

0001

1 THE DEPARTMENT OF CONSERVATION
2 AND NATURAL RESOURCES WILDLIFE AND
3 FRESHWATER FISHERIES
4
5
6
7
8
9

10 Meeting of May 17, 2008
11 EUFAULA COMMUNITY CENTER
12 114 Community Drive
13 Eufaula, Alabama
14

15
16 Before the Conservation Advisory Board
17 Beginning at 9:00 o'clock a.m.
18 * * * * *

19
20
21
22
23
0002

1 APPEARANCES
2 BOARD MEMBERS:
3 Mr. Bill Hatley, Chairman
4 639 Estate Drive
5 Gulf Shores, Alabama 36542
6 Congressional District I
7
8 Commissioner M. Barnett Lawley
9 Department of Conservation
10 P.O. Box 301450
11 Montgomery, Alabama 36130-1450
12
13 Mr. Gaines Smith
14 Alabama Co-op Extension Service
15 109 Duncan Hall
16 Auburn, Alabama 36849
17 Statewide
18
19 Dr. A. Wayne May
20 188 County Road 203

21 Eutaw, Alabama 35462

22 Congressional District 7

23

0003

1 Mr. Louis W. Coles

2 6207 County Road 625

3 Enterprise, Alabama 36330

4 Congressional District 2

5

6 Mr. Johnny Johnson

7 1018 54th Street East

8 Tuscaloosa, Alabama 35403

9 Congressional District 7

10

11 Mr. Raymond Jones, Jr.

12 401 Franklin Street

13 Huntsville, Alabama 35801

14 Congressional District 5

15

16 Mr. George Harbin

17 1177 Elliott Road

18 Gadsden, Alabama 35904

19 Congressional District 4

20

21

22

23

0004

1 Mr. Johnny M. Johnson

2 1018 54th Street East

3 Tuscaloosa, Alabama 35405

4 Congressional District 7

5

6 Mr. W. Grant Lynch

7 P.O. Box 777

8 Talladega, Alabama 35161

9 Congressional District 3

10

11 Mr. Ross M. Self

12 10419 Highway 180 West

13 Gulf Shores, Alabama 36542

14 Congressional District 1

15

16 Mr. David Dean, Esquire

17 Alabama Department of Conservation

18 64 North Union Street
19 Montgomery, Alabama 36130-0000
20
21
22
23
0005

1 Ms. Robin Nummy
2 Alabama Department of Conservation &
3 Natural Resources
4 64 North Union Street
5 Montgomery, Alabama 36130
6
7 Also Present: Fred Harders
8 Gary Moody
9 Corky Pugh
10 Allan Address
11 John Jenkins
12 Bob Huffaker

13
14
15
16
17
18
19
20
21
22
23

0006

1 I N D E X
2 Call to Order 7
3 Invocation 8
4 Introduction of Advisory
5 Board Members 11
6 Approval of Minutes of Last
7 Meeting 13/201
8 Introductory Remarks by
9 Grady Hartzog 14
10 Public Hearing 16
11 Old Business 143
12 New Business 200
13 Selection of Date and Location
14 of February 14, 2009 Meeting 200

15 Meeting Adjourned 201

16
17
18
19
20
21
22
23

0007

1 CONSERVATION BOARD ADVISORY MEETING
2 Saturday, May 17, 2008

3

4 MR. CHAIRMAN: I would like to
5 call this meeting to order of
6 the Department of
7 Conservation and Natural
8 Resources Advisory Board on
9 May 17th, and I want to
10 welcome each one of you here
11 today.

12 A few housekeeping measures that
13 I've got. Anyone who is
14 going to do any public
15 speaking today, please speak
16 distinctly. Our court
17 reporter is not familiar with
18 hunting and fishing jargon,
19 so I suggest that you speak
20 distinctly. And if she has a
21 problem then I will stop you
22 and ask you to repeat what
23 you have said. We want to

0008

1

clarify that.
2 Also in our hearing today, each
3 speaker, we are going to
4 limit you to three minutes.
5 With the dog-hunting issues,
6 as far as the guild letting
7 is concerned, since we have
8 limited and have requested
9 that we limit the number of
10 public speakers, I am going
11 to provide them with a few

12 more minutes of time to
13 explain their decisions and
14 their points. So I want to
15 clarify that before we get
16 started.
17 At this time I would like to ask
18 Mr. Johnny Johnson to come
19 forward and have our morning
20 prayer for us.
21 MR. JOHNSON: Let us pray. Dear
22 Heavenly Father, we thank you
23 for this day and the glory of

0009

1 it. Lord, we need Your
2 wisdom and guidance in our
3 Conservation Board meeting
4 today.
5 Help us to always depend on Your
6 strength and not in our own.
7 In the days ahead, please
8 help us to try not to try to
9 make things happen, but
10 depend on Your spirit to
11 bring all situations to the
12 perfect conclusion.
13 Lord, through your grace, we ask
14 that you help us to be
15 significant, and meaning
16 things to the people of
17 Alabama and to make positive
18 changes in the conservation
19 practices that last.
20 Help us to be persons who can
21 listen carefully and speak
22 with distinction.

23 Lord, our local, state and

0010

1 national leaders and
2 enforcement officers face
3 many difficult decisions
4 throughout tough situations
5 each and every day. Please
6 help them to make correct
7 decisions with integrity,
8 honesty and fairness

9 according to Your will. We
10 pray for the integrity and
11 morality of all who have
12 authority in our country,
13 Lord.
14 We thank you for all of the men
15 and women serving in our
16 Armed Forces. Please be with
17 them in their fighting for
18 our freedoms and peace.
19 Bless them, Lord, for their
20 loyalty and service to
21 America, and protect them and
22 keep them safe.
23 Be with our meeting today and be

0011

1 with us as we travel.
2 Lord, these prayers in Thy name we
3 pray. Amen.
4 THE AUDIENCE: Amen.
5 MR. CHAIRMAN: Another point of
6 clarification before we get
7 started. For those of you
8 who don't know, my name is
9 Dan Moultrie. Not really.

10 (Laughter)

11 MR. SMITH: He is not here to
12 defend himself.
13 MR. CHAIRMAN: Since he is not
14 here -- I'm not Dan Moultrie.
15 I want to introduce myself.
16 There is too many people in
17 this room who already know
18 who I am.

19 At this time I would like the
20 Commissioner to come forward
21 and introduce the members of
22 our Board.

23 COMMISSIONER LAWLEY: Like we've

0012

1 done in the past, we will
2 start with -- Grant, with
3 you, and tell everybody your
4 name and the district that
5 you represent.

6 MR. LYNCH: Grant Lynch,
7 Congressional District 3.
8 MR. JOHNSON: Johnny Johnson,
9 District 1.
10 DR. MAY: Dr. Wayne May, District
11 7.
12 MR. JONES: Raymond Jones,
13 District 5.
14 MR. SELF: Ross Self, District 1.
15 MR. HATLEY: Bill Hatley, District
16 1.
17 DR. SMITH: Gaines Smith,
18 Statewide.
19 MR. COLES: Louis Coles,
20 Congressional District 2.
21 MR. HARBIN: George Harbin,
22 District 4.
23 COMMISSIONER LAWLEY: Mr. Moultie,

0013

1 we have a quorum.
2 (Laughter)
3 MR. CHAIRMAN: I would like to
4 have this in a more serious
5 tone as we progress from this
6 point forward. All remarks
7 will be directed in a
8 non-derogatory fashion to
9 this Chair.
10 At this point, the Chair would
11 entertain a motion for the
12 approval of the minutes of
13 our last meeting.
14 MR. JOHNSON: So moved.
15 MR. CHAIRMAN: Second.
16 MR. JONES: Second.
17 MR. CHAIRMAN: We have a motion
18 and a second.
19 All in favor would say "aye."
20 THE BOARD: "Aye."
21 MR. CHAIRMAN: Motion carried.
22 Minutes are approved.
23 Today, again, I would like to

0014

1 reiterate to you, please
2 speak distinctly, and Robin,

3 for those if who don't know
4 Ms. Nummy, will be very
5 prompt on your three minutes,
6 and I don't want to have to
7 call her down. So please
8 adhere to her rules, for
9 those of you who have never
10 been here before.

11 COMMISSIONER LAWLEY: We will
12 try.

13 MR. CHAIRMAN: If Moultrie could
14 do it, I'm sure I can.

15 The first thing I would like to do
16 is introduce Mr. Grady
17 Hartzog from Eufaula,
18 Alabama. He would like to
19 say a word or two.

20 MR. HARTZOG: I just want to
21 welcome y'all here to
22 Eufaula. I'm here with the
23 Tourism Council of the

0015

1 Chamber of Commerce. I hope
2 y'all had a good stay. I
3 appreciate y'all coming here,
4 I appreciate the Board coming
5 here.

6 This Board does a wonderful job
7 for the State of Alabama.
8 Our Chamber itself has worked
9 with this Board two or three
10 times in getting some things
11 done in Barbour County.
12 Barbour County is blessed in
13 natural resources with two
14 state parks, a lake, the
15 fishing lake, the national
16 areas, the national refuge,
17 so we are really blessed.
18 This Board helped us in years
19 past. The bass size has been
20 a great boost to this lake.
21 Barbour County was the first
22 county with the deer-antler
23 restrictions and has been a

0016

1 very positive thing. We have
2 a lot of positive remarks
3 from that being passed and
4 the support from here in
5 Barbour County.

6 We just want to thank you to the
7 Board. Thank you for all you
8 do. Thank y'all for coming
9 to Eufaula.

10 MR. CHAIRMAN: Thank you, Grady.
11 We appreciate your
12 hospitality too.

13 MR. HARTZOG: Yes, sir.

14 MR. CHAIRMAN: The hamburgers were
15 great last night.

16 Our first speaker today will be
17 Mr. Pete Barber. Pete, where
18 are you?

19 MR. BARBER: Good morning,
20 Mr. Chairman, Commissioner
21 Board Members. My name is
22 Pete Barber. I am the
23 Executive Director of the

0017

1 Alabama Seafood Association,
2 and I come to ask your
3 assistance.

4 We gave you a proposal two
5 meetings ago. It has to do
6 with regulations governing
7 how we fish. Since that time
8 the legislature has passed a
9 Bill that should address most
10 of the issues that were a
11 problem prior to these
12 regulations being enacted,
13 both the real issues and the
14 perceived issues. We just
15 ask that you encourage the
16 Department to work with us
17 and try to refine the fishing
18 for the ones that are going
19 to be left in the fishery.

20 And Ben Harvard, our vice

21 president, would like to
22 address you.

23 MR. HARVARD: I'm Ben Harvard,
0018

1 District 1, professional
2 fisherman, commercial
3 fishermen. Listen, in
4 Guntersville, I gave y'all
5 some information, but I
6 didn't speak on it. I ran
7 across it, and I gave it to
8 you again today.

9 It has some numbers and some
10 landing data. I think it
11 shows us a really good
12 picture of what's going on
13 along our coast in Alabama
14 and the west of Florida that
15 we hear about. If you would
16 look at that for just a
17 moment.

18 What I done is this landing data
19 is strictly from the West
20 Coast of Florida from Key
21 West to our Florida, Alabama
22 line. And what I have
23 highlighted there is the net

0019
1 ban was in 1995. You see the
2 landings right prior to that.
3 This is recreational landings
4 of state only for the West
5 Coast of Florida.

6 Everybody down there was promised
7 how much fishery was to gain,
8 the recreational fishing was
9 going to be so much better.

10 They put 3,500 to 5,000
11 fishermen out of work. Their
12 familiarize disrupted,
13 turmoil of commercial fishing
14 facilities put out of
15 business with no fishermen
16 working.

17 If you'll look down this, this is

18 all downloaded from the
19 National Registry Service.
20 Florida turned in this
21 information. There is no
22 smoke and mirrors here. This
23 is the account numbers they

0020

1 turned in.
2 From '96 right on down to 2006 you
3 see they fluctuate from about
4 22 million down to 19 to 20
5 million. They remain just
6 about totally flat. There is
7 no good gain. There is no
8 spike. The second year in
9 '97 up to 25 million; it
10 dropped back down to 21, 19
11 and 20 all the way.

12 If you look at Alabama during the
13 same years, and this is
14 recreational landings for
15 state waters of Alabama. The
16 first years there from 1990
17 is about one and half to two
18 million, kind of a standard.
19 From about 1997, '98 -- 1998
20 you will see a steady growth
21 in recreational landings,
22 which is good. That is very
23 good. Up to four and five

0021

1 million a year now this has
2 landed recreationally in
3 Alabama.
4 Florida: The West Coast of
5 Florida has 1,775 miles of
6 coastline. They claim nine
7 miles into the Gulf for state
8 waters. We have 53 miles of
9 coastline. We claim three
10 miles. We have got 159
11 miles. If you break that
12 down proportionately, our
13 amount of water that we fish
14 in here compared to the West

15 Coast of Florida, our
16 recreational fishermen are
17 now catching the West Coast
18 of Florida's recreational
19 fishermen fishing by about 45
20 to one. We have phenomenal
21 recreational fishing here in
22 Alabama.

23 The placement of Mobile Bay at the

0022

1 top end of the Gulf of Mexico
2 like it is, it creates a
3 phenomenal type of fishing.
4 That's why commercially we're
5 able to do well, with the
6 limited time and areas we can
7 fish. Recreational fishing
8 is great. Any visitor coming
9 to the West of Florida or
10 Alabama stands a
11 significantly better chance
12 catching fish in Alabama than
13 he does anywhere else.

14 Another thing that kinds of
15 disturbs me with those kind
16 of records along the coast,
17 the whole Gulf Coast, Texas
18 to here, this conservation of
19 the regulations that we've
20 worked with since about '95,
21 when they cut us down from
22 over 600 licenses down to
23 just a little over 100.

0023

1 Actually, this kind of works
2 by the Conservation
3 Department and with us
4 working with them, I think
5 this is the only Conservation
6 Department that has
7 successfully managed a
8 resource that has not had to
9 ban nets; it has not had to
10 put people out of work; we
11 have a viable commercial

12 fishery, we have an
13 outstanding recreational
14 fishery. We've got all the
15 good of both sides. It's a
16 great thing that is going on
17 here.

18 I know you're going to hear some
19 stuff later on about a lot
20 more restrictions. I hope
21 you can stand tough and look
22 at the job that you've done,
23 and you actually need to be

0024

1 patted on the back; but I
2 don't think that even
3 Texas -- they got a man that
4 wants to come over here to
5 tell how bad nets are. I
6 think he needs to come over
7 here and take some lessons
8 from our Department about how
9 to manage the resources
10 successfully. You're doing a
11 great job.

12 If you'll flip to the next page.
13 This only going to take a
14 moment. This is other types
15 of fish that are really
16 sought after recreationally
17 and commercially here in our
18 state. I'd like you just to
19 kind of take a look at it.
20 This is the record the last
21 years of '04 to '06. The
22 flounder, we have quite a few
23 fishermen that commercial-

0025

1 harvest flounder for our
2 restaurants and retail work.
3 You can see here that
4 recreationally and
5 commercially we don't compete
6 very well. We catch about
7 half as many flounder. We
8 had about half a million

9 flounder as the recreational
10 side, which red drum and
11 spotted sea trout, which is a
12 game fish, they did very
13 well. We harvested none of
14 those.

15 You got the white trout. They got
16 330,000. We catch 6,000.
17 They caught 206,000. We
18 catch 4,000. If you look
19 across here about landings of
20 recreational fish compared to
21 commercial, most of these
22 other fish, we are way off,
23 and that's good. We are

0026

1 working on that. We don't
2 blame Florida for that.
3 Mulletts, Spanish mackerel,
4 that's a couple of fish that
5 we harvest a lot more of.
6 Spanish mackerel is in the
7 Gulf.

8 As Steven Brand said a while
9 ago -- he is head of National
10 **White Fish Department of
11 Migratory Species --

12 MS. NUMMY: Time.

13 MR. CHAIRMAN: Go ahead.

14 MR. HARVARD: Okay. He will tell
15 you, if you was to talk with
16 this man, that at the level
17 right now, that the Spanish
18 mackerel stock is one and a
19 half times bigger than it
20 needs to be to sustain --
21 possible to sustain a yield,
22 which is about six million a
23 year commercially.

0027

1 It's just a little over a million
2 pounds a year being caught.
3 South Florida probably used
4 to catch 10 or 12 million.
5 With the net ban it wiped

6 that out. They catch 8- or
7 900,000 a year. They are a
8 small amount compared to what
9 the National Marine Service
10 would like to see us produce
11 for our people.

12 Anyway, we just ask you to think.

13 We gave you a proposal last
14 time, some things to look at
15 that will likely help us out
16 in the Gulf a little bit and
17 around the state. It's a
18 good conservation measure.

19 We want healthy stocks. We
20 want good regulations that is
21 good for everybody, all our
22 people: commercial,
23 recreational and people who

0028

1 enjoy the seafood we catch.

