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

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7 TRANSCRIPT OF PROCEEDINGS

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12 Location: Mann Wildlife Learning Museum
13 Montgomery Zoo
14 352 Vandiver Boulevard,
15 Montgomery, Alabama

16 Date: March 7, 2009

17 Time: 9:01 a.m.

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23 Before: Victoria M. Castillo, CCR #17

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1 CHAIRMAN MOULTRIE: The March 7,
2 2009 meeting of the Conservation Advisory Board
3 will come to order. I would like to welcome
4 everyone to the Mann Wildlife Learning Museum. The
5 Board is glad you are able to be here today. The
6 invocation will be given by Mr. Johnny Johnson.

7 MR. JOHNSON: Let us pray. Dear
8 Heavenly Father, you are our creator, our
9 sustainer, our deliverer, and our savior. Thank
10 you for this new day that you have given us. Help
11 us to see your beautiful handiwork in it.

12 Lord, please make your hope and love
13 shine through us for others to see you in our
14 lives.

15 Father, we thank you sincerely for
16 Governor Riley, Commissioner Lawley, Vice
17 Commissioner Sealey, Chairman Moultrie, and each of
18 the Board members with their untiring labor of
19 dedication that they have devoted to being on the
20 Advisory Board.

21 We are saddened by the leaving of
22 some members, but are happy to greet the new
23 members and rejoice in the forces with them.

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1 Give us the understanding to make
2 wise decisions as we face old challenges and new
3 challenges concerning the conservation of our
4 natural resources and future generations.

5 Lord. We pray for honest and capable
6 leaders at the local, state, and national level.
7 Help them to seek your will in making decisions and
8 not their own will. Help them to eliminate
9 poverty, prejudice, and oppression.

10 Lord, we're proud of our Conservation
11 law enforcement officers who work tirelessly
12 performing their duties to make Alabama a great
13 state in which to live.

14 Lord, continue to be with our armed
15 forces, and as they risk their lives to protect our
16 freedom and peace, bless and comfort them and their
17 families.

18 We ask all these requests in the name
19 of your Son, Jesus Christ. Amen.

20 CHAIRMAN MOULTRIE: Thank you,
21 Mr. Johnson.

22 For the next order of business I'd
23 like to call on Commissioner Barnett Lawley to

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1 introduce the Conservation Advisory Board.

2 COMMISSIONER LAWLEY: Thank you,
3 Dan.

4 For those of you who may or may not
5 know, Thursday night Alabama lost a real treasure,
6 especially Conservation and the efforts that he's
7 made. I know -- I'm glad to see Charles Kelley
8 here, but I'm talking about Mr. Bill Ireland. And
9 he came up with the Forever Wild program. The
10 support he's given Conservation over the years, all
11 the things he's done are immense. And he's just a
12 wonderful man, a wonderful supporter. And he was
13 always there. He was not there to get credit. He
14 was there because the job needed to be done.

15 And then I'd like to entertain at the
16 a later time that this Board pass a resolution for
17 the Ireland family in appreciation for everything

18 that Mr. Ireland did in his lifetime and what he
19 meant to us, as well as the state of Alabama.

20 We have two things that I will bring
21 up now for you-all's later consideration. We have
22 two resolutions from the House of Representatives.
23 One was from Representative Ken Guin. I'll have to
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1 tell you a little story about this because he
2 called me and said -- I want to -- said you-all
3 have done such a wonderful job with the youth deer
4 season that I'd like to make it a week. I said --
5 well, Ken, we would too. I said -- there's nobody
6 that will be opposed to that. But the Board of
7 Education, they get a little bent out of shape when
8 you start taking kids out of school for a week.
9 And I said -- I don't know who your constituent is
10 that's wanting this. And he said -- my 13-year-old
11 son. And he asked me, he said -- Daddy, you're in
12 the House of Representatives. Why can't you do
13 something to make this longer? And I said -- well,
14 maybe I can. But he said -- but I hadn't thought
15 about that. He said -- that's double trouble for
16 me because my wife's a principal.

17 Anyway, they did pass a resolution
18 requesting the Board extend the youth deer season
19 to make it four days instead of the weekend. So
20 they are just so complimentary of the youth
21 season. It's been so successful, and a lot because
22 of everybody in this room. They take the time out
23 to take those kids, introduce them to hunting and
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1 get them in the woods. And that is one of the most
2 important things and one of the main reasons we're
3 here.

4 We have another resolution in regard
5 to commercial fishing on the gulf. It's mainly
6 directed to me that I will appoint a committee and
7 study it and report back by January 10th to this
8 Board and that no actions be taken in the gulf as
9 far as restricting in areas or whatever on
10 commercial fishing until that time -- which I'm
11 delighted to do that.

