULTRIE: Any other  
15 discussion?

16 (No response.)

17 CHAIRMAN MOULTRIE: All those in  
18 favor.

19 (Unanimous vote.)

20 CHAIRMAN MOULTRIE: All opposed.

21 (No response.)

22 CHAIRMAN MOULTRIE: Motion  
23 passes -- Item J, Wildlife & Freshwater Fisheries

0161

1 -- Mr. Pugh --

2 MR. PUGH: The first item is to  
3 repeal the requirement of metal wing tag being  
4 affixed to all commercial pen-raised quail  
5 carcasses before sale. That is regulation  
6 220-2-.28.

7 The second is to repeal prohibition  
8 of trolling in certain bays of Mobile delta during  
9 duck season -- 220-2-.41 --

10 CHAIRMAN MOULTRIE: Is there a  
11 motion for those two items?

12 MR. LYNCH: I make a motion we  
13 pass those two items.

14 CHAIRMAN MOULTRIE: Is there a  
15 second?

16 MR. SELF: Second.

17 CHAIRMAN MOULTRIE: Mr. Pugh,  
18 would you read those two motions again, please,  
19 sir.

20 MR. PUGH: To repeal 220-2-.28,  
21 requires a metal wing tag being fixed to all  
22 commercial pen-raised quail carcasses before sale,  
23 and to repeal 220-2-.41, prohibition of trolling of

0162

1 certain bays of the Mobile delta during duck  
2 season.

3 CHAIRMAN MOULTRIE: All those in  
4 favor raise your hand.

5 (Unanimous vote.)

6 CHAIRMAN MOULTRIE: All opposed.

7 (No response.)

8 CHAIRMAN MOULTRIE: Motion  
9 passes. Mr. Pugh, the proposed season and bag  
10 limits.

11 MR. PUGH: You've got before you  
12 staff recommendations that were presented at the  
13 last Board meeting, and we would recommend approval  
14 of those recommendations as you have them.

15 CHAIRMAN MOULTRIE: Mr. Hatley  
16 makes a motion. Is there a second --

17 MR. SELF: Second.

18 CHAIRMAN MOULTRIE: Second,  
19 Mr. Self -- Mr. Pugh, one more time, the motion,  
20 will you reread that, please, sir?

21 MR. PUGH: And we need to clarify  
22 the issue also about dove season with uncertainty  
23 with what the Feds are going to do. I am not quite

0163

1 sure how you want to handle that issue, but --

2 CHAIRMAN MOULTRIE: Well, that  
3 would just have to be open.

4 Commissioner, do you have to qualify  
5 to be open to change if these views are proposed or  
6 accepted by the Board under the motion (inaudible)  
7 that could be recommended.

8 COMMISSIONER LAWLEY:

9 (inaudible) --

10 CHAIRMAN MOULTRIE: Dr. May, you  
11 have done more work, the Commissioner said, than  
12 anybody on the ten days. Do you have an opinion on  
13 that?

14 DR. MAY: I don't think it  
15 matters -- thank you.

16 CHAIRMAN MOULTRIE: Okay --  
17 Mr. Pugh --

18 MR. PUGH: We recommend approval  
19 of the seasons and limits as presented to the  
20 Board.

21 CHAIRMAN MOULTRIE: Any other  
22 discussion?

23 DR. SMITH: Will there need to be

0164

1 some amendment or some part of that motion to allow  
2 the flexibility to add the ten, because if you

3 adopt them as they are today, they aren't included  
4 in that? So it seems to me like you need to have  
5 some follow-up to what you approve today to give  
6 you the opportunity to do that after this vote  
7 today.

8 MR. PUGH: You are correct.

9 CHAIRMAN MOULTRIE: Would you add  
10 that to your motion? Mr. Pugh, will you restate  
11 that so that everybody is clear and (inaudible) --

12 MR. PUGH: We recommend the  
13 adoption of the rule on the seasons and limits as  
14 presented to the Board (inaudible) the federal  
15 government allows us an extra ten days for dove  
16 season in the north zone, that that would be  
17 approved also.

18 CHAIRMAN MOULTRIE: Not to  
19 unclarify -- do you-all have a feeling where you  
20 would put that ten days right now?