2 We thank you for your time.

3 MR. CHAIRMAN: Thank you. Hold on
4 a second. Anyone have any
5 questions of either Pete or
6 Ben that you would like to
7 ask in any form?

8 (No response)

9 MR. CHAIRMAN: Thank you very
10 much.

11 Next speaker will be Mr. Edwin
12 Lamberth.

13 MR. LAMBERTH: Good morning. My
14 name is Edwin Lamberth. I'm
15 from the Coastal Conservation
16 Association. I am also here
17 speaking on behalf of 8,000
18 recreational saltwater
19 license holders in the State
20 of Alabama and the fishing
21 communities of Orange Beach,
22 Gulf Shores, Daphne and
23 Fairhope. They are all

0029

1 asking this Board to give
2 favorable consideration to

3 the proposal we have before
4 you.

5 In your pockets are resolutions
6 from each one of these cities
7 in these areas that are most
8 affected by these
9 regulations. And none of
10 those cities favor adoption
11 of these regulations.

12 And the reason for that is in the
13 State of Alabama, according
14 to the Mobile Press Register,
15 there were 4.7 million
16 visitors to our Coast last
17 year. They spent almost
18 \$1,000,000. And the top two
19 reasons they stated for
20 coming to the State of
21 Alabama's Coast are sun and
22 fishing.

23 And as you can see from the

0030

1 information in your packets,
2 the cities in those areas are
3 very concerned about the
4 state of the recreational
5 history. And that's the
6 reason that we've put these
7 proposals before you: not
8 only to protect our resource,
9 but also because the cities
10 request closure from certain
11 areas in their jurisdiction.

12 I want to hit the highlights and
13 the reasons for some of these
14 proposals while I've got some
15 time.

16 The first one is the designation
17 of Spanish mackerel and
18 pompano as a game fish.
19 Spanish mackerel has been a
20 game fish not only for
21 recreational fishermen, but
22 for the charter-boat fleet
23 for many, many years.

0031

1 Our charter body fleets is
2 suffering right now. There
3 are literally hundreds of
4 them that are not doing well
5 because of fuel prices, the
6 issues with the snapper
7 fishery, and they need access
8 to this Spanish mackerel
9 fishery, which has been there
10 for decades. But now, because
11 of an excess of commercial
12 gill net fishing, the
13 scientists have found that
14 there is what they call a
15 localized depletion of
16 Spanish mackerel along
17 Alabama's Coast.
18 Alabama's Coast makes up four
19 percent of the entire
20 coastline of the Gulf of
21 Mexico; yet, 50 percent of
22 all the commercially
23 harvested Spanish mackerel

0032

1 come from Alabama waters,
2 which the scientists say is
3 the cause for the localized
4 depletion of the Spanish
5 mackerel.
6 The reason for the request of the
7 game fish ban of the pompano
8 is it is truly nothing more
9 than a game fish. It is
10 prized by recreational
11 anglers as one of the best
12 game fish in Alabama. There
13 are very strict limits on the
14 number of pompano the
15 recreational anglers can
16 catch. And there is already
17 a regulation at this point
18 adopted that says that the
19 commercial fishermen cannot
20 catch more than five percent

21 of pompano by by catch.

22 We feel that that is not

23 restrictive enough. It is

0033

1 not protecting the pompano
2 runs on the beach. There is
3 so many shore anglers and
4 code anglers, and that's the
5 reason that we ask that
6 pompano be designated as a
7 game fish.

8 There are other proposals that
9 we've asked the Board to give
10 favorable consideration to,
11 and I won't go through all of
12 the details because the
13 information is in your
14 package.

15 The closure of nursery areas in
16 this state: We have some of
17 the finest nurseries anywhere
18 on the Gulf Coast. Because
19 our coastline is so small,
20 we've got -- they are extra
21 sensitive. I feel that the
22 Board has a duty to protect
23 those areas. Some of them

0034

1 are a national wildlife
2 refuge like Grand Bay;
3 another one is Weeks Bay,
4 which is an estuary reserve.
5 The other areas, because they
6 are fertile and nursery
7 grounds, we ask the Board to
8 close for commercial and
9 recreational net fishing.

10 The rest of the basis for our
11 proposals are in our package.
12 But I do want to say that as
13 far as the sale of bait from
14 the water, in order to
15 further recreational fishing
16 and boost our tourism
17 industry, we ask that y'all

18 open up certain areas to
19 allow commercial fishermen to
20 sell bait in other areas.
21 That will give them an
22 incentive to shrimp in other
23 areas and to provide bait to

0035

1 the tourists who come and
2 spend money on Alabama's
3 Coast.

4 MR. CHAIRMAN: Thank you. Any
5 questions of Mr. Lamberth by
6 anyone?

7 (No response)

8 MR. CHAIRMAN: Thank you.
9 Our next speaker will be Mr. B.G.

10 Thompson. Mr. Thompson.

11 MR. THOMPSON: Thank you very
12 much, Mr. Chairman, the Board
13 members. My name is B.G.
14 Thompson. I am a consultant
15 for the Organized Seafood
16 Association of Alabama who
17 supports all of the
18 commercial fishing as well as
19 the shoreside processing
20 industry and other industries
21 that supply material and
22 other things that may enable
23 the seafood industry to

0036

1 exist, similar to the way in
2 the recreational industry.

3 Prior to becoming a consultant, I
4 worked for the National
5 Marine Fisheries Service and,
6 before that, the Bureau of
7 Fisheries, which eventually
8 became the National Marine
9 Fisheries Service. A huge
10 portion of that career was in
11 Washington, D.C. I was part
12 of the team when the Magnison
13 Act was implemented. We
14 developed the regulations

15 based on the law, and I did
16 research for the writing of
17 that particular law.
18 One of the things that we were
19 told by the lawyers, and we
20 wrote the regulations to
21 implement that law, is what
22 they call the "law of
23 commons." The law of commons

0037

1 says that the resources in
2 the oceans of seafoods belong
3 to the people, not to the
4 recreational fishery, not to
5 the commercial fishery. It's
6 the responsibility of the
7 federal government to ensure
8 that these resources are
9 properly managed, not only
10 for today, but for the future
11 for the people who live
12 inland.

13 And today, of course, since we did
14 this back in the '70's, we've
15 learned more about fish.
16 Fish are beneficial to the
17 health of all the citizens in
18 the United States. The
19 National Institute of Health
20 is recommending that everyone
21 eats at least one fish from
22 the sea for the Omega-3
23 value. And Omega-3, we have

0038

1 learned through the National
2 Marine Fisheries Service,
3 comes from one vital plankum.
4 Freshwater fish do not have
5 Omega-3.

6 I am going to keep my talk short
7 and make myself available to
8 anyone who would like to talk
9 to me and to the Organized
10 Seafood Association. Thank
11 you very much.

12 MR. CHAIRMAN: Thank you. We
13 appreciate the effort of all
14 parties involved in this
15 issue. We appreciate you
16 coming down and expressing
17 those views. We appreciate
18 the efforts you've put forth
19 in providing us with the
20 information.

21 At this time I would like to move
22 on with the next group that
23 we would like to hear from,

0039

1 and that would be Mr. Bill
2 Burgess. Mr. Burgess.
3 MR. BURGESS: Yes, sir. I am
4 moving a little slow.
5 My name is Bill Burgess, and I
6 appreciate the opportunity to
7 speak before you guys today.
8 Mr. Lawley, and each member
9 of the Board, this is my
10 first visit with this group
11 of guys. Mr. Lawley has a
12 copy of this and
13 Mr. Huffaker.

14 We have a problem in relation to
15 this new proposed regulation
16 for the 100 foot off the
17 docks. I live in Pebble
18 Cove, the south side of
19 Pebble Cove, which is about a
20 half mile north of
21 Thomasville Creek. And we
22 have an opening in this creek
23 of about 380 yards in this

0040

1 slough. It's about 550 yards
2 deep. And we have about 250
3 foot between the docks all
4 the way down the slough.
5 This has been a perpetual
6 problem for the last 10 years
7 that I've owned the property.
8 Georgia has had for innumerable

9 years the 100-foot clearance
10 on a dock no-wake area. With
11 the new proposed regulations
12 that you guys are looking at
13 now, this will give us some
14 relief to protect the
15 swimmers, the canoe-ists and
16 the paddle-boat people, any
17 anchored-up fishermen
18 fishing. We have those,
19 what, over 100 bass
20 tournaments a year in Lake
21 Eufaula.

22 These guys are running 200- to
23 300-horsepower motors. They

0041

1 are running 60 and 70 miles
2 an hour into the sloughs.
3 They are making a living.
4 They looking for these
5 50,000, \$100,000 prizes for
6 themselves and their
7 families. They make a
8 living. They are not
9 necessarily concerned about
10 the swimmers or any of the
11 children out in this area or
12 the people fishing on the
13 dock.

14 So -- but the problem with this is
15 we got 250 feet. That means
16 these guys can legally run a
17 40-foot corridor at 70 miles
18 an hour coming into the
19 sloughs make 10 or 12 casts
20 and right back out. This is
21 just like you having your
22 children playing in a
23 driveway or front yard with

0042

1 somebody driving 60 or 70
2 miles an hour in front of it.
3 So this corridor is open. It
4 will not be against the law,
5 and they will be able to

6 continue to run.
7 So my request is to look at this
8 and to maybe extend it out to
9 125 feet or 150 feet. We ask
10 for no-wake buoys in this
11 area.
12 We petitioned it. The Marine
13 Patrol turned us down. They
14 said they couldn't enforce
15 it. But yet they put a
16 no-wake buoy over on
17 Thomasville Creek out at the
18 edge in front of the creek in
19 front of another slough. So
20 there is some discrepancy in
21 how this is being done.
22 I would like for you to consider a
23 solution to this type

0043

1 problem. And I'm sure it's
2 prevalent all over the state
3 where you have --
4 MS. NUMMY: Time.
5 MR. BURGESS: -- sloughs and
6 docks. Thank you.
7 MR. CHAIRMAN: Thank you,
8 Mr. Burgess.
9 COMMISSIONER LAWLEY: Thank you,
10 sir.
11 MR. CHAIRMAN: Anyone have
12 questions for Mr. Burgess?
13 (No response)
14 Our next speaker will be Mr. Bryan
15 Hughes.
16 MR. HUGHES: Good morning. My
17 name is Bryan Hughes. I'm
18 from Madison County, District
19 5.
20 I have given you a document
21 concerning alligatory
22 hunting, and I want to hit
23 the high points here real

0044

1 quick. The reason for this
2 presentation is concerning

3 the current alligator hunting
4 season and the regulations.
5 I own an archery and bowfishing
6 business in northern Alabama
7 called Backwater Bowfishing.
8 I'm also representing the
9 Bowfishing Association of
10 America and Alabama State
11 Bowfishers on this issue.
12 Our business sells equipment
13 for bowfishing and alligator
14 hunting.
15 Many of us who are experienced
16 with alligator bowhunting
17 have some serious concerns
18 with the current regulations
19 for the bowhunting side of
20 the Alabama gator hunts. The
21 current regulations that
22 alligators may be taken with
23 bowfishing equipment with

0045

1 line attached from arrow to
2 bow.
3 The line attached to the bow part
4 is what is troubling. There
5 is no way you can effectively
6 hold a large alligator on
7 just by the bow itself or by
8 tying off these powerful and
9 heavy animals to a boat, or,
10 God forbid, yourself. Doing
11 so can result in loss and
12 destruction of equipment and
13 potential danger to all those
14 involved, and it is unethical
15 to the alligator.
16 The float system goes down to
17 allow line deployment while
18 being able to track and
19 recover the alligator in
20 shallow or deep water without
21 putting excessive stress on
22 the line and the attachment
23 system. The companies that

0046

1 manufacture both alligator
2 hunting gear and Muzzy
3 Products also recommend the
4 use of a float system for
5 bowhunting alligators.
6 Mark Land, technical director of
7 Muzzy Bowfishing Products
8 says: We have been producing
9 and using our current Gator
10 Getter System for many years
11 now and have developed this
12 system with the use and
13 cooperation of several
14 licensed state nuisance
15 trappers that do this thing
16 for a living and harvest
17 thousands of alligators
18 yearly and all agree that
19 utilizing the float system is
20 the best option for
21 harvesting alligators.
22 Through our research and
23 experience, we believe there

0047

1 is no valid reason not to
2 allow the use of a float
3 system for alligator
4 bowhunting in Alabama.
5 Currently Alabama is the only
6 state with an
7 alligator-hunting season that
8 does not allow the use of a
9 float system. Florida,
10 Georgia, Mississippi, Texas
11 and Louisiana all allow float
12 systems for bowhunting
13 alligators.
14 Here's a quote from Ricky Flynt,
15 MDWFP Alligator Program
16 Coordinator for Mississippi.
17 He says: I am not aware of
18 any reason why Alabama may
19 not allow bowfishing
20 equipment with floats for

21 alligator hunting. I can
22 only tell you that other
23 states have allowed it

0048

1 without any significant
2 problems, and we chose to
3 adopt the allowance into our
4 alligator hunting
5 opportunities. Our
6 regulations require alligator
7 hunters using bowfishing
8 equipment to either have a
9 line attached from arrow to
10 bow or to a float or buoy. I
11 know that some of those
12 hunters did use float systems
13 and were successful. We have
14 had no injuries reported by
15 any of our permitted
16 alligators hunters to date.

17 I would like to propose that the
18 wording in the regulation be
19 changed "with line attached
20 to bow" to be amended to say
21 "with line attached to bow or
22 float and buoy system."

23 Thanks for your time, and I'll be

0049

1 glad to answer any
2 questions.

3 MR. CHAIRMAN: Anyone have any
4 questions of Bryan?

5 COMMISSIONER LAWLEY: Yeah. You
6 had sent me some e-mails, or
7 somebody did. And I talked
8 with Gary Moody. Gary, are
9 you going to take a minute
10 and just discuss with him the
11 problems that you found out?

12 MR. MOODY: And I'm not an
13 alligator hunter by any means
14 or an alligator expert. So
15 my comments are from our
16 field staff that dealt with
17 this, especially in the

18 Mobile Delta.
19 And our concern there was there
20 was a lot of shallow areas in
21 the Mobile Delta where they
22 felt like if a float was
23 attached that the alligator

0050

1 would retreat to these areas,
2 and there would be a loss,
3 where boats could not pursue
4 into those areas.
5 So it was a concern that we would
6 actually have an arrowed
7 alligator and lose the
8 alligator, and that's the
9 reason that that regulation
10 was developed the way it was
11 for the use in that area.

12 MR. HUGHES: I can see where
13 people can think that. You
14 know, there are a lot of
15 similar conditions on Lake
16 Eufaula and Georgia, the
17 Mississippi Delta, and those
18 areas, and there haven't been
19 reported issues with that.
20 And people have been using
21 this stuff for years and
22 years. I have never heard of
23 anything like that happening.

0051

1 That was our position on
2 that.
3 MR. CHAIRMAN: Any other questions
4 or points?
5 Thank you, Mr. Hughes.
6 Go ahead. Our next speaker will
7 be Mr. Louie Mattocks.
8 MR. MATTOCKS: Good morning. My
9 name is Louie Mattocks. I'm
10 from up in Russell County on
11 the line.
12 I am a rabbit hunter. And I am
13 here to oppose any move
14 towards extending deer season

15 into the month of February.
16 It's hard enough for us to
17 find property to hunt. As it
18 is, most of the land is tied
19 up in deer leases.
20 And I was talking to a guy the
21 other day, and he asked me if
22 I could take a couple of kids
23 rabbit hunting one day this

0052

1 year. I told him no problem.
2 He said, Well, I have some
3 property that you can hunt.
4 I waited a minute because I
5 knew what was coming. He
6 said, You've got to wait
7 until after deer season.
8 Well, if you move it into
9 February, we are already
10 limited to four weekends.
11 And this would just destroy
12 us. There is no reason for
13 us to keep a pack of dogs and
14 train them and have three
15 weekends, two weekends.
16 That's not enough time.
17 I appreciate your time, sirs.
18 MR. CHAIRMAN: How many dogs do
19 you have, Mr. Mattocks?
20 MR. MATTOCKS: I have six right
21 now. I am training three
22 puppies. It can be a little
23 bit expensive to keep them

0053

1 up, keep their shots, you
2 know, train them. We try to
3 train them all year except
4 during the prohibited time
5 after February.
6 MR. CHAIRMAN: Right. Any
7 questions?
8 COMMISSIONER LAWLEY: Do you trial
9 or sell your dogs at all?
10 MR. MATTOCKS: No, I don't.
11 COMMISSIONER LAWLEY: That's a

12 pretty big thing.
13 MR. MATTOCKS: I'm a rabbit
14 hunter, sir.
15 (Laughter)
16 MR. MATTOCKS: I don't run. I'm
17 not really into that. I like
18 to rabbit hunt.
19 COMMISSIONER LAWLEY: I know. I
20 have got a good friend that
21 rabbit hunts all during deer
22 season. He does not deer
23 hunt. He also participates

0054

1 in the field, and they have a
2 great time.
3 MR. MATTOCKS: I have been meaning
4 to try it a few times.
5 MR. CHAIRMAN: Mr. Coles, you had
6 a point.
7 MR. COLES: What do you do in
8 November, December and
9 January?
10 MR. MATTOCKS: We have a couple of
11 landowners that allow us to
12 hunt their property. They
13 don't have deer hunters on
14 the property.
15 My cousin, fortunately, holds the
16 lease on a deer lease that we
17 have in Seal, Alabama. And
18 he more or less sets the
19 rules for clubs. And after
20 10:00 o'clock, we go in; we
21 hunt. We hunt the midday
22 section. Leave it to the
23 steel hunters. It works out

0055

1 pretty good for us.
2 And I would like to add that the
3 hunting population is
4 ballooning. There has got to
5 be room for all of us, or
6 there is not going to be room
7 for any of us.
8 MR. CHAIRMAN: Thank you,

9 Mr. Mattocks. I appreciate
10 your time.

11 (Applause)

12 MR. CHAIRMAN: Mr. Robert
13 Thompson.

14 MR. THOMPSON: Good morning. My
15 name is Robert Thompson. I
16 live in northeast Dale
17 County. I just wanted to
18 take this opportunity to
19 address the Board on behalf
20 of landowners and leaseowners
21 in our area.