21 MR. PUGH: Based on what our  
22 staff is hearing from the hunting clubs, it would  
23 be starting on September 1st -- I hope.

0165

1 MR. MOODY: We would like to look  
2 at it and come back to you in May with a final  
3 recommendation, but probably not before the  
4 Saturday after Labor Day, whenever that may be, not  
5 looking at the calendar -- 6th this year,  
6 apparently.

7 CHAIRMAN MOULTRIE: Can that ten  
8 days be split (inaudible) any way you want --

9 MR. MOODY: We might take a  
10 little time to look at it to see and come back and  
11 give you a set of dates to consider.

12 CHAIRMAN MOULTRIE: And we don't  
13 have to take that ten days, do we?

14 MR. MOODY: No.

15 CHAIRMAN MOULTRIE: All right --  
16 I think everybody understands the motion.

17 All those in favor.

18 (Dr. Smith, Dr. Strickland, Mr. Hatley, Mr. Self,  
19 Mr. Coles, Mr. Lynch, Mr. Johnson, Mr. Jones, and  
20 Mr. Harbin raised hands.)

21 CHAIRMAN MOULTRIE: All opposed.  
22 (Dr. May raised his hand.)

23 CHAIRMAN MOULTRIE: Motion

0166

1 passes. New Business -- Marine Police -- Bob --  
2 MR. HUFFAKER: I would like to  
3 present a recommendation for a new regulation to be  
4 considered, and it's 220-6-.60, what we call the  
5 100-foot restriction. This will set up a speed  
6 zone on all one-ways in the state of Alabama from  
7 shoreline to 100 feet out, and in this exclusionary  
8 zone (inaudible) of boats (inaudible) and vessels  
9 would be restricted to come out, too. I think  
10 there is a copy of this recommendation in each one  
11 of the packets that's been presented for  
12 consideration for the next Board meeting.

13 CHAIRMAN MOULTRIE: Any  
14 discussion from the Board?

15 (No response.)

16 CHAIRMAN MOULTRIE: The next item  
17 of New Business -- Marine Resources --  
18 Mr. Jenkins -- Mr. Self --

19 MR. SELF: Mr. Chairman, I want  
20 to recommend amending our current 220-3-.03, the  
21 Use of Nets and Harvest of Mullet Regulation to  
22 allow from the first day after Labor Day until 12  
23 midnight on October 31st of each year possession of

0167

1 mullet on board a boat with a seine gill net,  
2 trammel net, or other entangling net or possession  
3 of mullet taken by cast net on board a boat in the  
4 waters of Bon Secour Bay and Mobile Bay north of  
5 the Intracoastal Waterway. This can be  
6 accomplished by deleting Section 17 from the  
7 regulation -- and, Mr. Jenkins, if you would, would  
8 you explain why we want to do this, and it's  
9 basically because of the flip-flop in value of the  
10 roe mullet versus the meat mullet.

11 MR. JENKINS: Yes, sir --  
12 basically what happens is we've never had closure  
13 of gill net in that area. It's only just been  
14 illegal possession on board a boat in those areas.  
15 When that was put into effect, way back in the  
16 early '90s, about 70 percent of the value the  
17 fishermen got from the fish brought from the roe  
18 mullet fishermen. The fishermen themselves came  
19 forward and requested that those fish be allowed to  
20 grow at a larger size before they were captured and

21 sold to maximize the profit. Since that time, the  
22 roe fishery, the price fell and pretty much is  
23 flip-flopped. Now, the food fishery (inaudible) 70  
0168

1 percent of that fishery and the roe mullet fishery  
2 only about 30.

3 MR. SELF: I hope that explains  
4 why, and I think most of the commercial fishermen  
5 in here understand that already.