22 We haven't talked to you since our
23 restriction was granted about

0056

1 two years ago. Things are
2 very quiet since you have
3 given our land back, and we
4 enjoy it. That's the way it
5 should be. When you have
6 land, you should be able to
7 enjoy it along with your
8 children and your
9 grandchildren.

10 The first year of the restriction,
11 as many times has happened,
12 was not very good. We had
13 several problems that came up
14 that had to be resolved.
15 However, this past year is
16 fantastic. There was no
17 problem at all.

18 Now, dog hunters have become
19 hunters like the rest of us.
20 We all get along fine. There
21 is no problem whatsoever, and
22 we just appreciate what the
23 Board has done in giving us

0057

1 back our land. And we
2 especially want to thank Mr.
3 Lawley and Mr. Coles for
4 their consideration and their
5 help in this matter.

6 Thank you very much.
7 MR. CHAIRMAN: Thank you,
8 Mr. Thompson. It's good to
9 hear those comments
10 occasionally. They are
11 pretty infrequent. As a
12 matter of fact, Commissioner,
13 I would like a raise.
14 COMMISSIONER LAWLEY: I made a
15 note.
16 MR. COLES: He didn't thank you.
17 MR. CHAIRMAN: Mr. Coles, you are
18 out of order.
19 (Laughter).
20 MR. HARBIN: When do we get our
21 first check?
22 MR. COLES: It's in the mail.
23 MR. CHAIRMAN: Moving right along.

0058

1 We call our next speaker,
2 Mr. Allen Neuschwander.
3 MR. NEUSCHWANDER: My name is
4 Allen Neuschwander. I'm from
5 Madison County. I talked to
6 you guys before about trophy
7 catfish regulations, and I
8 just wanted to run it by you
9 again this morning.
10 I gave you the information before,
11 but this is a TimesDaily
12 article of the Shoals area.
13 I highlighted a couple of
14 things there.
15 In the article there is two
16 commercial catfishermen
17 quoting. Mr. Leon Bivens
18 says: Protecting large
19 catfish would help ensure a
20 healthy catfish population in
21 the Tennessee River. He
22 said: Those big fish are
23 your brood fish, and if you

0059

1 take all the big ones, you're
2 not going to have any little

3 ones.
4 Even Mr. Randy Belew said they
5 needed to stop those guys
6 from coming in here from
7 other states and hauling
8 those big fish out of here.
9 You are probably not going to hear
10 from a lot of commercial
11 fishermen that are in favor
12 of limit law for probably
13 fear of life and property.
14 There is a lot of big money
15 in it that's involved.
16 Another, Mr. Van Vactor; he runs
17 the Cabel's King Kat: They
18 are in favor of a limit law
19 and would like to see it
20 nationwide really. He
21 comments on the fish that we
22 have in Alabama and is in
23 favor of it also.

0060

1 The next page there is a letter
2 from Bill Dance. If you
3 don't know who Bill Dance is,
4 he is professional angler.
5 To your surprise, he is a big
6 catfisherman also. He was a
7 major advocate in the
8 Tennessee law when they
9 started the 34-inch limit.
10 This is a letter back to me
11 after I sent him a few
12 e-mails and his comments on
13 it.
14 The next page there is some
15 research that was in
16 In-Fishermen this past year
17 in the Catfish In-Sider
18 Guide. The state law just
19 from Texas is basically
20 saying that they are thinking
21 now there is a genetic link
22 of something a little bit
23 different about these pink

0061

1 fish that makes them this
2 size. And I actually had
3 correspondence with
4 Mr. Buckmeier, and he
5 confirmed that in his
6 e-mails.
7 There is not a database now, but
8 it's evolving. They are
9 doing more research on these
10 big fish. There is not much
11 out there, as you guys know.
12 There is something special
13 about them. If we get rid of
14 them, there is not going to
15 be any left to figure it out.
16 The last few sheets are just some
17 fliers. This is where our
18 fish are going. You are
19 probably looking at some
20 Alabama catfish in those
21 fliers right there: 10,000
22 pounds a week leaving the
23 Tennessee River. That's a

0062

1 lot of fish. That's a lot of
2 fish.
3 You can't tell me it's
4 farm-raised. Some of them
5 say farm-raised catfish. I
6 was raised on a commercial
7 catfish farm. I don't
8 believe we ever had many over
9 five pounds come out of
10 there. There were several in
11 there in the triple digits on
12 one of those pages. Those
13 don't come out of the farm
14 pound. Those comes from
15 places like Alabama.
16 MS. NUMMY: Time.
17 MR. NEUSCHWANDER: Thanks for your
18 time, and I would appreciate
19 your consideration for the
20 34-inch limit.

21 MR. CHAIRMAN: Thank you.

22 Mr. Brandon Price.

23 MR. PRICE: Good morning,

0063

1 gentlemen. My name is
2 Brandon Price. I'm from
3 Madison County, Alabama,
4 District 5.

5 I just want to thank the
6 Commissioner, Chairman, and
7 the Board members for hearing
8 us on our catfish issues. I
9 wanted to have a special
10 thanks to Mr. Jones for his
11 special attention to the
12 issue. We feel like there's
13 been a lot of movement and
14 there's been a lot of eyes
15 open to what's taking place
16 with our fishery in the north
17 Alabama area and the Coosa
18 River area.

19 Allen kind of stole all my
20 thunder, so I don't really
21 have much to say, other than
22 just backing what he said.
23 We are getting lots of

0064

1 reports from Wilson Lake,
2 Wheeler Lake and Guntersville
3 from commercial fishermen and
4 sports fishermen alike to the
5 tone of about 10,000 pounds
6 of catfish are leaving our
7 river alive each week since
8 the beginning of March.

9 Last week in Guntersville we had
10 commercial gentleman that
11 came and spoke with y'all.
12 Unfortunately, they cannot
13 attend. This is their prime
14 season to get their harvest.
15 So it's tough for them to
16 leave for two or three days,
17 to walk away from their nets.

18 We can understand that.
19 As he said, the commercial
20 fishermen have bought
21 licenses, out-of-state
22 anglers have bought licenses,
23 and are coming down in full

0065

1 force. We have seen them on
2 the river; we've seen their
3 trucks pull through the ramps
4 and loading fishing. It's
5 just kind of disturbing.
6 It's not illegal, but we
7 would like for you to take
8 consideration on the proposed
9 limit.

10 As Allen said, we had several
11 fliers out that are very
12 disturbing for anybody that's
13 a lover of our natural
14 resources to see these fish
15 end up on the docks. A lot
16 of times they don't make it
17 in the ponds. They are only
18 one- to two-acre ponds. They
19 end up in a trash dump or a
20 burial heap somewhere outside
21 of these lakes.

22 Also attached is a petition signed
23 by 255 people. Most of them

0066

1 are licensed Alabama
2 fishermen, hunters,
3 out-of-state anglers that
4 have come into Alabama and
5 bought out-of-state licenses.

6 Like I said, I just want to thank
7 y'all for your attention to
8 this matter. If you have any
9 questions, I would feel free
10 to answer them. Thank y'all
11 very much.

12 MR. CHAIRMAN: Thank you.
13 Mr. Joe Young. Mighty Joe
14 Young.

15 MR. YOUNG: Mr. Lawley, Chairman
16 Moultrie, Members of the
17 Board.

18 (Laughter)

19 MR. CHAIRMAN: That's all right.
20 Joe, don't worry about that.
21 He will pay you later. Go
22 ahead.

23 MR. YOUNG: My name is Joe Young.

0067

1 We own Young's Big Mouth Shop
2 up here on the corner. My
3 family and I run it. It's
4 been a bait shop for 60
5 years.

6 We probably see more fish and game
7 than anybody in Barbour
8 County. But in 1997 we were
9 down at Baggery State Park
10 when we were able to lower
11 the bass limit from 16 to 14
12 inches. We have now come 11
13 years, and I think it's time
14 that we look realistically at
15 our bass situation on Lake
16 Eufaula.

17 The 100-odd bass tournaments we
18 have a year, we have probably
19 10 percent of the people
20 catching 90 percent of the
21 fish. They are going back in
22 the lake. What we have is a
23 lot of the smaller fish, and

0068

1 they can't be big because
2 there is enough authorities
3 for them.

4 I would respectfully ask y'all to
5 look into this possibility.

6 We have done 11 years. I
7 think we may be needing to
8 look at it and fine-tune it
9 again.

10 I was the person who instigated
11 the movement for deer

12 management in Barbour County
13 in 1997. We have now done
14 that. We processed 69 deer
15 last year up here at our
16 store. For every deer under
17 130 pounds that we processed,
18 we processed two that were
19 130 pounds-plus and our
20 program is working.

21 I appreciate y'all's effort in
22 putting that in place. I ask
23 you to respectfully look into

0069

1 fine-tuning our fishing
2 situation again.

3 MR. CHAIRMAN: Thank you. Any
4 questions of Mr. Young?

5 (No response)

6 MR. CHAIRMAN: Thank you, Joe.

7 Also Mr. Young, you ought to
8 be commended for your efforts
9 down here in this area.

10 MR. YOUNG: Thank you, sir.

11 MR. CHAIRMAN: Thank you very
12 much.

13 Next we would like to move into
14 the dove-hunting area. I
15 would like to recognize
16 Mr. Bob Green at this time.

17 MR. GREEN: Good morning. I'm Bob
18 Green from Eufaula. We are
19 dove hunters, my son and
20 grandson. We own property in
21 Bullock County. We have been
22 having good does over the
23 years. Lately the season has

0070

1 been so late and the season
2 has been moved back into
3 December. We would like to
4 get the Board to see about
5 maybe putting it the first
6 week in January. We got the
7 schoolboys that hunt with
8 us.

9 MR. CHAIRMAN: Mr. Green, we
10 probably will discuss some
11 dates at a later time in this
12 meeting if you would like to
13 stay and listen. You can
14 make comments at that time.

15 MR. GREEN: Okay.

16 MR. SELF: What county are you
17 from? Russell, Bullock and
18 Pike, Greene?

19 MR. GREEN: Well, we are in
20 Barbour. We hunt in Russell,
21 Bullock and Pike Counties.

22 MR. SELF: Russell, Bullock and
23 Pike?

0071

1 MR. GREEN: Right.

2 MR. CHAIRMAN: We will certainly
3 take it under advisement. We
4 appreciate you coming. Thank
5 you very much.

6 The next issue will be deer antler
7 restrictions on bucks. And
8 at this time I would like
9 to -- like to recognize
10 Mr. Michael Hand.

11 MR. HAND: Good afternoon. My
12 name is Michael Hand. I'm
13 from Dothan, Alabama.

14 The issue that I wanted to talk
15 about was three-buck-limit
16 issue.

17 MR. CHAIRMAN: Go ahead and talk.

18 MR. HAND: Well, I'm one of those
19 hunters that spends most of
20 the deer season in the woods.
21 I hunt five different pieces
22 of property. Some in
23 Russell, Houston, Lee,

0072

1 Crenshaw and Chambers County.

2 This new limit has drastically
3 changed the way that we hunt.
4 We are looking at trying to
5 do some different things.

6 Naturally, with five pieces
7 of property and we've only
8 killed three bucks, one of
9 the things we will have to
10 change is the way that we are
11 managing the deer.

12 I guess probably my greatest
13 concerns is over the fact
14 that I believe that the
15 hunters in this state are
16 already doing the job. When
17 you look at the recent
18 numbers, from what I
19 understand, the average
20 hunter kills one buck per
21 season and one and a half
22 does per season. From what
23 I've heard over the past few

0073

1 years, the hunters in this
2 state have taken 50,000 less
3 bucks and 150,000 more does.
4 So my question is, if the
5 hunters were doing the job,
6 why do we need you to
7 intervene in this issue.

8 And you know what? Another
9 concern that I have is, is I
10 understand that the wildlife
11 section of the Alabama DCNR
12 did not -- they did not
13 support this. And I guess my
14 question is -- to this Board
15 is why would you take the
16 word of a study group over
17 those that we, with our
18 licenses, support and look
19 out for our hunting needs?
20 MR. CHAIRMAN: We will meet. Are
21 there any questions or
22 comments in reference to
23 Mr. Hand's comments?

0074

1 (No response)
2 MR. CHAIRMAN: How much land do

3 you have in your five pieces
4 of property?

5 MR. HAND: All together it's a
6 little over 5,000 acres.

7 MR. CHAIRMAN: Is this contiguous?

8 MR. HAND: I have a little in
9 Houston County, some family
10 land in Lee County. I joined
11 a hunting club in Crenshaw
12 County. We have two pieces
13 in Chambers County. The
14 thing about it is, the needs
15 are different.

16 Like the property we have in
17 Houston County, we need to
18 kill a pile of does, and we
19 are working towards that.

20 The land we are hunting in
21 Chambers County is about 800
22 acres. We have hunted for
23 years. We've worked hard the

0075

1 past five years or six years
2 to get our buck-to-doe ratio
3 where it needs to be, and
4 it's there. We had one of
5 the best ruts that we have
6 ever had there, killed some
7 nice bucks this year. But we
8 are at the point on that
9 property where we have got
10 deer that's got three or four
11 points on one side and a long
12 spike on the other or mature
13 deer that's got little ruts.

14 Nobody will shoot them because
15 they can only kill three
16 bucks. You know, you can't
17 blame them the amount of
18 money that we spend to hunt.
19 You certainly can't blame
20 anybody for wanting to shoot
21 the best deer that they
22 can.

23 MR. CHAIRMAN: Your points are

0076

1 well made. We appreciate you
2 coming, Mike.
3 MR. HAND: Thank you.
4 MR. CHAIRMAN: Our next speaker
5 will be Mr. Jim Ratcliff.
6 MR. RATCLIFF: Good morning. My
7 name is Jim Ratcliff. I'm a
8 wildlife biologist at the Ft.
9 McClellan Army National Guard
10 Training Range in Anniston,
11 Alabama in Calhoun County.
12 The National Guard took over what
13 was used to be part of Ft.
14 McClellan. We've got a range
15 of what we call -- that's
16 over 22,000 acres in 2000
17 when Ft. McClellan was
18 shut down by BRAC. We
19 immediately turned and got
20 into the Alabama Deer
21 Management Program to
22 increase our deer harvest.
23 We have 32 to 45 deer per acre on

0077

1 the Pelham range, a whole lot
2 of deer. We have a lot of
3 habitat. We have a lot of
4 training that goes and some
5 other considerations that go
6 on.
7 We implemented a quality deer-
8 management program where we
9 tighter-restricted our bucks,
10 put out an all-out bores on
11 our does, three a day was
12 what we are allowed to do.
13 A lot of our hunters are taking
14 real good advantage of this.
15 We have upped our buck-to-doe
16 ratio from an estimated 12 to
17 one to about five to one.
18 The concern I have is with the
19 three-buck limit on the state
20 system, which I'm all for a

21 limit of some sort. I don't
22 know if that's right or
23 wrong. We saw about a

0078

1 seven-percent increase in our
2 buck harvest over the last
3 seven years.

4 This past season we had a
5 four-percent decrease. Does
6 have gone up and almost
7 leveled out. We harvested
8 200, 225 does a year off our
9 range, been harvesting almost
10 two-to-one does to bucks.
11 This year it dropped about
12 1.4 to one. A lot of that
13 had to do with weather and
14 stuff like that.

15 What I would like to ask y'all to
16 consider is the deer that are
17 harvested on the Pelham
18 range, the bucks to be exempt
19 from the three-buck limit per
20 annual quota. If not all
21 three, we would limit the
22 number on it. Even if we
23 have one bonus deer or

0079

1 something.
2 One of the things that I saw the
3 hunters that normally harvest
4 two to three bucks on the
5 range for, can take a bunch
6 of does for, they have to
7 harvest does to get extra
8 bucks. Those guys tagged out
9 on private property or leased
10 land and only came and
11 harvested one buck for us,
12 maybe a doe or two. Then
13 they quit hunting.

14 We are trying really diligently to
15 manage our herd and put it
16 back in balance. We have got
17 22,000 acres. It is a

18 National Guard training
19 facility. We have got a
20 25-mile-an-hour speed limit,
21 but yet we have about 15
22 vehicle deer accidents a
23 year. That will tell you how

0080

1 many deer we have.
2 Our ultimate goal is to balance
3 our herd, the proper number
4 of deer on the range to being
5 about 25 per acre. We think
6 that will decrease our
7 vehicle accident or increase
8 the herd health overall. I
9 would like y'all just to
10 really give us good
11 consideration to that. Thank
12 you.

13 MR. CHAIRMAN: Any questions of
14 Mr. Ratcliff?

15 MR. JONES: What is your -- how do
16 the people get extra bucks,
17 or do you make them kill a
18 doe or two before then can
19 kill the first buck?

20 MR. RATCLIFF: They start off
21 first on a buck. Our bow
22 rules are a little different
23 than on guns.

0081

1 Guns are a little stricter. Four
2 point on one side for gun.
3 If they harvest a buck first
4 with a gun, to get their
5 second buck, they've got two
6 options: They can harvest
7 three does and take a
8 five-point on one side, or
9 they can harvest five does
10 and take a four-point on one
11 side. The third buck, if
12 they harvest two more does,
13 they can take another five
14 on one side.

15 MR. JONES: Have you given any
16 consideration to making them
17 kill a couple more does prior
18 to killing that buck?
19 MR. RATCLIFF: We have, and the
20 only problem I have with that
21 is that we still have that
22 maybe 20 percent of our guys
23 that are never going to

0082

1 harvest a doe. Never will.
2 Another 20 or so that don't
3 really want to harvest one.
4 And I kind of hate to
5 restrict those guys.
6 They have been hunting the range
7 for a lot longer than I have
8 been around back and forth
9 and all that. We don't want
10 to push anybody out. If they
11 want to come and harvest
12 their one buck, that's fine.
13 We have enough that will
14 harvest the does for us.
15 But the guys that assist that will
16 harvest our does have to
17 compete with the guys that
18 are a little younger, they do
19 a little more hunting,
20 they've got lease land and
21 private land; and they'll end
22 up harvesting a buck or two
23 out there. Once they

0083

1 harvested three bucks, most
2 of them kind of quit hunting.
3 MR. CHAIRMAN: Grant Lynch.
4 MR. LYNCH: You said you have
5 22,000 acres.
6 MR. RATCLIFF: Yes, sir.
7 MR. LYNCH: 25 deer per acre?
8 MR. RATCLIFF: No. We are trying
9 to get it down to 25 per
10 acre. 25 per square mile.
11 Excuse me.

12 (Laughter)
13 MR. LYNCH: That would be 5.5
14 million deer right there.
15 MR. CHAIRMAN: Jim, Mr. Lynch has
16 made mistakes before too.
17 We appreciate you coming. We will
18 take that under advisement.
19 MR. RATCLIFF: Thank you.
20 COMMISSIONER LAWLEY: Let me ask
21 you one thing: Gary, can you
22 get your biologist to see if
23 something needs to be worked

0084

1 out?
2 MR. RATCLIFF: Thank you.
3 MR. CHAIRMAN: Our next speaker
4 will be Mr. John Ward.
5 Mr. John Ward, Good Old Boys
6 Hunting Club.
7 MR. WARD: Good morning. My name
8 is John Ward. I'm the CEO of
9 the Good Old Boys Hunting
10 Club in Fayette County.
11 I wanted to know, have y'all
12 decided about these rules
13 that's going to come out this
14 year about the fines? Have
15 y'all set those yet on the
16 doe fine?
17 COMMISSIONER LAWLEY: The
18 legislation, they passed it.
19 They have been signed by the
20 Governor.
21 MR. WARD: Okay. Thank you.
22 MR. CHAIRMAN: That's the first
23 time John has ever been that

0085

1 brief.
2 It was not us. That was the
3 legislation that did that.
4 COMMISSIONER LAWLEY: It was the
5 Landowners Association that
6 supported that bill, not the
7 conservationist.
8 MR. CHAIRMAN: Our next speaker is

9 Mr. Russell Bird. Mr. Bird.
10 MR. BIRD: My name is Russell
11 Bird, St. Clair County,
12 Alabama. I am a dog hunter.
13 I called everybody when I
14 left Saturday at
15 Guntersville. I mean, Monday
16 morning I called anybody that
17 would listen to me Monday. I
18 talked about in the Bill, the
19 677**, Mr. McClendon talked
20 to me and said that most of
21 the stuff on there he read
22 was about trapping. I told
23 him we was in favor of it. I

0086

1 bet all these other people --
2 I called and told him of
3 it -- that y'all had approved
4 it and everything. I hope
5 that deals helps us preserve
6 the right to dog hunt the way
7 we care to hunt.
8 As far as people in Hale County,
9 they never had no dog
10 hunters, so they quit. They
11 went and converted over to
12 being steel hunters. That's
13 why they have problems there,
14 I guess. I just hope that
15 Bill -- I'm glad. I hope
16 that helps us hunt. Thank
17 you.

18 MR. CHAIRMAN: Thank you,
19 Mr. Bird.

20 Our next speaker will be Mr. Doug
21 Coleman. Mr. Coleman.

22 MR. COLEMAN: Hello. I'm
23 president of Dodd Hollow

0087

1 Hunting Club. It's a 30-year
2 dog club in Central Perry
3 County.
4 I spoke at the last meeting, and I
5 have concerns about the

6 expansion of the dog --
7 no-dog hunting area in Perry
8 County.
9 You should all have a letter of
10 recommendation in your packet
11 from the Conservation
12 Officer, Tim Daniel, which I
13 hope demonstrates our ability
14 to abide by the laws set
15 forth by the committee and
16 the state. I would hate to
17 see any more dog hunting
18 restricted. That isn't the
19 intent.

20 My question is: What are the
21 boundaries you are
22 considering? I just want to
23 be sure my club is not

0088

1 affected as it is in good
2 standing with the community
3 and Officer Daniel.

4 MR. CHAIRMAN: Any questions for
5 Mr. Coleman?

6 (No response)

7 MR. CHAIRMAN: Thank you, Doug.
8 The next speaker is Mr. Jack
9 Cropp.

10 MR. CROPP: Mr. Chairman, and the
11 Board, Mr. Lawley, Mr. Pugh,
12 members of the Conservation
13 Department, my name is Jack
14 Cropp. I'm from Pell City in
15 St. Clair County, District 2.

16 I want to thank you folks for
17 doing what you for those of
18 us that enjoy using the
19 Alabama outdoor resources,
20 and I thank you.

21 And y'all should be proud for the
22 positive responses that
23 you've gotten from legal eyes

0089

1 the crossbow in a special
2 muzzle-loader season. I

3 would like to see you add a
4 weekend to that muzzle-loader
5 season so the folks that work
6 during the week can enjoy
7 that for a couple of days
8 before the summer flies get
9 in the woods.

10 You know, there is simply
11 absolutely no reason, not
12 from an enforcement
13 standpoint, not from an
14 ethical standpoint, and
15 certainly not from a
16 biological standpoint, why
17 the crossbow shouldn't have
18 the same status as any other
19 archery equipment. I would
20 like to see you take that
21 turkey off the crossbow, and
22 at the same time I would like
23 to see you let the archery

0090

1 turkey hunters carry that
2 shotgun so they can get that
3 flopper every now and then.

4 You know, aldeer.com is a pretty
5 popular Alabama outdoor Web
6 site. I'm sure some of you
7 are familiar with it. For
8 the last couple of weeks
9 they've had a poll on there
10 on the crossbow. According
11 to that poll -- and now only
12 about 150 people responded;
13 that's pretty indicative of
14 that group of people.

15 And according to that poll, about
16 60 percent of the respondents
17 think the crossbow ought to
18 stay in archery season.
19 About seven percent said no,
20 take it out. 33 percent said
21 take it out with the
22 exception for the
23 handicapped. And the vote on

0091

1 that poll for the turkey
2 hunting was just about the
3 same thing. I think it's
4 time; you know, the majority
5 of the hunters in Alabama
6 thinks crossbowing has the
7 same status as any other
8 archery equipment.

9 Now, the folks who are on the
10 Conservation Department and
11 you guys on the Board that's
12 been there for a while know
13 that I can talk to you all
14 day about the virtue of
15 hunting deer with dogs. But
16 I ain't going try to do that,
17 because Robin ain't going to
18 let me. She is already
19 looking at that clock over
20 there and tapping that toe.
21 So I want to close by saying I
22 would like to see
23 everybody -- you, you, you,

0092

1 everybody -- work hard to
2 preserve the traditional
3 method of hunting deer in the
4 south, especially Alabama.

5 Thank you.

6 MR. CHAIRMAN: Thank you,
7 Mr. Cropp.

8 (Applause)

9 MR. CHAIRMAN: Mr. Cropp, it's
10 always a pleasure to hear
11 your comments.

12 Our next speaker is Mr. Paul
13 Farmer.

14 MR. FARMER: Hey, Board. How are
15 y'all doing today? My name
16 is Paul Farmer. I'm from
17 Shelby County, Alabama.

18 I am here on behalf of the dog
19 hunters. This is my
20 granddaughter Destiny. She

21 was introduced into deer
22 hunting two years ago when
23 she was five. She is seven

0093

1 now. She would just like to
2 say something about the dog
3 hunting.

4 MS. FARMER: Hey.

5 MR. CHAIRMAN: Talk to me,
6 Destiny.

7 MS. FARMER: I like dog hunting,
8 and my brothers and sister do
9 too. So we want to hunt and
10 not let y'all quit dog
11 hunting. Thank you.

12 (Applause)

13 MR. CHAIRMAN: Thank you,
14 Mr. Farmer.

15 MR. FARMER: You're welcome.

16 MR. CHAIRMAN: Our next speaker
17 will be Mr. Lonnie Gant.

18 Mr. Gant.

19 MR. GANT: I don't know how y'all
20 expect me to follow that.

21 (Laughter).

22 MR. CHAIRMAN: Do the best you
23 can.

0094

1 MR. GANT: Anyhow, Mr. John Dover,
2 President of the Fayette
3 County Chapter of the Alabama
4 Dog Hunter Association
5 couldn't be here today, and
6 he asked me to come speak to
7 you instead because I am also
8 a member of the Dodd County
9 Dog Hunter Association.

10 I would like to ask y'all to
11 please let us keep our dog
12 hunters in Fayette County.
13 We have been to all three
14 meetings this year, and this
15 is the first time I talked to
16 other people that was there.
17 I talked about other

18 subjects.
19 You know, dog hunters work real
20 hard in Fayette County. We
21 have come a long ways and
22 made great strides. You
23 know, we brought the articles

0095

1 in the paper, had open
2 meetings, invited people to
3 come. We are really trying
4 to clean up our act up there.
5 There is a lot of people who
6 have put in a lot hard work
7 and hard hours, hard-earned
8 money.
9 You know, we like hunting just as
10 much as steel hunters like
11 their own hunting. Everybody
12 likes to do their own
13 hunting. It's what they love
14 to do. You know, I feel
15 like, you know, just because
16 of a few bad apples, the
17 whole bunch shouldn't be
18 punished. A schoolteacher
19 don't whip the whole class
20 because one little kid is
21 acting up in the back end.

22 COMMISSIONER LAWLEY: I had one.
23 (Laughter).

0096

1 MR. FARMER: I stand corrected.
2 You know, I feel like we could do
3 so much better, you know.
4 Our law enforcement did a
5 good job this past year.
6 With a state operation, I
7 commend them. And I think we
8 just need to keep on trying
9 to weed out the bad apples
10 and leave the good ones. You
11 know what, let people that's
12 really trying to hunt
13 honestly, hunt.
14 You know, a lot of the problems

15 might have been in Fayette
16 County; everybody owns a dog,
17 you know. And somebody sees
18 a dog running a deer and they
19 say, Oh, that's a
20 deer-hunting dog. A lot of
21 people like my daddy got a
22 big old red bone right on his
23 front porch, and every

0097

1 morning he is going to get
2 out there and run a deer
3 around, and he is going to
4 come back on the porch all
5 day and be lazy.
6 And, you know, deer season, you
7 know, people have these yard
8 dogs like this might ought to
9 tie them up. This is the
10 kind of stuff we are trying
11 to get done. It's not all
12 bad deer hunters. I just
13 come here just to ask y'all,
14 let us keep our hunting,
15 please.
16 I got two 19-month-old boys at
17 home, and I want to be to
18 take them take two boys
19 hunting one day and let them
20 hear some dogs runs. Because
21 there is nothing else that
22 makes the hair on the back of
23 your neck stand up besides a

0098

1 pack of dogs going through
2 the woods. If that don't do
3 it, you ain't got no pulse; I
4 guarantee it.
5 (Laughter).
6 MR. CHAIRMAN: Thank you,
7 Lonnie.
8 MR. GANT: I appreciate it.
9 COMMISSIONER LAWLEY: Lonnie, let
10 me ask you a question. Does
11 your group or association run

12 the articles to call the
13 Commissioner's office, which
14 is fine, but if you are for
15 or against the dog hunting
16 issue?

17 MR. GANT: Yes, sir. We ran
18 articles in the paper
19 yesterday. We are trying.
20 If anybody has any problems,
21 I wish they would let us know
22 so we can try to get them
23 taken care of.

0099

1 COMMISSIONER LAWLEY: Well, this
2 wasn't the problem article.

3 MR. GANT: It was the one where
4 they called.

5 COMMISSIONER LAWLEY: Call and
6 express your views for or
7 against it.

8 MR. JOHNSON: Mr. Chairman.

9 MR. CHAIRMAN: Yes, sir.

10 MR. JOHNSON: What part of Fayette
11 County do you reside in?

12 MR. GANT: I reside about eight
13 miles south of Berry. That's
14 where I live. My family owns
15 a 500-acre farm there. I
16 hunt there. And then we also
17 have land on the edge of
18 Fayette and Tuscaloosa
19 County. Then also, I hunt
20 with my uncle, who lives over
21 on the upper side of Fayette
22 toward Hoville (sic). I hunt
23 up in there a good bit with

0100

1 my uncle. We also hunt dogs
2 in that area.

3 MR. CHAIRMAN: Thank you.

4 MR. GANT: Thank you.

5 MR. CHAIRMAN: Gentleman, if y'all
6 don't mind, our next speaker
7 will be Mr. Bill Herren.
8 Mr. Herren.

9 MR. BILL HERREN: My name is Bill

10 Herren. I have come before
11 this Board several times now,
12 and I appreciate the
13 opportunity to come.

14 I can't really express in words of
15 appreciation that I and my
16 family have for the work and
17 effort that you are doing to
18 help resolve the issue of dog
19 deer hunting in Fayette
20 County. After attending
21 these meetings for two years,
22 there are several points that
23 have created an indelible

0101

1 impression in my mind.

2 No. 1, you have heard the loud
3 plea of landowners requesting
4 help; No. 2, you have
5 listened to the dog deer
6 hunters as they made excuses
7 for the dogs being unable to
8 read and their inability to
9 keep the dogs off neighboring
10 landowners' property. You,
11 the Board, have suggested the
12 landowners and dog hunters
13 work together.

14 Mr. Sparks, Commissioner of
15 Agriculture, said in the
16 Huntsville meeting a year
17 ago, and I quote, in part: I
18 strongly encourage you, the
19 Dog Hunters Association, to
20 do everything in your power.
21 I know this is a serious
22 issue. I don't know anything
23 that comes across my desk

0102

1 more than dog hunting and
2 property rights, end of the
3 quote.

4 In the same meeting you heard the
5 dog hunters propose to work

6 with landowners to police
7 their own. I say to you, the
8 Board, that there was no
9 effort made by dog hunters to
10 work with me or my family
11 prior to or within the last
12 year since that meeting in
13 Huntsville.

14 You are aware of all the efforts
15 made by the enforcement
16 division where there were
17 citations, complaints,
18 allegations, and just a
19 history of noncompliance.
20 And we would request just
21 that you just continue to
22 enforce the law. And we
23 certainly appreciate that.