6 Also, I'd like to recommend  
7 consideration of a regulation that we change our  
8 current 220-3-.03, Use of Nets and Harvest of  
9 Mullet Regulations, and allow individuals to take  
10 fish other than mullet without first purchasing a  
11 roe mullet permit, which is a \$500 resident fee.  
12 During the period of October 21st through December  
13 31st of each year if such person utilizes a net  
14 with a mesh size of 2-and-one-half inches,  
15 knot-to-knot, or larger, which is a 5-inch stretch.  
16 These changes can be accomplished by amending  
17 Section 2 of the regulation to state that any  
18 person possessing, using, or attempting to use any  
19 commercial gill net, trammel net, or other  
20 entangling net with mesh size of 2 inches,  
21 knot-to-knot, or larger, but less than 2-and-a-half  
22 inches knot-to-knot, to take or attempt to take any  
23 fish during the period of October 21st through  
0169

1 December 31st of each year in the waters of Alabama  
2 must have a roe mullet permit as provided by  
3 Alabama Code-12-113, provided further that any  
4 person in possession of mullet while possessing,  
5 using, or attempting to use any commercial gill  
6 net, trammel net, or other entangling net is also  
7 required to have said roe mullet permit -- and,  
8 Mr. Jenkins, would you again comment on the purpose  
9 of this change?

10 MR. JENKINS: Yes, sir --  
11 historically when the roe mullet were so valuable,  
12 we actually had problems with people trying to use  
13 different size nets. We actually made it where if  
14 you had a larger size net we thought you would have  
15 been in the roe fishery, and therefore you had to  
16 buy a permit. Now, since the economics of that  
17 fishery have changed there are a lot of people that

18 are not interested in chasing roe mullet in the  
19 rough weather during those months. They feel like  
20 they are being penalized by having to buy a permit  
21 they are not using. Also, this will allow the  
22 flounder fishermen to fish, and they won't feel the  
23 pressure to jump in the roe mullet fishery to try  
0170

1 to earn the money back they paid just for that  
2 permit. Our biological section feels like that  
3 when you use over that 5-inch stretch, there are  
4 very few roe mullet to catch anyway, and so  
5 therefore we felt like this was a good  
6 recommendation.

7 CHAIRMAN MOULTRIE: Any other  
8 discussion?

9 (No response.)

10 CHAIRMAN MOULTRIE: Is there any  
11 other New Business -- Dr. Strickland --

12 DR. STRICKLAND: Yes,  
13 Mr. Chairman, more than 70 states and (inaudible)  
14 bow hunting organizations feel, which is including  
15 bow hunters in Alabama, that in order to preserve  
16 the tradition and integrity of bow hunting that it  
17 is vital that crossbow not be permitted in the  
18 general bow hunting season. As a result, I would  
19 like to make the recommendation that crossbows be  
20 removed from the general archery season -- with the  
21 exception of senior citizens, ages greater than 65,  
22 the handicapped, and kids. I would like to open  
23 this for discussion.

0171

1 CHAIRMAN MOULTRIE: Mr. Harbin --

2 MR. HARBIN: Mr. Chairman, what  
3 is the biological or the safety reason for making  
4 this change? Are there any?

5 CHAIRMAN MOULTRIE:  
6 Dr. Strickland, would you like to answer that?

7 DR. STRICKLAND: Well, it's more  
8 philosophical than anything else, Mr. Harbin. You  
9 know, bow hunters have spent many, many years in  
10 fighting for this general archery season only.  
11 Basically the crossbows have been looking for a  
12 place. They are kind of like a man without a  
13 country. It's really been the industry itself that  
14 have really pushed for a crossbow-only season. It

15 hasn't been our (inaudible) department, it really  
16 hasn't been the bow hunters themselves, but the bow  
17 hunters really see this as hallowed ground, the  
18 general archery season. I mean, we've fought  
19 for -- bow hunters have fought for this since the  
20 early '30s and '40s, and they feel that their  
21 tradition has been diluted by putting crossbows, or  
22 throwing crossbows in their general archery  
23 season. Bow hunting is more than just a

0172

1 cock-and-lock sport. I mean, it requires -- it's a  
2 labor of work. I mean, bow hunting is built on the  
3 premise that it takes a little extra work. It  
4 takes a little extra effort to get it done.  
5 Throwing a crossbow in there takes away from that  
6 experience of bow hunting -- crossbow hunting is  
7 not bow hunting.

8 MR. HARBIN: I disagree with  
9 that, Mr. Chairman, for the simple reason that  
10 regardless of what weapon you use, you have to  
11 spend time and learn how to use it, and the  
12 integrity, or the whatever, of the bow hunter is no  
13 more important than the crossbow user, or a gun  
14 user, or a nonhunter. I don't think anyone in the  
15 group, one person, should have a season of their  
16 own, regardless of who you are.

17 CHAIRMAN MOULTRIE:  
18 Dr. Strickland, would you like to answer that?

19 DR. STRICKLAND: What about  
20 muzzleloaders, how do you think they would feel if  
21 suddenly that were taken away from them when you  
22 decided, well, we are going to put the general  
23 rifles --

0173

1 MR. HARBIN: I believe we  
2 addressed that muzzleloading issue and did create a  
3 season for these people to have an opportunity to  
4 use their weapons.

5 DR. STRICKLAND: For the  
6 muzzleloaders, right.

7 MR. HARBIN: For the  
8 muzzleloaders -- and it did occur partly in bow  
9 season and partly in gun season.

10 CHAIRMAN MOULTRIE: Any other  
11 discussion on this issue?

12 (No response.)

13 CHAIRMAN MOULTRIE: Any other New  
14 Business?

15 MR. LYNCH: Yes, sir.

16 CHAIRMAN MOULTRIE: Mr. Lynch --

17 MR. LYNCH: Just briefly on

18 that -- and, (inaudible) Warren, you and I have

19 talked -- I think we should let crossbows going

20 during turkey season too, because I think one of

21 the purposes of this Board is to get as many people

22 in the woods as often as we can, and I understand

23 your point on your traditional bow hunters.

0174

1 I have a couple of other New Business  
2 items that I would like to bring up. First, I want  
3 to say I have been very encouraged today to hear  
4 the dog hunters and the landowners get up here with  
5 an item that they are both behind -- and that is  
6 the raising of these fines. But they are not going  
7 to pass if everybody doesn't reach out to your  
8 elected officials in Montgomery and support this  
9 effort. It's a tremendous opportunity for this  
10 whole room to get behind something, and I've been  
11 here seven years, and this is great -- and, Don, I  
12 agree with you -- I hope that we can get some fines  
13 out there that will clear up some of these outlaws,  
14 but you-all are going to have to help us. The AWF  
15 and other groups are behind it, and the landowners  
16 and the dog hunters have an excellent opportunity  
17 to do something that may help us both going  
18 forward -- so I think you really ought to try hard  
19 to do that.

20 Couple of issues on dog hunting  
21 issues that are in my area, the Talladega, Clay  
22 County, Cleburne County issue we talked about with  
23 the 25 houses, I am looking into that and may have

0175

1 a motion in May. There is also an issue down in  
2 Macon County. Actually, they spoke to you-all in  
3 Montgomery, the Creek Stand Cooperative Group down  
4 there, 7,000 acres, that they have been having some  
5 ongoing issues.

6 Finally, I'd like to ask Corky on  
7 that catfish issue that we heard about here today,  
8 I think that's a travesty to take beautiful fish

9 out of our waters and send them up and put them in  
10 some little pond up in Ohio, so I want to go on  
11 record as saying let's do something about that in  
12 May.

13 CHAIRMAN MOULTRIE: Mr. Jones --

14 MR. JONES: I was the one  
15 prepared to make a motion based on the catfish  
16 issue. I was talking a (inaudible) with Stan Cook.

17 MR. LYNCH: All right -- well, I  
18 am backing him up then -- and that's all my New  
19 Business.

20 CHAIRMAN MOULTRIE: Mr. Coles --

21 MR. HARBIN: Wait a minute, we've  
22 got one down here that's got a proposal.

23 CHAIRMAN MOULTRIE: We are going  
0176

1 to get to him -- Mr. Coles --

2 MR. COLES: Excuse me,  
3 Mr. Jones. I have two items under New Business  
4 that I will be bringing up at the May meeting. One  
5 is concerning the Crenshaw County dog deer hunting  
6 issue, and Sumter and Conecuh County issue on  
7 possible extension of hunting season. That will be  
8 at the May meeting.