0103

1 We intend to abide by the
2 law.
3 When, in the meeting at
4 Guntersville, we came to the
5 park, we heard a deer that
6 crossed the road right in
7 front of us. A large buck,
8 and afraid, stayed totally
9 secure in that environment.
10 Each trip that we went up to
11 the park or up to the lodge
12 we saw a deer. We even saw
13 one on the lawn right in
14 front of the lodge as we went
15 up. That's the kind of
16 atmosphere that we would like
17 to provide for our deer on
18 our farm in Fayette County.

19 We would like to continue --

20 MS. NUMMY: Time.

21 MR. BILL HERREN: -- to build our
22 herd. And we would like to
23 also ask you -- I would like

0104

1 to respectfully ask on behalf
2 of my family and fellow

3 landowners who are unable to
4 speak their heart, request
5 that you vote to ban dog deer
6 hunting in Fayette County as
7 recommended by Mr. Harbin.

8 I thank you for your time.

9 MR. CHAIRMAN: Thank you, Mr.
10 Herren.

11 Mr. Harbin.

12 MR. HARBIN: Can I go back to the
13 report that the Commission
14 was asked on this article
15 about in the newspaper?

16 MR. CHAIRMAN: Yes.

17 MR. HARBIN: I believe there was a
18 total of 76 calls made on
19 that ad. 64 of them are for
20 a ban and 12 were to leave
21 dog hunting. That shows you
22 the kind of problem that we
23 are having up in northeast

0105

1 Alabama. I just wanted
2 everyone to know that. I'm
3 sorry that Mr. Coles and I
4 interrupted you.

5 MR. CHAIRMAN: That's quite all
6 right. Don't let it happen
7 again.

8 MR. HARBIN: Yes, sir.
9 (Laughter).

10 MR. CHAIRMAN: Our next speaker
11 will be Phillip Kizzire.

12 MR. KIZZIRE: I'm Phillip Kizzire.
13 You might have to practice a
14 little bit on that one. I'm
15 from Fayette County. I am a
16 resident and landowner in
17 Fayette County.

18 I am here to ask you to please
19 leave the dog hunting in
20 Fayette County. I've been a
21 dog hunter since I was a
22 small child. I hunted with
23 my father. I've got a son

0106

1 that hunts with me. If we
2 have to go to a permit
3 system, that would be fine
4 with me. If I can't meet the
5 requirements for a permit
6 system, I still have an
7 opportunity to dog hunt; I
8 didn't lose the opportunity
9 to hunt.

10 If you voted it out today, then I
11 have lost the opportunity to
12 ever dog hunt again. If you
13 had the permit system and I
14 can't meet the requirements,
15 then I have an opportunity; I
16 just would not be able to
17 meet the requirements of the
18 permit system. If that's
19 what we need to get dog
20 hunting to a better standing
21 in Fayette County, then lets
22 do that.

23 We heard at the last meeting from

0107

1 Mr. Anderson that a permit
2 system works. One of the
3 Board Members here said they
4 had a permit system in their
5 county and it worked. Calls
6 went down. So we know it
7 works.

8 I guess it's y'all's place to
9 enact a permit system
10 statewide. It would be a
11 great thing. That way
12 everybody would have an
13 opportunity to hunt the way
14 they like to hunt. Thank
15 you.

16 MR. CHAIRMAN: Thank you.

17 (Applause)

18 MR. CHAIRMAN: Our next speaker
19 will be a first-time speaker,
20 Mr. Don Knight.

21 (Laughter)
22 MR. KNIGHT: Bear with me, it's my
23 first time. I'm nervous.

0108

1 I'm a state resident of the
2 Alabama Dog Hunters
3 Association, but I hunt here
4 in Barbour County.
5 We are very pleased with the deer
6 that we have here in Barbour
7 County. We have had them for
8 years, and we will continue
9 to have them.

10 We are glad that the law passed.

11 We supported the increase in
12 fines as much as we could,
13 which was all out. We tried
14 to call as many people as we
15 could and let them know that
16 we did support the fines. We
17 think the increase in fines
18 will help in all aspects of
19 hunting. Get the bad people
20 out, not just dog hunters.
21 It's all of it.

22 I don't care what phase of hunting
23 you take. We have got

0109

1 people, not many, but we need
2 to get them out. The
3 increase in fines should help
4 on that.

5 We had in Fayette County this year
6 some pretty heavy fines. I
7 think that's good. I don't
8 have a problem with that. If
9 we are going to support
10 fines, then let's support
11 them all the way. We don't
12 have a problem with that.

13 We do have a suggestion, a
14 request, that we give these
15 fines an opportunity to work.
16 It's real difficult for
17 people to change in just a

18 month or two things they have
19 been doing for 30, 40 and 50
20 years. It becomes difficult.
21 Give us some time. We are
22 working with the people up
23 there.

0110

1 I don't ever like to be critical
2 of people, because I want
3 them to be able to hunt the
4 way they want to. It doesn't
5 hurt a man to stand up here
6 and the only way he is going
7 to get hurt is absolutely no
8 hunting, and I hope that's
9 not what this Board is about.
10 We can't eliminate hunting.
11 When you take any part of hunting
12 away in any place, you have
13 helped our opposition against
14 hunting, all hunting. We are
15 standing up here today
16 fighting for our right to
17 hunt the way we want to hunt.
18 Let me tell you something: Twenty
19 years ago we never thought it
20 would happen. Twenty years
21 from now, you are going to be
22 standing up here fighting for
23 the right to hunt, period. I

0111

1 don't care if it's with a dog
2 or whether it's in a tree
3 stand or walking on the
4 ground. Now you can count on
5 it.
6 We don't like that. We want to
7 support all hunting, any way,
8 any method that's legal by
9 the State of Alabama. We
10 support all the fines. And
11 we're just going to ask you
12 to give Fayette County an
13 opportunity to work on this,
14 give them a little time.

15 I know there has been some concern
16 about one of the gentleman
17 that comes down here and
18 speaks. And he got a pretty
19 hefty fine. Thank goodness
20 he didn't shoot at your
21 officers. Okay. We had one
22 that did, and he was down
23 here speaking the other way.

0112

1 Let's don't hit the nails to
2 nails as far as somebody
3 speaking for and somebody
4 speaking against.

5 MS. NUMMY: Time.

6 MR. KNIGHT: We have all got those
7 kind of problems. We've got
8 people problems. I spoke for
9 years. There's a person
10 problem. It is not a method-
11 of-hunting problem. I just
12 ask you to consider that.

13 Give the people of Fayette County
14 and any other county that you
15 are considering shutting
16 down -- give us time to work
17 on this committee, get a
18 program in place for the
19 permit system. Let it work.
20 Thank you.

21 MR. CHAIRMAN: Thank you,
22 Mr. Knight.

23 (Applause)

0113

1 MR. CHAIRMAN: Our next speaker is
2 Mr. John Perkins. Mr.
3 Perkins.

4 MR. PERKINS: Mr. Lawley, the
5 Board, I appreciate the
6 opportunity to be here. My
7 name is John Perkins. I live
8 in Danville, Alabama. I hunt
9 in Tuscaloosa County.

10 I was very pleased to find on the
11 Internet an article that says

12 the Advisory Board mulls
13 permit system for dog deer
14 hunters. We lost our deer
15 hunting in Tuscaloosa County
16 because we are north of 82.
17 The gentleman with the little
18 girl -- I have a 12-year-old
19 granddaughter that started
20 dog hunting with us seven
21 years ago. She came in and
22 said, Granddaddy, I want a
23 pack of dogs to deer hunt

0114

1 with. She hunted twice last
2 year. I have eight dogs.
3 When I did my taxes and got my
4 report on what all I had
5 gotten from the co-op, I
6 spent nearly \$1,200 on just
7 dog food, not counting the
8 shots and medicine to take
9 care of them. I still have
10 my pack of dogs hoping that
11 y'all will go with a permit
12 system or grant permits to
13 other people.
14 There is five counties that y'all
15 say have the permit system
16 and it's working. I think it
17 can work statewide. And I
18 hope and pray that y'all will
19 listen and will possibly go
20 with a permit system for the
21 state. Thank you.

22 MR. CHAIRMAN: Thank you,
23 Mr. Perkins.

0115

1 Our next speaker is Mr. Larry
2 Smith. Mr. Smith. Mr. Larry
3 Smith.
4 Okay. Moving right along then.
5 Mr. Tony Wynn.
6 MR. WYNN: My name is Tony Wynn.
7 I live in Cullman County, but
8 I manage a hunting club in

9 northeast Tuscaloosa.
10 Mr. Chairman, Mr. Lawley and
11 Members of the Board, I
12 presented y'all all of our
13 evidence, all the records
14 that we have. And I realize
15 other people may have had law
16 issues, that kind of stuff.
17 We have run this club for over 50
18 years. We have never had one
19 violation. All I can do
20 today is ask you, what can I
21 do to get a permit to dog
22 hunt on 10,000 acres in
23 northeast Tuscaloosa County?

0116

1 MR. CHAIRMAN: Mr. Wynn, you
2 talked to us in Guntersville,
3 and you had some very
4 concrete comments and very
5 constructive comments that
6 you made at that time. I
7 think they had an impression
8 on this entire Board. And
9 Mr. Moultrie is in the
10 process of appointing a
11 Committee to study this,
12 strictly, specifically a
13 permit system, as is
14 Mr. Andress, who has come up
15 with some solutions for it.
16 We are working on it. I
17 think maybe in the future
18 you'll see some type of
19 system that will hopefully be
20 agreeable to everyone.

21 MR. WYNN: Do you think it's
22 possible before hunting
23 season next year?

0117

1 MR. CHAIRMAN: I can't make any
2 guarantees. I can't speak in
3 general for this Board, but I
4 can tell you we are working
5 on it every day. We are

6 working diligently on it.
7 We probably may have another Board
8 meeting prior to the hunting
9 season in the fall. And we
10 have to have it in time to
11 publish everything that needs
12 to be published for all of
13 our magazines and
14 publications.

15 MR. WYNN: I understand that.
16 What I can't really
17 understand is -- I'm just an
18 old Native American. I'm
19 Cherokee. I can't understand
20 why some people in some
21 counties can obtain a permit,
22 but I can't.

23 MR. HARBIN: Have you talked to

0118

1 Commissioner Lawley about his
2 system, his solution, for
3 getting a permit?

4 MR. WYNN: Not per se.

5 MR. HARBIN: It's been several
6 years since he has made that
7 offer, I think, and nobody
8 has asked for it. That's our
9 point. We are just going to
10 have to have time to work
11 this thing out.

12 COMMISSIONER LAWLEY: Chairman
13 Moultrie is in the process of
14 appointing his Committee.
15 There are a lot of things to
16 look at. This shouldn't be
17 something that is rushed
18 into. He does plan to have
19 them start meeting soon.
20 This Board is prepared to
21 come to have another meeting
22 that would address their
23 findings on the statewide

0119

1 permit system.

2 MR. WYNN: Thank you much.

3 MR. CHAIRMAN: Thank you for
4 coming again.
5 Our next speaker is Mr. Lee
6 Carroll.

7 MR. CARROLL: Good morning. I
8 left the outline. It has the
9 logo off the Web site. If
10 you want to pull that. My
11 name is Lee Carroll. We are
12 from the Auburn area, and we
13 have land in Macon County.
14 I'm here on behalf of Creekstand
15 Cooperative. We represent
16 over 7,000 contiguous acres
17 in Macon County. We have 13
18 participating landowners. We
19 spoke to you in the
20 Montgomery meeting and left
21 some letters, including one
22 from Mr. George Mann, on our
23 position on dog hunting.

0120

1 Our purpose as a cooperative is to
2 adopt common wildlife
3 principles to enhance our
4 habitat. By having more
5 acreage, we're able to
6 enhance our coverage area in
7 doing so.

8 We're here to -- I guess our first
9 request is to attach Macon
10 County to whatever is decided
11 today with Fayette County.
12 We've had an ongoing problem
13 with this for years. We've
14 become vocal about it.

15 We want to thank Mr. Grant Lynch
16 for being receptive to our
17 correspondence and talking to
18 us.

19 We would also support any
20 statewide regulations. I
21 think being two people on
22 different sides of the issue
23 with the landowner from

0121

1 Fayette County, I would
2 support his proposal of a
3 statewide regulation that's
4 effective. I think us being
5 on both sides of the issue
6 can agree on a common
7 solution there. I appreciate
8 his recommendation.
9 The problem I think is obvious,
10 and I don't want to be
11 redundant on that. We have a
12 neighboring hunting club that
13 hunts clear-cut property. We
14 have significant hardwood
15 bottoms and habitat, and they
16 hunt along the line and run
17 their dogs on over our
18 property and run the deer
19 over and shoot them. So
20 they're hunting on interior
21 habitat and taking advantage
22 of our habitat. So that's
23 the obvious problem.

0122

1 This group has been aggressive
2 with us. Despite our
3 cooperation, it made threats
4 to our property, to personal
5 people, including ladies
6 involved, which is a
7 significant problem for us.
8 I'm not saying that's the
9 norm, but that's what we are
10 dealing with locally.
11 I think some things that have
12 worked and seem to be in the
13 works, Georgia has a pretty
14 good permitting system. I
15 know that Mr. Lynch is
16 familiar with that and so is
17 the Board. We would ask the
18 Board to take a hard look at
19 that from a permitting
20 perspective. If they feel a

21 ban is appropriate, then we
22 would support that as well.
23 We are conscious of other

0123

1 hunters' rights and are not
2 asking to take advantage of
3 the situation.
4 I'll answer any questions that you
5 may have.

6 MR. CHAIRMAN: Thank you.
7 Mr. Kurby Farris.

8 MR. FARRIS: Mr. Lawley, Board
9 Members, thank y'all for
10 letting me speak. I've been
11 before the Board, this is the
12 third time.

13 I'm from Fayette County. I own
14 property there. I actually
15 live in Walker County. Most
16 of our property is in Fayette
17 County.

18 I know y'all are doing a good job,
19 and it's a hard job. And
20 it's going to be a hard
21 decision to make today or
22 whenever you are going to
23 make it. Whatever that

0124

1 decision will be, we will
2 live with.
3 Like I said in the last meeting, I
4 don't see how it can work.
5 And let me say to the dog
6 hunters, I'm not a stranger
7 to dog hunting. I ran a
8 dog-hunting club for 23
9 years, Milder Creek Hunting
10 Club. We had 3,500 acres, 40
11 dogs-plus. I enjoyed it at
12 that time.

13 We quit in the late '80's because
14 of this very thing that's
15 happening right here. We
16 hunted in northern Tuscaloosa
17 County, and we had a lot of

18 landowners there that
19 complained. The southern
20 Fayette County, Gulf States
21 Paper Company wrote me a
22 letter that I've got a copy
23 of it, anybody that would

0125

1 like to see it; they would
2 pull my lease with them if I
3 ran dogs because of the
4 neighboring landowners. We
5 had no choice. We quit.
6 Personally, it's the best move I
7 ever made. I got more out of
8 the hunting. Like I say, I
9 grew up dog deer hunting and
10 supported it 100 percent at
11 one time. I do not support
12 it now.

13 The operation out in Fayette
14 County, for instance. I
15 don't want to get into a
16 bunch personal stuff, but
17 there was four mornings I
18 hunted on Saturday mornings.
19 The only time I had to
20 hunt -- the property
21 Weyerhauser has joins my
22 property. There is 300 acres
23 that I own there. They

0126

1 clear-cut the property in
2 September. Dogs were turned
3 loose on the property line on
4 a clear-cut in September and
5 drove across adjoining my
6 land.

7 That's my problem right there.
8 And I know there is bad
9 people. There is bad people
10 in all of us. I would like
11 to see it work out, and I
12 hope it works out for the
13 good. But that's going to be
14 y'all's job. I don't want to

15 call that shot because I
16 don't see a solution other
17 than one that's not going to
18 be very popular in front of
19 all of these dog hunters.
20 That's all I have got to say. If
21 any questions, I'll answer
22 them. If any of the dog
23 hunters wish to talk to me,

0127

1 I'll talk to them. The dog
2 hunter -- the only dog hunter
3 that asked me last year could
4 we help was one of the ones
5 that was arrested. That's
6 the only dog hunter I have
7 heard from since.

8 MR. CHAIRMAN: Thank you,
9 Mr. Farris.

10 Mr. Truman Herren.

11 MR. TRUMAN HERREN: Good morning.

12 My name is Truman Herren from
13 northeast Fayette County.
14 I've spoken to you before. I
15 am opposed to dog deer
16 hunting because of the
17 situation that happens on our
18 land.

19 This article -- it was in the
20 Fayette paper -- is the only
21 help that Fayette County Dog
22 Hunters Association and the
23 Alabama Dog Hunters

0128

1 Association has given to us,
2 and that's asking for people
3 opposed to call Mr. Lawley.
4 We talked to 28 landowners in the
5 last week or so. 26 of them
6 were opposed to dog hunting
7 on their property, two of
8 them because they didn't know
9 me. One in particular said I
10 would rather not say because
11 I don't know you on the

12 telephone because of past
13 problems that we have had.
14 That's the situation that
15 exists.
16 You can see when we started this
17 we had a large group of
18 people coming to these
19 meetings. We don't any more.
20 There have been threats. One
21 in particular. I know where
22 your nine-year-old
23 granddaughter hunts. She is

0129

1 down there alone. You can't
2 look after her. That man is
3 no longer here.
4 Understandably so.
5 The 2006-2007 hunting season I was
6 threatened directly with
7 bodily harm. The 2007-2008
8 hunting season I was
9 threatened with death, as in
10 D-E-A-D, dead over dog
11 hunting. Now, that's not the
12 way I was brought up. That's
13 not the way most of the dog
14 hunters in Fayette County
15 are.
16 I talked to Mr. Kizzire who spoke
17 to you a while ago. We have
18 had some good discussions in
19 Guntersville and today. So
20 not all dog hunters are that
21 way. And I will be the first
22 to admit it, but there are
23 some.

0130

1 The ones that we had problems with
2 got worse after they got
3 tickets this year. Tickets
4 don't work; fines don't work.
5 If they want to hunt on your
6 property, they are going to
7 hunt regardless.
8 So all I ask is we stand up and do

9 what's right. That's the way
10 we were raised, parents,
11 grandparents, aunts and
12 uncles in our family always
13 taught us to do what's right.
14 It's not often or always
15 popular, but you have got to
16 stand up. I am standing up
17 for a lot of people in
18 Fayette County --
19 MS. NUMMY: Time.
20 MR. TRUMAN HERREN: -- that can't
21 afford to.
22 Thank you very much.
23 MR. CHAIRMAN: Thank you,

0131

1 Mr. Herren.
2 Mr. Paul Jeffreys.
3 MR. JEFFREYS: Members of the
4 Board, y'all well know I'm
5 Paul Jeffreys. I own
6 property in Lamar County and
7 Marion County.
8 I didn't come down here today to
9 ask anything from y'all, but
10 just to thank y'all for the
11 ban that we received in 2003
12 on dog deer hunting. We
13 started in '99 and worked
14 from 1999 to 2003 coming here
15 on the same complaints that
16 these landowners are coming
17 to y'all with of threats,
18 vandalism, harassment. And
19 upon receiving our ban in
20 2003, it made a complete 180.
21 We now enjoy our deer seasons.
22 They are quiet. It's a
23 family event now. Whereas,

0132

1 before the ban, I wouldn't
2 take my kids hunting. My
3 son, eight years old this
4 year, harvested his first
5 deer. I was more proud of

6 that than harvesting a deer
7 myself. You should have seen
8 the look in his eyes.
9 It was because we are not
10 constantly bombarded by
11 trespassing dogs. We can sit
12 there and watch deer. We can
13 pick and choose what we want.
14 We can take does when we want
15 to. We can watch young
16 bucks. And it has just
17 gotten a whole lot better.
18 The only thing I did say, I said I
19 didn't come here to ask you
20 anything. The only thing
21 that I do ask of you is, I
22 understand that there is a
23 permit system being

0133

1 discussed. And I would like
2 to plea with you or ask of
3 y'all that the counties that
4 have already received bans,
5 do not include these in this
6 permit system.
7 Because regardless of how many
8 contiguous acres you have,
9 you will still have
10 neighboring landowners that
11 border those contiguous
12 acres, 10,000, 3,000 whatever
13 it is. You are still going
14 to have problems and we have
15 lives without dog hunting
16 since 2003, and it's gotten
17 drastically better. I am
18 afraid that if we have the
19 permit system in Lamar County
20 and neighboring counties that
21 are already banned, it will
22 throw us back into the
23 situation that we originally

0134

1 came from.
2 That's all I have to say. Thank

3 y'all for your time.
4 MR. CHAIRMAN: Thank you,
5 Mr. Jeffreys.
6 Mr. Dwight Lawrence.
7 MR. LAWRENCE: Mr. Commissioner,
8 Board Members, I would like
9 to take this opportunity to
10 say, first of all, we have a
11 fine sheriff in Fayette
12 County by the name of Rodney
13 Ingle. If there are any
14 threats of bodily harm to
15 anyone, if they would just
16 let him know, he takes very
17 seriously any threat to
18 anybody. He was just elected
19 last fall. He is doing a
20 fine job in Fayette County.
21 Also, like Mr. Herren, I am for
22 admitting that all dog
23 hunters in Fayette County are

0135

1 not bad. Good people. I
2 moved from Walter County into
3 Fayette County 10 years ago.
4 I found the best people in
5 Fayette County that I had
6 ever seen.
7 I don't deer hunt. I run coyote
8 dogs. I enjoy my hounds,
9 hounds and looking, watching
10 them close every time, I can
11 tell you I'm not an expert on
12 them. I can tell you there
13 is nobody in this room that's
14 an expert on hounds. You
15 can't see one and say, that's
16 what he is doing. You can't
17 see one over here and assume
18 that's what he is doing.
19 It's not possible.
20 The actions of these hounds by
21 their owners is by people
22 that don't know hounds, and
23 it's by people who don't know

0136

1 what their hounds are doing
2 when they are seeing them.
3 I hunt in every state that allows
4 coyote hunting. I've got 40
5 dogs. My feed bill to this
6 date this year is over
7 \$2,000.
8 Other states don't have problems
9 running coyotes and fox. But
10 the problem I want to tell
11 everybody about today is
12 everybody is eliminating the
13 dog and deer hunters. The
14 problem I see in the other
15 states that done it 20 years
16 ago is they are taking
17 somebody's right to hunt
18 away. Those people quit.
19 They don't go dog hunting and
20 steel hunting. They are not
21 raising their children to be
22 hunters.
23 According to Craig's List, eight

0137

1 percent of America is
2 hunters. That's it. Just
3 eight percent. Here we are
4 today arguing. These people
5 are very passionate about it.
6 Both groups, they are very
7 passionate about what they
8 believe in. You want to turn
9 that statistic around. 92
10 percent of Americans are not
11 hunters. They are looking
12 for a way to get in and they
13 are going to find it.
14 That's all I have. Thank you.
15 MR. CHAIRMAN: Thank you,
16 Mr. Lawrence.
17 (Applause)
18 MR. CHAIRMAN: Mr. Eric O'Bryan.
19 MR. O'BRYAN: Good morning,
20 gentlemen. I appreciate

21 y'all giving us an
22 opportunity to speak. I'm
23 not a member of an

0138

1 association. I'm just a new
2 landowner in Henry County.
3 This time last year we
4 bought 300 acres in Henry
5 County.

6 We use ours for a little bit
7 different enjoyment. We have
8 youth come and hunt four or
9 five times a year. Our
10 intention is to share the
11 gospel when they come and
12 hunt. I can't say anything
13 bad about the dog hunters
14 that are hunting around me
15 personally. They have all
16 been very respectful people.

17 The problem I have is at the
18 stated area, dogs can't read
19 posted signs. I understand
20 that, but they also can't
21 make a land payment. My land
22 payment is about \$45,000 a
23 year. From the second week

0139

1 of dog-hunting season until
2 the time it ended, the middle
3 of January, we had problems.
4 Not with individuals on our
5 property, but with their
6 dogs.

7 One example, I had ten youth
8 hunters. We maintain about
9 15 acres of year-round booth
10 plots. We had 10 youth
11 hunters. Eight of them had a
12 pack of dogs running through
13 the booth plot while we were
14 trying to hunt. They drove
15 an hour or drove. They were
16 pumped up. They are excited
17 about hunting.

18 And it's just not right. I don't,
19 you know, propose to tell you
20 guys to eliminate dog
21 hunting. If they want to run
22 until the little dogs' feet
23 get tired, I am happy about

0140

1 that. Let them do it. I
2 just don't want them running
3 on my place. I know just by
4 the nature of dog hunting
5 that's hard to do.

6 We are in a county that's
7 permitted. For me the permit
8 system don't work. I guess
9 this year my goal, instead of
10 deer hunting during that
11 time, would be to catch dogs
12 so I can have the game
13 wardens come pick them up.
14 It shouldn't be like that. I
15 understand that, hey, it's
16 going to happen a few times a
17 year. I won't say a cross
18 word about it. But when it
19 happens 85 to 90 percent of
20 the days that I am hunting
21 on my farm, there is a
22 problem.

23 Guys, it's been my dream to own a

0141

1 piece of property to do this
2 with for a lot of years. The
3 Lord has made that available.
4 Everybody's heart smiled when
5 that little girl got up here
6 and talked about hunting.
7 My heart smiled.

8 In my situation, permit hunting
9 with dogs is not working. I
10 don't know if there is a
11 better means to police this.
12 I know the game wardens in
13 Henry County can't do it all.
14 They can't. I can't get down

15 and chase dogs so they can
16 come pick them up. I don't
17 have time for that, and I
18 shouldn't have to do that.
19 So I don't know if a ban on dog
20 hunting is the answer to this
21 or stricter regulations or
22 the dog hunting policing
23 themselves better. I don't

0142

1 know the answer. But I can
2 tell you in Henry County on
3 my 305 acres, it's not
4 working.

5 Thank you.

6 (Applause)

7 MR. CHAIRMAN: Thank you,
8 Mr. O'Bryan. And I would
9 like to thank the person who
10 spoke today for your
11 indulgence and the way you
12 presented yourself and the
13 cooperation given by all.

14 At this time I would like to take
15 about a ten-minute break, if
16 we would.

17 (Short recess)

18 MR. CHAIRMAN: If you would take
19 your seats, we would like to
20 get started. I would call
21 the meeting back to order,
22 please.

23 Since we have completed our

0143

1 public-hearing portion, I
2 would like to continue now
3 with the business at hand.
4 Is there any old business
5 that we need to bring up at
6 this time?

7 MR. SELF: Mr. Chairman.

8 MR. CHAIRMAN: Yes, Mr. Self.

9 MR. SELF: Mr. Chairman, the
10 Commissioner recently passed
11 an emergency regulation

12 dealing with shark fishing.
13 And that regulation will
14 expire in 100 days from the
15 date of inception. And there
16 is some proposed changes to
17 this regulation, and I would
18 like for Mr. Pugh to explain,
19 if he would, please.

20 MR. PUGH: Mr. Self, Major Jenkins
21 was instrumental in
22 developing that, so I would
23 like for him to go ahead and

0144

1 talk to you about that.
2 MR. JENKINS: Well, really and
3 truly, over the last two
4 years at Orange Beach, we
5 have received an increase in
6 complaints by shark fishing
7 from the beach that created
8 an unsafe environment for
9 swimmers and those on the
10 beach. Up until we tried to
11 do this, we really hadn't had
12 a way to address those
13 issues.

14 What's came up is we actually went
15 forward and polled all of the
16 states on the Coast and found
17 out it was a problem for
18 everybody, but nobody found a
19 solution. What we have done
20 is came up with a reg and a
21 few changes to it that
22 clarified it more that tried
23 to address the unsafe

0145

1 practice without negatively
2 affecting the safe or legal
3 fishing at all.
4 We actually think we have taken
5 some of the vagueness out of
6 it. We made sure that it
7 goes back more to just shark
8 fishing, and we believe it's

9 a step forward.
10 MR. SELF: Okay. Thank you, J.T.
11 Is there any questions about
12 this? Anybody have any
13 questions about the new
14 regulation?

15 MR. MINTON: I might add, too,
16 this is a situation that's
17 occurring where we are having
18 more and more people coming
19 to the area to the beach.
20 Because of the regulatory
21 process, the federal
22 management, the shark species
23 are starting to rebound, and

0146

1 the chance for interaction is
2 starting to increase. It is
3 a more active move that we
4 would like to try; and again,
5 before, when we would see
6 someone out there with a rod
7 fishing or chumming for
8 sharks, the officer, or like
9 Orange Beach Police, would
10 ask them, What are you doing?

11 This is not good.
12 They say, Well, is it against the
13 law? No, it's not. So they
14 keep on going.

15 This gives the officer a tool to
16 use to say, This is unsafe.
17 You need to move on. The
18 officers will have
19 discretion. We don't want to
20 put anybody in harm's way or
21 in a situation where we
22 negatively impact the
23 fishermen. We think this

0147

1 will give them a tool to, if
2 they are, in fact -- the
3 officer will explain it to
4 them and ask them to move
5 on.

6 MR. SELF: As nearly as I can
7 understand, it's strictly a
8 safety issue dealing with the
9 people that might potentially
10 be harmed by sharks gathering
11 around and chumming or
12 fishing for sharks from the
13 pier.

14 MR. BURGESS: A question.

15 MR. SELF: Yes?

16 MR. BURGESS: What is the position
17 of Florida on this? He said
18 he would check with
19 surrounding the states. MR.
20 JENKINS: We have worked
21 closely with Florida. Bruce
22 Bucksley is their
23 representative down there for

0148

1 us. The one thing is to
2 figure out how to define what
3 you are controlling. We work
4 extensively with them.

5 They have not cracked the proper
6 way to do it. As a matter of
7 fact, I met with them
8 Wednesday and Thursday last
9 week in some meetings. They
10 liked where we are going.

11 They have to go back to their
12 Commission and talk about it.

13 Of all the Coastal states, we will
14 be the first one that seems
15 to have found a workable
16 solution that doesn't
17 negatively impact legal, safe
18 fishing. And that's what
19 everybody's goal has been.

20 And I think David Dean has done a
21 good job at trying to draw a
22 limit on whether the
23 negatives impact anything

0149

1 else.

2 MS. NUMMY: State your name for

3 the court reporter.
4 MR. BURGESS: Bill Burgess.
5 MS. NUMMY: General public, we are
6 on the Board part. If you
7 are called upon, she has to
8 get your name. Everybody has
9 to state their name.
10 MR. CHAIRMAN: Mr. Self.
11 MR. SELF: Mr. Chairman, I would
12 like to make a motion that
13 the Board adopt these
14 proposed changes to the
15 shark-fishing regulation.
16 MR. CHAIRMAN: Mr. Self makes a
17 motion to that effect. Is
18 there a second?
19 MR. LYNCH: Second.
20 MR. CHAIRMAN: Any further
21 discussion?
22 All in favor say "aye."
23 THE BOARD: "Aye."

0150

1 MR. CHAIRMAN: Any opposed?
2 Motion carried.
3 COMMISSIONER LAWLEY: I think
4 there was a question about
5 reading the regulation. It's
6 pretty short, Ross, if you
7 don't mind.
8 MR. SELF: All right. Proposed
9 changes to the shark fishing
10 regulation.
11 It shall be unlawful within three
12 hundred feet of the
13 shoreline, or on a public
14 pier, or on a private pier
15 where an unsafe condition is
16 created, on or in the waters
17 of Alabama under the
18 jurisdiction of the Marine
19 Resources Division as
20 provided by Rule 220-2-.42,
21 to fish for or target sharks
22 of any species by those
23 methods commonly known as

0151

1 "chumming" or "bloodbaiting."
2 For purposes of this regulation,
3 "chumming" shall be defined
4 as the throwing of bait or
5 fish parts into the water to
6 attract fish.
7 For purposes of this regulation,
8 "bloodbaiting" shall be
9 defined as the use of blood,
10 chemical or synthetic
11 attractants, fish parts,
12 chicken parts or other animal
13 parts to attract fish or
14 sharks.
15 It shall be unlawful, on or
16 adjacent to the waters of
17 Alabama under the
18 jurisdiction of the Marine
19 Resources Division as
20 provided by Rule 220-2-.42,
21 for any person to surf fish
22 for sharks, or bowfish for
23 sharks or fish for or target

0152

1 sharks by any means from any
2 pier or beach in such a
3 manner that presents an
4 unsafe condition to any
5 beach-goers, sun bathers,
6 swimmers, or any other
7 person.
8 MR. CHAIRMAN: Any other
9 questions?
10 Motion has carried. Thank you,
11 Mr. Self.
12 Next order of old business would
13 be from -- Mr. Johnson.
14 MR. JOHNSON: Yes, Mr. Chairman.
15 I have a motion relating to
16 dog deer hunting to be banned
17 in the following area in
18 Perry County. At the last
19 meeting we visited with
20 Mr. Barnes from Perry County.

21 And at that time, we stated
22 to him as he was testifying
23 before the Board that Wayne,

0153

1 Dr. May and I would visit
2 with him prior to this
3 meeting and make a decision
4 to present to the Board at
5 this time.