9 CHAIRMAN MOULTRIE: Any other New  
10 Business -- Mr. Jones --

11 MR. JONES: Yes -- in concert  
12 with what Mr. Self was saying about the catfish  
13 issue, I have worked with Stan Cook and several  
14 members of the Department, and I have spoken with  
15 the commercial -- some of the commercial anglers  
16 and some of the tournament catfish anglers. I  
17 wanted to make a proposal for recommendation to  
18 make it illegal to possess more than one catfish,  
19 over 34 inches in total length, taken from the  
20 Alabama public water system -- and that will be  
21 coming up, and I guess vote, in May.

22 CHAIRMAN MOULTRIE:

23 Mr. Johnson --

0177

1 MR. JOHNSON: You are going to  
2 vote on it in May -- okay.

3 CHAIRMAN MOULTRIE: Any other New  
4 Business -- Mr. Hatley --

5 MR. HATLEY: The first point I'd

6 like to make is I'd like to request of Corky and  
7 his department to -- I would like for them to do a  
8 biological impact study, if they would, between now  
9 and May on the impact and effect of the  
10 recommendation made earlier of the February deer  
11 season extending one week, two weeks, or whatever.  
12 Also, if you come up on any economic factors that  
13 would impact that decision, I'd like to have that,  
14 too.

15         Secondly, I need, Corky, you and  
16 Allan, Gary, I need you to refresh me. I went to  
17 some seminars this week -- symposiums, not seminars  
18 -- on turkeys, and when did we make the change,  
19 guys, on fall turkey hunting counties. We've got,  
20 what, six of them in Alabama -- when did we make  
21 those date changes where they used to lose a week  
22 at the end of the season? Fred, when did we make  
23 that --

0178

1             CHAIRMAN MOULTRIE: Mr. Pugh, do  
2 you want to address that -- Mr. Moody --

3             MR. MOODY: I am not sure I am  
4 understanding your question.

5             MR. HATLEY: Used to if their  
6 season -- if they had a fall season, they lost a  
7 week off the end of the regular turkey season. Now  
8 they have the same rights as we do -- we, being the  
9 counties who -- they have the same season dates.

10            MR. MOODY: Now I know what you  
11 are asking -- and I do not remember when we made  
12 that change. We can look it up for you.

13            MR. HATLEY: I wish you would,  
14 sir.

15            MR. MOODY: Sure.

16            MR. HATLEY: Because there is a  
17 lot of people this week and the last -- over the  
18 last two or three weeks that have raised that point  
19 with me. I'd like to know if we did it by this  
20 Board. I can't remember. I have been here, but I  
21 guess --

22            MR. MOODY: It was a  
23 recommendation, and I can tell you why the

0179

1 recommendations were made to do that is because we  
2 didn't see any biological impact on not allowing

3 that extra time for them to hunt, just no  
4 negatives. If you are still staying with the same  
5 number turkeys -- this about the bag limit, so you  
6 weren't affecting the bag limit. They didn't get  
7 into turkeys (inaudible) harvest -- so we didn't  
8 see any biological impact.

9 MR. HATLEY: So what you are  
10 saying it was done by you guys and not by this  
11 Board?

12 MR. MOODY: No, sir -- it was our  
13 recommendation, but the Board voted on the  
14 seasons. We don't have the authority to do that.  
15 That is strictly an opportunity of the Board. We  
16 will make a recommendation to you, but the Board  
17 went along with the recommendation.

18 MR. HATLEY: Point being that  
19 I've got a -- between now and May I want it to be  
20 going on record that I am strongly looking at those  
21 six counties, to taking those counties in place of  
22 all counties in the state of Alabama and do a  
23 spring hunting season only.

0180

1 CHAIRMAN MOULTRIE: Any other New  
2 Business?

3 MR. HARBIN: Are we clear on my  
4 proposal to Fayette County, Alabama and the dog  
5 deer issue?

6 CHAIRMAN MOULTRIE: That you are  
7 going to talk about it and we will make a motion at  
8 the next meeting?

9 MR. HARBIN: In May -- yes.

10 CHAIRMAN MOULTRIE:  
11 Dr. Strickland --

12 DR. STRICKLAND: I would just  
13 like to address, just ask a question of the  
14 conservation officers. This is back to dog deer  
15 hunting. Has there been a permit system in place  
16 for dog deer hunters with large tracts of land  
17 issued annually? Has anything like that been in  
18 place, that you know of, or has it been explored?

19 UNIDENTIFIABLE SPEAKER: Dog deer  
20 hunting permit system?

21 DR. STRICKLAND: Yes, sir.

22 UNIDENTIFIABLE SPEAKER: Yes, we  
23 have it in place in several counties in central and

0181

1 south, east Alabama.

2 DR. STRICKLAND: How has it  
3 worked?

4 UNIDENTIFIABLE SPEAKER: Very  
5 well in the last few years since we've modified  
6 that system. We had one system in place in  
7 Chambers County for many years that we had --  
8 results were pretty mixed. But since we changed  
9 that system three or four years ago, we've been  
10 very successful with it.

11 DR. STRICKLAND: We've limited  
12 this to a few counties. How did we decide on which  
13 counties?

14 UNIDENTIFIABLE SPEAKER: It was  
15 left up to the Board.

16 CHAIRMAN MOULTRIE: Are all  
17 the -- and I am not sure, Mr. Andress, are all the  
18 permit systems the same, each county, or do the  
19 permit systems vary by county?

20 MR. ANDRESS: There are some  
21 slight variations.

22 CHAIRMAN MOULTRIE: So there is  
23 not one unified permit system?

0182

1 MR. ANDRESS: The primary  
2 emphasis is in the (inaudible) of acreages, and I  
3 think one has a provision about the type of  
4 firearms perhaps. But other than that, they are  
5 pretty much the same.

6 DR. STRICKLAND: Personally,  
7 before we take away the ability for any county to  
8 dog hunt, I would like to see us at least entertain  
9 a permit system first and see if it works. I don't  
10 know if it's Fayette County that had a permit  
11 system?

12 MR. HARBIN: No, sir.

13 MR. ANDRESS: No, it has not.

14 DR. STRICKLAND: Has that been  
15 explored, or has it been discussed, or -- this is  
16 just something I think --

17 MR. HARBIN: I think it has been  
18 discussed, but we don't have a state-regulated  
19 permit system. This permit system, as I understand  
20 it, is more like a "gentlemen's agreement". I

21 don't think the enforcement officers can enforce  
22 it, can they?

23 CHAIRMAN MOULTRIE: Mr. Address,  
0183

1 would you like to address the Board?

2 DR. STRICKLAND: Could you bring  
3 it to us, could you bring us more details on that  
4 at the next meeting so we can discuss that because  
5 I think that's, you know, that should be an option  
6 we really should look into, and maybe we can get  
7 everyone at the table and work something out.

8 (Audience applause.)

9 CHAIRMAN MOULTRIE: Mr. Harbin --

10 MR. HARBIN: Would it not have to  
11 be a state-issued regulation, something that the  
12 Enforcement Division could then handle?

13 CHAIRMAN MOULTRIE: Commissioner,  
14 do you have a comment -- repeat.

15 MR. HARBIN: Can this be a  
16 statewide permit system for everybody, not just one  
17 county? If we are going to go on a permit system,  
18 let's make it equal for everybody where the law  
19 enforcement can -- they don't have to come in there  
20 and say -- well, here is what I think -- you know,  
21 I want these things in black and white.

22 CHAIRMAN MOULTRIE: Mr. Self --

23 MR. SELF: Thank you,

0184

1 Mr. Chairman -- back in 2003 this Board looked into  
2 and considered implementation of a statewide  
3 regulation regarding dog deer hunting, and a  
4 regulation was generated by Wildlife & Freshwater  
5 Fisheries, and we all voted to implement it, and  
6 for various reasons it never was put into effect.

7 It met with some strong opposition from the Dog  
8 Hunters Association and other groups, and perhaps  
9 we, along with the Department, did not really  
10 fine-tune this regulation like we could have.