6 So this relates to Perry County
7 and a motion that dog deer
8 hunting be banned in the
9 following area in Perry
10 County: Starting at the
11 junction of Morgan Springs
12 Road at the Hale/Perry County
13 line. Then travel south
14 along the Hale/Perry County
15 line to Highway 14.
16 Following Highway 14 east
17 until it reaches the junction
18 of Highway 23 and the Spring
19 Hill Church Road. Following
20 the Spring Hill Church Road
21 east until it reaches Highway
22 29. Follow Highway 29 until
23 it reaches the junction of

0154

1 Highway 23.
2 Now, we proposed an area last
3 year, as you see on the map
4 here. And this dark area is
5 the area that was taken out
6 last year. And we should
7 have included -- we intended
8 to include this particular
9 area at that time.

10 So this is my motion,

11 Mr. Chairman.

12 MR. CHAIRMAN: You have heard the
13 motion, and it is presented
14 to you in writing. Do we
15 have a second?

16 DR. MAY: Second.

17 MR. CHAIRMAN: Dr. May seconds

18 that motion.
19 Is there any further discussion?
20 The Chair hearing none, calls for
21 the question.
22 All in favor say "aye."
23 THE BOARD: "Aye."

0155

1 THE CHAIRMAN: Any opposed?
2 Motion carries.
3 Thank you, Mr. Johnson.
4 Next order of old business, I
5 would refer to Mr. Huffaker
6 on your 100-foot
7 restrictions.
8 MR. HUFFAKER: Thank you, Mr.
9 Chairman. Bob Huffaker with
10 Marine Police Division. We
11 are asking today for final
12 approval on Regulation
13 220-6-.60, which is the
14 100-foot restriction for
15 boaters in the State of
16 Alabama.
17 We do have a couple of changes
18 that we would like to have
19 included. And one is the
20 "definition of vessel." And
21 the other one is "water of
22 this state as defined." And
23 then the inclusion on the

0156

1 bottom, "or to operation of
2 vessels on the Intercoastal
3 Waterway." This is the
4 regulation that was presented
5 for consideration at the last
6 Advisory Board meeting.
7 MR. CHAIRMAN: We would need a
8 motion.
9 MR. LYNCH: I make a motion that
10 we pass the regulation as he
11 so stated.
12 MR. SELF: Second.
13 MR. CHAIRMAN: Motion by
14 Mr. Lynch. Second by Mr.

15 Self.
16 Mr. Huffaker, would you mind
17 reading that proposal to us,
18 please.
19 MR. HUFFAKER: Again, No person
20 shall operate any "vessel"
21 (As defined in Title 33-5-3,
22 Code of 1975) or tow a person
23 or persons on water skis, an

0157

1 aquaplane, a surfboard, or
2 any similar device on the
3 "waters of this state" (as
4 defined in 33-5-3, Code of
5 Alabama 1975) at a speed
6 greater than idle speed
7 within 100 feet or any vessel
8 which is moored, anchored, or
9 adrift outside normal traffic
10 channels, or any wharf, dock,
11 pier, piling, bridge
12 structure or abutment, person
13 in the water, or shoreline
14 adjacent to a full-time or
15 part-time residence, public
16 park, public beach, public
17 swimming area, marina,
18 restaurant, or other public
19 This subsection shall not be
20 interpreted to prohibit any
21 person from initiating or
22 terminating water-skiing from
23 any wharf, dock, or pier

0158

1 owned by such person or used
2 by such person with the
3 permission of the owner of
4 said wharf, dock, or pier nor
5 shall it be interpreted to
6 prohibit the immediate return
7 of a tow vessel to a downed
8 water skier. The above
9 restriction shall not apply
10 to ocean-going ships or to
11 tugboats or other powered

12 vessels which are assisting
13 ocean-going ships during
14 transit or during docking or
15 undocking maneuvers, or to
16 the operation of vessels on
17 the Intercoastal Waterway.
18 MR. CHAIRMAN: Is there any
19 questions of Mr. Huffaker by
20 any member of the Board?
21 We have a motion and second. All
22 in favor say "aye."
23 THE BOARD: "Aye."

0159

1 MR. CHAIRMAN: All opposed?
2 Motion carried.
3 Do you have anything else,
4 Mr. Huffaker?
5 MR. HUFFAKER: Yes, I do. I have
6 a request to accept a change
7 on a regulation dealing with
8 lake permit regulation. It's
9 220-6-.55. And what we are
10 asking is to give us a little
11 clearer means of enforcing
12 this law. So we had a couple
13 of changes that we would like
14 to make.
15 And one of them it appears in
16 Section (d), Method of
17 Measurement of Length. And
18 we would like to exclude "at
19 the drain plug." And add
20 "Notwithstanding the
21 foregoing, the length of the
22 vessel as shown on the
23 current vessel registration

0160

1 shall be prima facie evidence
2 of the length of the vessel
3 for the purposes of the
4 administration and
5 enforcement of Act 2006-398,
6 Acts of Alabama and Title
7 33-6A-3.1, Code of Alabama
8 1975."

9 MR. CHAIRMAN: Mr.Lynch.
10 MR. LYNCH: I make a motion that
11 we accept the changes as he
12 just stated.
13 MR. SELF: I second.
14 MR. CHAIRMAN: Mr. Self seconds
15 the motion. Mr. Lynch made
16 the motion.
17 Any discussion or questions of
18 Mr. Huffaker?
19 COMMISSIONER LAWLEY: Now, this is
20 in regard of those three lake
21 closures that the legislation
22 passed at Lake Martin, Weiss
23 and Wedowee where it was
0161
1 certain-length boats are
2 restricted in what obviously
3 is a status. It gives a
4 clear-cut way of measuring
5 the boat to see if it's legal
6 or not.
7 MR. CHAIRMAN: Thank you,
8 Commissioner.
9 COMMISSIONER LAWLEY: You are
10 mighty welcome for that.
11 MR. CHAIRMAN: All in favor of
12 said motion say "aye."
13 THE BOARD: "Aye."
14 MR. CHAIRMAN: Any opposed?
15 Motion carried.
16 Mr. Huffaker.
17 MR. HUFFAKER: That's it for me,
18 Mr. Chairman.
19 MR. BURGESS: Excuse me. I have
20 one question, please.
21 MR. CHAIRMAN: Yes.
22 MR. BURGESS: My name is Bill
23 Burgess. This regulation
0162
1 that has just been passed by
2 you guys, how will it be
3 posted at, like, lake point
4 and all of the landing areas?
5 MR. CHAIRMAN: Mr. Huffaker.

6 MR. SELF: Can I say something? I
7 don't think we just passed
8 the regulation. We just
9 clarified as to how you
10 measure a boat.

11 MR. LYNCH: He is talking about
12 the 100 foot, I think.

13 MR. SELF: The other regulation.

14 MR. BURGESS: Yes.

15 MR. CHAIRMAN: Mr. Huffaker, do
16 you want to respond to that?

17 MR. HUFFAKER: Well, I would like
18 to hear the question again.

19 MR. CHAIRMAN: Mr. Burgess.

20 MR. BURGESS: How will it be
21 posted in the launch areas
22 like lake point and all of
23 the public launches around

0163

1 Lake Eufaula?

2 MR. CHAIRMAN: Mr. Huffaker.

3 MR. HUFFAKER: In being posted?

4 MR. BURGESS: What I am saying is,
5 how are you going get it out
6 to the boating public?

7 MR. HUFFAKER: This is a statewide
8 regulation. It concerns all
9 the waterways in the State of
10 Alabama. We begin with doing
11 news releases from INE
12 statute in Montgomery
13 statewide through the news
14 media, we will get it on the
15 TV and radio spots,
16 newspapers, whatever. And,
17 of course, our officers that
18 work these areas will be
19 visiting the marinas and
20 notifying folks in and around
21 and areas they work.

22 If adopted and it becomes a
23 regulation, it will not --

0164

1 citations will not be
2 immediately written. We will

3 go through a written warning
4 process giving folks time to
5 get acclimated to the new
6 regulation.

7 MR. BURGESS: Okay. Thank you.

8 COMMISSIONER LAWLEY: We are very
9 fortunate to have the fine
10 gentlemen representing the
11 state from Huntsville to
12 Mobile and Birmingham.

13 MS. NUMMY: I want to remind you:
14 If you wish to address the
15 Board, you have to be
16 acknowledged by the
17 Chairman.

18 MR. CHAIRMAN: Mr. Burgess, you
19 were recognized by the
20 Chair.

21 MR. BURGESS: Thank you.

22 MR. CHAIRMAN: Next.

23 MR. HARBIN: Mr. Chairman, I have

0165

1 some old business.

2 MR. CHAIRMAN: Some old business?

3 MR. HARBIN: Yes, sir, I have a
4 motion on deer hunting in
5 Fayette County.

6 MR. CHAIRMAN: I recognize you at
7 this time. Proceed.

8 MR. HARBIN: I just wanted to say
9 that I feel every opportunity
10 has been given to the people
11 of Fayette County to settle
12 this issue, and no one has
13 taken advantage of any
14 offers.

15 Therefore, I would like to
16 recommend to the Commission
17 the ban to restrict the use
18 of dogs to hunt deer in
19 Fayette County, Alabama be in
20 place for the 2008-2009 deer
21 season with one exception:
22 that area east of Highway 43
23 and south of Highway 18 be

0166

1 left open at this time for
2 dog deer hunting.
3 MR. JOHNSON: Second on the motion.
4 MR. CHAIRMAN: We have a motion
5 and a second.
6 Now there is discussion. Does
7 anyone have any questions of
8 Mr. Harbin? Any other
9 questions?
10 I'm sorry. Yes?
11 MS. NUMMY: State your name.
12 MR. GANT: My name is Lonnie Gant.
13 MR. CHAIRMAN: Lonnie Gant. Come
14 to the microphone, Lonnie.
15 MS. NUMMY: Come up to the front
16 so the court reporter can
17 hear you.
18 MR. GANT: My question is, is this
19 going to outlaw it to where
20 there can be a permit system
21 later on permitted, or is
22 this going to make it where
23 we can maybe later on get a

0167

1 permit system?
2 MR. HARBIN: We haven't even
3 decided on a permit system
4 yet, whether there is going
5 to be a permit system or not.
6 It's in the talks.
7 MR. GANT: It's a motion to get
8 rid of it whatsoever.
9 MR. HARBIN: It's to stop it for
10 right now, yes.
11 MR. GANT: West of 43 and north of
12 18?
13 MR. HARBIN: Yes, sir.
14 COMMISSIONER LAWLEY: That is one
15 of the issues that the
16 Committee is going to have
17 to study to make a
18 recommendation on what to do.
19 MR. GANT: Thank you.
20 MR. CHAIRMAN: Thank you, Mr.

21 Gant.
22 We have a motion and a second.
23 MS. NUMMY: State your name for

0168

1 the court reporter, please.
2 MR. CHAIRMAN: He will when he
3 gets here.
4 (Applause)

5 MR. KIZZIRE: My name is Phillip
6 Kizzire. I had sent a
7 proposal in to your office,
8 and my proposal had some
9 different lines drawn than
10 what Mr. Harbin has got. The
11 three people that have been
12 diligently at these meetings
13 trying to ban dog hunting
14 Fayette County, my proposal
15 would ban dog hunting in
16 their area and only their
17 area. If y'all would look at
18 my proposal for the lines
19 instead of the lines that Mr.
20 Harbin has proposed, which I
21 don't know where he got his
22 lines. I don't know who give
23 him the lines that he

0169

1 proposed.
2 If you are going to leave -- if
3 you are only going to be
4 leaving one corner of Fayette
5 County, then you are going to
6 push all the dog hunters to
7 one corner. You are going to
8 have problems again.
9 I would like to see the permit
10 system, but I would also like
11 to see you look at the lines
12 that I have drawn too.

13 MR. HARBIN: Those lines were
14 suggested to me by the
15 district supervisor of
16 District 2 and 3 or 1 and 3,
17 whatever their district is on

18 that end --

19 MR. SELF: 2 and 3.

20 MR. HARBIN: -- and by the
21 Conservation Department. I
22 didn't make the lines up
23 myself.

0170

1 MR. CHAIRMAN: There is one
2 comment that I would make,
3 and the Commissioner has
4 already alluded to it. We
5 are going to visit this whole
6 issue of permits as it
7 relates to dog deer hunting
8 in all facets. We are going
9 to look at the areas. We are
10 going to look at the amount
11 of acreage. Everything is
12 going to be taken into
13 consideration.

14 Also the fact that if you are
15 already being banned, what
16 are we going to do with the
17 dog hunting in those areas.
18 That will be completely
19 revisited in the next few
20 weeks. So I guess there is
21 some hope for those who are
22 being affected now and there
23 is also hope for those who

0171

1 have been affected in the
2 past. That also works. It's
3 still going to protect the
4 landowners and his rights
5 too. Everything's going to
6 be taken into consideration
7 from all viewpoints, I
8 promise you that.

9 We have a motion and a second on
10 the floor. I would like to
11 see by a raise of hands, all
12 in favor of said motion.

13 MR. HARBIN: What motion are you
14 talking about?

15 MR. CHAIRMAN: Your motion.
16 MR. HARBIN: Okay.
17 (Laughter)
18 MR. HARBIN: You didn't define
19 yourself.
20 MR. CHAIRMAN: Let me see them all
21 again, please.
22 (Hand vote)
23 All opposed?

0172

1 Motion carries.
2 MR. WARD: Can I ask a question?
3 My name is John Ward. Will
4 you give me those boundary
5 lines again?
6 MR. HARBIN: Yes, sir. Wait a
7 minute. Let me find my
8 motion. I got them wrote
9 down. I have got them
10 clarified by the district
11 supervisors.
12 The area east of Highway 43 and
13 south of Highway 18 going to
14 the Walker County line.
15 MR. WARD: Thank you.
16 MR. CHAIRMAN: Ms. DeSchaines.
17 MS. DeSCHAINES: The map that I
18 looked at for the southeast
19 corner of Fayette County when
20 you get east of Berry, it
21 goes and makes a loop like
22 this and then goes on. Then
23 Highway 43 changes number and

0173

1 direction at that point with
2 43 becoming 13 north of that
3 intersection and 43 south.
4 The map that I looked at also
5 showed Highway 18 coming out
6 of the our county to the City
7 of Fayette and getting to
8 that certain point. And 43
9 then goes south, but it
10 becomes 18 going east. I
11 think that's what's confusing

12 a lot of people.
13 MR. CHAIRMAN: I think the
14 solution to this, Ms.
15 DeSchaines, is for the staff
16 that we have to clarify that
17 and make it completely
18 understandable by all
19 parties.
20 MS. DeSCHAINES: That strange
21 changing of the numbers seems
22 to confuse people.
23 MR. CHAIRMAN: Yes, ma'am. I

0174

1 think Mr. Andress and his
2 staff could probably handle
3 that.
4 MS. DeSCHAINES: Thank you.
5 DR. MAY: Mr. Chairman.
6 MR. CHAIRMAN: Yes.
7 DR. MAY: I would like to mention
8 the one that I brought up at
9 the last meeting we had on
10 defining the area and eating
11 and having feeders. No one
12 seems to know what area it
13 means. I would like to
14 define it, and I would ask
15 the legal department and all
16 the law enforcement if they
17 would give me an answer on
18 that as soon as possible
19 within the next two or three
20 weeks.
21 MR. CHAIRMAN: That does not have
22 to be in a form of a motion,
23 Mr. May.

0175

1 DR. MAY: It's not a motion. It's
2 just a question.
3 MR. CHAIRMAN: You made a request.
4 You guys can take care of
5 that for him. Thank you very
6 much.
7 Mr. Jones.
8 MR. JONES: Yes. For quite some

9 time I have worked with Stan
10 Cook and members of the
11 Department to try to get some
12 relief for the overharvesting
13 of large catfish. I would
14 like to -- as I mentioned in
15 the March meeting, I would
16 like to make the following
17 recommendation: that you
18 make it illegal to possess
19 more than one catfish over 34
20 inches in total length taken
21 from the Alabama public
22 waters. No blue- or
23 whitehead catfish over 34

0176

1 inches in total length may be
2 transported beyond the
3 boundaries of the state
4 unless permitted in writing
5 by the Commissioner of the
6 Department of Conservation
7 and Natural Resources. I
8 would like to make that in
9 the form of a motion.

10 MR. JOHNSON: Second.

11 MR. CHAIRMAN: We have a motion by
12 Mr. Jones, seconded by Mr.
13 Johnson.

14 Any discussion on this issue as it
15 relates to the length of
16 catfish?

17 There being none, all in favor of
18 said motion say "aye."

19 THE BOARD: "Aye."

20 MR. CHAIRMAN: Any opposed?
21 Motion carries.

22 Mr. Jones, do you have anything
23 else?

0177

1 MR. JONES: That's it.

2 MR. CHAIRMAN: Mr. Coles.

3 MR. COLES: On the old business, I
4 stated that we were
5 addressing the dog-hunting

6 issues in Coffee, Butler and
7 Pike County. And at this
8 time I would like to defer
9 Coffee County to the meeting,
10 our next Board meeting, which
11 we will be discussing the
12 permit system.

13 MR. CHAIRMAN: Yes.

14 MR. COLES: Have no motion today
15 for Butler or Pike.

16 MR. CHAIRMAN: We are going to
17 defer those.

18 MR. COLES: Defer Coffee County to
19 the next Board meeting.

20 MR. CHAIRMAN: Coffee County only?

21 MR. COLES: Correct.

22 MR. CHAIRMAN: Do you have a
23 motion you are going to

0178

1 present today?

2 COMMISSIONER LAWLEY: He just
3 carried it over.

4 MR. COLES: I am just carrying
5 Coffee County over. I have a
6 motion in regard to new
7 business concerning Crenshaw
8 County, if you would like to
9 hear it at that time.

10 MR. CHAIRMAN: I want to clear up
11 all the old business before
12 we get into the new business.
13 I thought it was under old
14 business.

15 MR. COLES: It is old business.

16 All right, sir. Gentlemen of
17 the Board, you have a
18 proposal in front of you.
19 Due to the number of
20 complaints from landowners in
21 north Crenshaw County and
22 letters of recommendation
23 from the present sheriff of

0179

1 Crenshaw County, and a letter
2 of recommendation from the

3 former sheriff of Crenshaw
4 County, and he also served as
5 the conservation officer
6 there for 27 years, I would
7 like to make the following
8 motion: The motion is to ban
9 the use of dogs for
10 deer-hunting purposes north
11 of Alabama Highway 10 in
12 Crenshaw County.

13 A matter of clarification now:
14 Alabama Highway 10 runs from
15 the Butler County line
16 through downtown Luverne to
17 Pike County line, and you
18 have a map in your packet
19 there.

20 MR. CHAIRMAN: We have a motion by
21 Mr. Coles. Is there a second
22 to Mr. Coles' motion?

23 MR. HARBIN: Second.

0180

1 MR. CHAIRMAN: We have a second by
2 Mr. Harbin.

3 Discussion? Any questions of Mr.
4 Coles?

5 Hearing none, all in favor of Mr.
6 Coles' motion will say "aye."

7 THE BOARD: "Aye."

8 MR. CHAIRMAN: Any opposed?
9 Motion carries.

10 Thank you, Mr. Coles. Do you have
11 anything else?

12 MR. COLES: No, that's all.

13 MR. CHAIRMAN: Mr. Lynch, do you
14 have any?

15 MR. LYNCH: I have this one: We
16 need to approve all
17 departmental regulations.

18 MR. CHAIRMAN: No, you are
19 premature. Thanks for
20 trying.

21 MR. LYNCH: I'm ready.

22 (Laughter)

23 MR. CHAIRMAN: This is an eager

0181

1 group. Mr. Lynch, do you
2 have any motions that you
3 would like to make or any old
4 business to conduct at this
5 time?

6 MR. LYNCH: I don't know if it is
7 old business or new business.
8 As I mentioned, up in
9 Guntersville, I have been
10 very encouraged by the
11 potential of coming up with
12 some type of permit system
13 that will serve us across the
14 state. I have three counties
15 that I mentioned in
16 Guntersville that I was
17 prepared to do something
18 here, but I'm going to hold
19 back on those motions to wait
20 to see what we come up with,
21 with this permit system. I
22 would like to make sure we do
23 get one more meeting in

0182

1 before the fall hunting
2 season where we can discuss
3 those type of issues there.
4 I'm also encourages by again the
5 fact that we are hearing from
6 the dog hunters as well as
7 some of the landowners down
8 here, that if we can come up
9 with a permit system in the
10 areas where we don't have
11 anything in place now, it
12 may be a good working fit for
13 us across the state. I'm
14 encouraged by that
15 opportunity going forward
16 this summer.

17 MR. CHAIRMAN: Very good. Is
18 there any other old business
19 that we need to bring up?
20 Mr. Pugh.

21 MR. PUGH: Yes, sir. We need for
22 the Board to act on a matter
23 of concern of the

0183

1 calendar-date issue with the
2 turkey season that were
3 adopted at the previous
4 meeting. Mr. Harbin has
5 discussed that.

6 MR. CHAIRMAN: It starts on the
7 14th, on Sunday.

8 MR. PUGH: Sunday, the 15th. We
9 would like to make it Monday
10 the 16th. That would allow
11 the youth turkey season to be
12 the 14th and 15th, the
13 Saturday and Sunday prior to
14 opening day.

15 MR. CHAIRMAN: That would
16 precipitate there being one
17 day short of turkey season.

18 MR. PUGH: One more date to sleep,
19 yes.

20 MR. COLES: Fred, what's the -- if
21 Sunday is the 15th, why
22 couldn't we have the youth
23 hunt on the 7th and the 8th

0184

1 which is the first full
2 weekend prior to the 15th?

3 MR. HARDERS: By regulation, it's
4 the Saturday and Sunday
5 preceding opening day. If we
6 left it the 15th, it would be
7 like the Saturday and then
8 the Sunday, and it gets -- it
9 would be confusing.

10 MR. COLES: By regulation, though,
11 if the season starts on the
12 15th, the preceding Saturday
13 and Sunday is the youth hunt;
14 is that correct?

15 MR. HARDERS: It would be the
16 Sunday, Saturday in that
17 case. Because the 15th is

18 Sunday. So it has to be the
19 Saturday, then the Sunday.
20 COMMISSIONER LAWLEY: You could
21 move it to the 14th and have
22 it on Saturday. Fred and I
23 talked about it, in light of

0185

1 this, which would actually
2 work well until later in the
3 season. You know, it's real
4 important. I know it was to
5 Dr. May when he brought up
6 the proposal to have a youth
7 turkey season the week prior.
8 We definitely want those
9 youngsters to have a great
10 spirit. And starting that
11 early gets iffy, if that
12 makes sense.

13 MR. CHAIRMAN: Fred, clarify your
14 recommendation again.

15 MR. HARDERS: Opening spring
16 turkey season would be March
17 16th instead of the 15th.
18 One day different, Monday the
19 16th.

20 COMMISSIONER LAWLEY: Tell Dan we
21 are going to close it on
22 April 1st. April Fool's
23 Day.

0186

1 MR. HARBIN: Lose a day.

2 MR. CHAIRMAN: You are out of
3 order.

4 MR. COLES: May the 1st and not
5 lose a day.

6 MR. CHAIRMAN: If you don't not
7 mind, gentlemen. Mr. Harbin
8 and are trying to rectify
9 the situation.

10 Is there any other questions of
11 Mr. Harders at this time?

12 MR. JOHNSON: Do you need a
13 motion?

14 MR. CHAIRMAN: I need a motion.

15 MR. LYNCH: I make that motion.
16 MR. JONES: I second it.
17 MR. HARBIN: I second it.
18 MR. CHAIRMAN: We have a motion
19 and a second to concur with
20 the Department's
21 recommendation.
22 Wait a minute. I can't take
23 discussion from you right

0187

1 now. I'm sorry. We have a
2 motion and a second.
3 Any discussion from this Board?
4 If not, I call for the question.
5 All in favor, raise your hand.
6 "Aye."
7 THE BOARD: "Aye."
8 MR. CHAIRMAN: All opposed?
9 MR. COLES: Nay.
10 MR. CHAIRMAN: Let the record
11 reflect we had one opposing
12 vote, that being Mr. Louis
13 Coles.
14 Motion carries.
15 All right. Is there any other old
16 business to be brought forth
17 at this time?
18 MR. SELF: Mr. Chairman.
19 MR. CHAIRMAN: Yes, sir.
20 MR. SELF: Did we ever clarify the
21 dove season? I think we were
22 going to find out if we had
23 10 more days coming or

0188

1 whether the federal
2 government was going to allow
3 us 10 more days; is that
4 correct?
5 MR. CHAIRMAN: Gary.
6 MR. MOODY: Gary Moody. Yes.
7 What we had advised you at
8 the last meeting was that
9 there is a possibility that
10 the Fish and Wildlife Service
11 will allow 10 more days in

12 the north zone. We will
13 still not know for another
14 month. What we had asked for
15 you to do, we have the
16 current season recommendation
17 is 60 days. It also gives an
18 alternative. If we get the
19 10 days. If you want us to
20 and we get the 10 days, we
21 can take advantage of it. If
22 not, we will go back to the
23 current 60 days.

0189

1 MR. SELF: We still don't know?
2 MR. MOODY: We will not know for
3 another 30 days.
4 MR. SELF: We have not solidified
5 a dove season date?
6 MR. MOODY: That is correct.
7 MR. SELF: Can we do that at our
8 next meeting, Commissioner?
9 COMMISSIONER LAWLEY: This summer?
10 MR. SELF: Yes.
11 COMMISSIONER LAWLEY: Yes,
12 absolutely. The only thing
13 that I would say with
14 uncertainty in that
15 meeting --
16 MR. MOODY: It may push some folks
17 back not knowing when to
18 plant fields. That's the
19 only thing I'm saying.
20 MR. SELF: Well, they are probably
21 just going to have to go
22 ahead and plant them assuming
23 that they are not going to

0190

1 get the 10 days. If we give
2 them, it's a bonus.
3 MR. MOODY: That's Monday.
4 COMMISSIONER LAWLEY: There
5 certainly will be a meeting
6 as to the recommendation that
7 will be made.
8 MR. MOODY: I understand.

9 COMMISSIONER LAWLEY: Some of
10 those things can be cleaned
11 up at the time.

12 MR. CHAIRMAN: Private
13 conversations.

14 Dr. May has been recognized.

15 DR. MAY: I received a Harvest
16 Impact Analysis Report. It
17 was a technical study that's
18 going with doves. They give
19 examples of Louisiana using
20 seven days -- I mean, seven
21 years using the 10 days of
22 extra days, 70 days and
23 15-bag limit. And they give

0191

1 an example of Louisiana using
2 the 60 days with the 12, and
3 they contend it doesn't make
4 any difference. It doesn't
5 impact the number of hunters
6 we have.

7 But then, in reverse, they told us
8 the 10 days will add to it.
9 They said maybe it would
10 improve our number of hunters
11 again. So they contradicted
12 themselves, and I can't see
13 why we want to add the 10
14 days if it's not going to
15 help the number of hunters.
16 We are already down a million
17 birds a year in harvest. It
18 doesn't increase the harvest
19 or anything.

20 This report shows, as I have
21 contended all along, we are
22 killing more juvenile birds
23 than we are adult birds, and

0192

1 that can be only one reason.
2 It's not a bag limit or
3 length of season; it's
4 starting date. So I think we
5 should, in the meantime,

6 consider those findings that
7 they have made before we make
8 a definite decision on what
9 our season is.

10 MR. CHAIRMAN: Would y'all take
11 that under advisement,
12 please, as we look into
13 this-coming season. Dr. May
14 has made his point on several
15 occasions. I would like to
16 see some kind of concrete
17 results.

18 Is there any other old business?

19 MR. CARROLL: I just wanted a
20 clarification.

21 MR. CHAIRMAN: Your name.

22 MR. CARROLL: Graham Carroll. I
23 just wanted to ask Mr. Coles

0193

1 and Mr. Lynch for a
2 clarification on those
3 counties that were in
4 question about the dog
5 hunting. Coffee, I believe.
6 And, Mr. Lynch, you had
7 three. If a conclusion is
8 not reached on the statewide
9 issue at the next meeting,
10 would these all be
11 re-addressed separately?

12 MR. LYNCH: We have the
13 opportunity to, yes.

14 MR. CARROLL: Thank you.

15 MR. CHAIRMAN: Yes, sir.

16 MR. BATES: My name is Avery
17 Bates. I am vice president
18 of Organized Seafood
19 Association. Concerning the
20 business of last time it was
21 regulation 22-0-3-.30
22 saltwater -- well, .15,
23 oyster season sack limit and

0194

1 regulation. This was a
2 regulation, emergency

3 regulation or something, that
4 gave in and implemented. We
5 just found out about it in
6 the last meeting at
7 Gunterville about halfway
8 through it concerning the
9 hours that the ISSC has
10 imposed on us. We are
11 having problems now.

12 We already implement a six-hour
13 closure for heat factor in
14 the summertime. That was
15 imposed on the oyster
16 industry themselves a number
17 of years ago. We didn't want
18 it to take effect. I tried
19 to get a copy of the
20 regulation. I never got a
21 copy of the regulation. I
22 asked the Jefferson Board of
23 Health to give us a copy of

0195

1 the regulation.
2 The question being, we need to
3 know any emergency regulation
4 and how they pertain to the
5 organization and the oyster
6 industry themselves. In the
7 industry if the ISSC controls
8 time limits and everything,
9 we would see a problem.

10 We are already working 30 hours a
11 week now on ourself (sic) in
12 the summertime being five
13 days a week. Maybe we could
14 implement something in the
15 future where we could get
16 Saturdays, which would give
17 us that hour we might lose,
18 which would give us an extra
19 five hours of work if it's
20 cut back to five hours
21 instead of cut back to 25
22 hours work after we hit what
23 we normally work, 30 hours,

0196

1 during the heat of the
2 year.

3 MR. CHAIRMAN: Let me interrupt
4 you right there. I want to
5 let J.T. respond to that.

6 Also, I ask that he get with
7 you, and you try to resolve
8 whatever issue may be. J.T.

9 MR. JENKINS: As I told Mr. Bates

10 last time, we had not
11 developed a reg. All it is,
12 is we have got the Health
13 Department in the State of
14 Alabama working with all the
15 coastal states to address the
16 issue of embryos
17 periohemolytics. All we
18 asked for at the last Board
19 meeting was the regs on
20 hours under our Department.
21 We had asked the Board to
22 allow the Commissioner to
23 work with the State HeaLth

0197

1 Department.

2 The State Health Department is
3 actually the one working --
4 that is working with the
5 other coastal states under
6 the guidelines of the FDA and
7 the ISCC to come back with
8 some recommendations for the
9 Commissioner to consider to
10 keep oystering in the Gulf
11 going during the summer
12 months. We do not know what
13 those recommendations will be
14 from them. They have had
15 some positive feedback.

16 Most of the other states -- some
17 of the other states are
18 moving toward harvest hours
19 to make sure they have the
20 five hours as it has been

21 required by the FDA. Those
22 won't be recommendations. It
23 will be stuff coming from our

0198

1 Health Department to the
2 Commission to bring the State
3 of Alabama into
4 complication.

5 MR. CHAIRMAN: Have you had any
6 response yet?

7 COMMISSIONER LAWLEY: No, not yet.
8 We have a couple of
9 requests.

10 MR. CHAIRMAN: We are working on
11 it, as you have heard. A
12 resolution may be forthcoming
13 then.

14 MR. BATES: We would like --
15 really like to see the
16 regulations as they come up
17 before the Board. If it does
18 like this one through the
19 industry that might affect
20 us, we was not privy to it.
21 What caught me by surprise is
22 seeing we have hundreds of
23 lives and guys at stake here.

0199

1 We have worked with the
2 government in the past about
3 getting extra hours. If
4 Saturday, if they was cut
5 back to five hours, we would
6 prefer -- if we lose them, we
7 included an extra day.

8 Also, while I am standing up here,
9 we oppose the proposal by the
10 CPA taking two resources from
11 us being the pompano, the
12 Spanish mackerel, because it
13 is property that will affect
14 many of our businesses along
15 the Coast, and it belongs to
16 the people of the state.
17 Just don't rush. We oppose

18 the regulation of taking
19 these species and putting
20 them as game fishing because
21 of the detriment and the harm
22 which as a regulation that
23 would harm or interfere with

0200

1 the industry. We oppose
2 that.

3 MR. CHAIRMAN: Thank you very
4 much. Thank you. Any other
5 old business?

6 There being any new business that
7 needs to be brought before us
8 at this time?

9 Grant, your turn.

10 MR. LYNCH: I make a motion to
11 approval all Departmental
12 regulations since our last
13 approval in Gunter'sville.

14 MR. JOHNSON: Second.

15 MR. CHAIRMAN: Seconded by Mr.
16 Johnson.

17 All in favor?

18 THE BOARD: "Aye."

19 MR. CHAIRMAN: All opposed?

20 Motion carries.

21 The next date for our Board
22 meeting, unless we get an
23 emergency, will be February

0201

1 the 14th, 2009.

2 We have one other business before
3 we leave. We have a set of
4 minutes for February that we
5 need approved today. You
6 have already read those and
7 had them presented to you.

8 MR. COLES: So moved.

9 MR. JOHNSON: Second.

10 MR. CHAIRMAN: So moved by Mr.
11 Coles. Seconded by Mr.
12 Johnson. Mr. Coles made the
13 motion.

14 MS. NUMMY: Quiet.

15 MR. CHAIRMAN: All in favor?
16 THE BOARD: "Aye."
17 MR. CHAIRMAN: All opposed?
18 This meeting stands adjourned.
19 (Whereupon, the meeting adjourned at
20 12:50 o'clock p.m.)
21
22
23