11 There was a lot of speculation that it was going to  
12 affect bird hunters and squirrel hunters, and  
13 anything to do with a dog, or a dog is wandering  
14 into a yard and the owner being arrested, and that  
15 sort of thing. But recognizing now -- and in all  
16 the things that's happened over the -- since 2003  
17 we've had closings here and closings there -- and

18 as we close one area, the outlaws move to another  
19 area, and then we consider closing another area.  
20 We're hurting good, honest dog deer hunters in the  
21 meantime by doing so that we may be able to -- if  
22 all of us work together -- be able to work out a  
23 regulation that would really get rid of these bad  
0185

1 hunters and recognize the good responsible people.

2 So what I would like to do is let's  
3 revisit that regulation and maybe try to fine-tune  
4 it where it will be fair to all, if that is  
5 possible. We need -- we at least need to look at  
6 it again before we close any more areas and  
7 possibly even open some areas back up.

8 (Audience applause.)

9 CHAIRMAN MOULTRIE: Any other  
10 discussion --

11 MR. HARBIN: We are going to have  
12 to have something that's going to be accepted by  
13 everybody. Once you offer, just like he said, the  
14 permit system, the dog hunters are against it. If  
15 we -- any permit system you come up with, unless  
16 the State is regulating it, it's just going to be  
17 like that first one. It's going to be all paper  
18 and no pull.

19 CHAIRMAN MOULTRIE:  
20 Dr. Strickland, any other New Business?

21 DR. STRICKLAND: That is it,  
22 Mr. Chairman -- thank you.

23 CHAIRMAN MOULTRIE: Any other New  
0186

1 Business from the Board?

2 (No response.)

3 CHAIRMAN MOULTRIE: Would the  
4 item -- yes, sir --

5 MR. WYNN: Can I speak for one  
6 minute on the permit system?

7 CHAIRMAN MOULTRIE: We are not  
8 going to take a comment -- I will tell you what we  
9 are going to do -- sir, would you wait. We are  
10 going to speak in order.

11 Would the Board like to hear what he  
12 had to say?

13 (Affirmative responses.)

14 CHAIRMAN MOULTRIE: Please come

15 to the microphone and speak, please, sir.

16 MR. WYNN: I thank you and the  
17 Board for hearing me on the permit system. I've  
18 run a club for over 35 years. I've been a dog  
19 hunter all my life. We maintain right now nearly  
20 10,000 acres. We were closed, from my  
21 understanding, due to outlaw hunters in Fayette  
22 County, which has no effect on us. To me that  
23 would be the same thing, Dan, as you getting a DUI  
0187

1 and Mr. Lawley getting his license pulled because  
2 you got the ticket. There's sense and reason to  
3 all things, and I am just an old countryman, but if  
4 the State issues the permit to my club, per se, and  
5 we are in violation and we get caught, then keep  
6 the permit -- we can no longer dog hunt. But at  
7 least give us a chance. The way it is right now --  
8 and we have never, in over 50 years have never had  
9 one citation against our club.

10 The two rules of our club -- the  
11 first one is no drinking allowed on the property.  
12 The second rule is any state violation and you have  
13 lost your permit right there. So there are good  
14 honest dog clubs in the state that's being punished  
15 right now for outlaw hunters. And there are outlaw  
16 hunters. I can carry you tomorrow and walk you  
17 around the 9,000 acre boundaries and show you at  
18 least 40 climbing stands, tree stands, ladder  
19 stands -- part of them you sold, I think, or  
20 somebody -- that have been put on our land by stalk  
21 hunters. We've all got to try to live better or we  
22 are going to lose it.

23 CHAIRMAN MOULTRIE: That is a  
0188

1 great comment.

2 (Audience applause.)

3 MS. NUMMY: State your name for  
4 the court reporter.

5 MR. WYNN: My name is Tony Wynn.

6 COMMISSIONER LAWLEY: A lot of  
7 you-all have been to (inaudible) than I have, but  
8 we have discussed the permit system with hunting  
9 clubs trying mix with their neighbors, and trying  
10 to -- basically it's folks getting along like a lot  
11 of them did when you are up here talking, and I

12 appreciate that and pointing that fact out. But if  
13 the State did go through a permit system, as you  
14 are suggesting, what would you say would be a  
15 basis, a fair basis, and a basis that would work  
16 for minimum acreage in a club?

17 MR. WYNN: In my opinion it would  
18 be hard to maintain a dog club with less than 3,000  
19 acres -- that is my honest opinion.

20 CHAIRMAN MOULTRIE:  
21 Dr. Strickland --

22 DR. STRICKLAND: You know, I  
23 would like to see us again take this, form a -- you  
0189

1 know, another subcommittee, you know, Mr. Knight  
2 who represents most of the -- I guess most of the  
3 clubs, or a member of the Alabama Dog Hunting  
4 Association, sit at the table and try and work  
5 something out. Because what I am seeing is --  
6 first of all, the last three years we hear the same  
7 argument, and we are really not getting anywhere,  
8 and we are taking away rights. I just feel that  
9 there can be a compromise -- we can make a  
10 compromise. It is going to have to be a  
11 give-and-take for everyone. But what I don't want  
12 to see with the dog hunters -- and what's  
13 happening -- is that they are losing their rights  
14 to dog hunt. There's got to be the ability to sit  
15 down at the table and compromise and work together  
16 where everyone can continue to enjoy the Alabama  
17 resources, and for these guys it's dog hunting. I  
18 think we can work something out, but we've got to  
19 get it to the table.

20 (Audience applause.)

21 CHAIRMAN MOULTRIE: Mr. Coles --

22 MR. COLES: Three of the counties  
23 in Alabama that have a permit happen to be in my  
0190

1 area. The permit system is working. Complaints  
2 are down. There is -- it has virtually eliminated  
3 road hunting. That is one of the contentions of  
4 the permit system is there are no loaded guns on  
5 public maintained roads. It's virtually eliminated  
6 road hunting, which has been a problem, and we hear  
7 it every meeting that we have. Geneva County, this  
8 last year, did not have the first complaint --

9 verified or unverified -- now, that's just  
10 phenomenal, I mean, for that to happen. The permit  
11 system does work. It allows dog hunting to take  
12 place, and it also allows the Enforcement Division,  
13 if you have continuous violations, then it allows  
14 them to put that club on probation, create buffer  
15 zones, allows them to take their permit away -- and  
16 this would help eliminate some of these clubs that  
17 create a majority of the problems, or it would at  
18 least give them the opportunity to quote/unquote  
19 clean up their act and try to do things better --  
20 and there are good clubs out there that this is not  
21 punitive. It creates a little bit more paperwork  
22 for them, but that is about it -- thank you.

23 CHAIRMAN MOULTRIE: Mr. Harbin --  
0191

1 MR. HARBIN: I don't have any  
2 reason, anything to gain by asking for these  
3 closings, but I just want to ask this one thing --  
4 if Lamar County a few years ago had 60 or better  
5 complaints in one year and that closed that county  
6 to dog hunting, all these ethical dog hunters -- I  
7 know there are some out there -- don't get me wrong  
8 because I was one myself and I quit -- but the  
9 point of it is that if these people that's running  
10 all these good clubs that's not doing these things  
11 could help their law enforcement get rid of these  
12 others, we wouldn't be having this problem in the  
13 first place.

14 CHAIRMAN MOULTRIE: Any other  
15 discussion? Any other New Business?

16 (No response.)

17 CHAIRMAN MOULTRIE: The next  
18 order of business is the announcement of the next  
19 Conservation Advisory Board meeting. It will be  
20 held on May 17th, 2008, and the location will be  
21 the Eufaula Community Center. There will be no  
22 further business. This meeting stands adjourned.

23 12:50 p.m.

0192

1 \*\*\*\*\*  
2  
3  
4  
5

6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23

0193

CERTIFICATE

1  
2  
3  
4  
5

STATE OF ALABAMA  
AT LARGE

6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16

I hereby certify that the above and foregoing meeting was taken down by me in stenotype and the questions and answers thereto were transcribed by means of computer-aided transcription and that the foregoing represents a true and correct transcript of the testimony given by said witness upon said meeting.

17  
18  
19  
20  
21

I further certify that I am neither of counsel nor of kin to the parties to the action, nor am I in anywise interested in the result of said cause.

22  
23

---

Victoria M. Castillo, Certified Court Reporter  
ACCR# 17, Expires 9/30/2008  
Commissioner and Notary Public