12 And so everybody just keep in mind,
13 Mr. Ireland. He's not only a good friend, but just
14 has really devoted his life to the things that we

15 all love.

16 And like we do in the past, we'll
17 start at the left down here, Raymond, with you. If
18 you will just introduce yourself and the district
19 that you represent.

20 MR. JONES: Raymond Jones,
21 district 5.

22 MR. JOHNSON: Johnny Johnson,
23 District 7.

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1 DR. MAY: Wayne May, District 7.

2 MR. COLES: Louis Coles, District

3 2.

4 CHAIRMAN MOULTRIE: Dan Moultrie,
5 District 6.

6 DR. SMITH: Gaines Smith,
7 statewide.

8 MR. LYNCH: Grant Lynch, District

9 3.

10 MR. HATLEY: Bill Hatley,
11 District 1.

12 MR. SELF: Ross Self, District 1.

13 MR. HARBIN: George Harbin,
14 District 4.

15 CHAIRMAN MOULTRIE: Thank you,
16 Commissioner Lawley.

17 The next order of business is to
18 approve the February 7, 2009 Advisory Board
19 minutes.

20 Are there any changes to these
21 minutes?

22 (No response.)

23 CHAIRMAN MOULTRIE: If not, the
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1 minutes stand approved as read. The next order of
2 business is the public hearing.

3 When your name is called, please go
4 to the microphone and give your name and subject
5 you wish to speak upon. I will remind you that you
6 may only speak at the time that you are called and
7 that any interference will not be tolerated.

8 The first speaker will be Edwin
9 Lamberth.

10 MR. LAMBERTH: Good morning. My
11 name is Edwin Lamberth. I'm from the Coastal

12 Conservation Association of Alabama. We have some
13 proposals before you that you're aware of. I don't
14 have anything to add regarding those today. I just
15 came to make sure that if the Board had any
16 questions that I am here to answer them.

17 CHAIRMAN MOULTRIE: Does the
18 Board have any questions for Mr. Lamberth?

19 (No response.)

20 CHAIRMAN MOULTRIE: Very good.

21 Thank you.

22 The next speaker was Pete Barber.

23 Pete Barber has decided not to speak.

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1 Is that correct, Robin?

2 MS. NUMMY: He's not here.

3 CHAIRMAN MOULTRIE: The next
4 speaker is Arthur Colean.

5 MR. COLEAN: Good morning. I'm
6 here on behalf of the commercial fishermen. And
7 that it's been made aware that the CCA has made a
8 proposal to make pompano game fish, and it's
9 completely absurd. I mean, even in the magazines
10 and in the newspapers it says -- pile up on
11 pompano. They broke new records this year in
12 the -- or last year in the fishing rodeo. The
13 recreational fishermen had a great year. We had a
14 great year. We haven't hurt the tourism. We
15 haven't hurt the recreational fishery, and there's
16 just no call for it. And I appreciate your
17 consideration on it.

18 CHAIRMAN MOULTRIE: Thank you
19 very much.

20 The next speaker will be Ben Harvard.

21 MR. HARVARD: Ben Harvard, Mobile
22 County, District 1, commercial net fisherman.

23 Commissioner, Board, thank you for listening to us

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1 today.

2 I would just like to bring up, you
3 know, normally when we're standing here, we're in
4 the legislative session defending ourselves, it's
5 from a group who likes to say they're about
6 conservation protecting fish stocks, rebuilding
7 fish stocks, protecting them from us. I would just
8 like to make you aware that over 22 years ago red

9 drum was found by National Marine Fishery Service
10 to be over-fished in the Gulf of Mexico, and for 22
11 years now they have been off-limits commercial and
12 recreational take in federal waters.

13 I have never heard of the CCA walk up
14 to their microphone and say -- you know what, it's
15 been 20 years and stocks aren't rebuilt. We are
16 the only ones fishing for red drum and recreational
17 fishermen. Since 2000 they have taken over 6
18 million pounds of red drum just out of Alabama.

19 Now, I'm not here to stop them from
20 catching red drum. I would just like somebody to
21 ask them sometimes -- hey, are you-all ready to
22 step up to the plate? Are you ready to do your
23 part? Are you ready to back off a little bit and
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1 help rebuild this stock? That's what they say
2 they're about. They say they're about rebuilding
3 stock, protecting fisheries.

4 We get blamed for everything there
5 is. We give it up. The people that eat the fish
6 have given it up. 22 years we were stopped from
7 catching red drum in the Gulf of Mexico. National
8 Marine Fishery Service doesn't see fit to even open
9 that up for recreation in the Gulf of Mexico. CCA
10 doesn't walk up here and say -- we need to do
11 something. We need to tell our people let's back
12 off. Let's quit catching red drum five years.
13 Let's do our part. They walk up here and tell you
14 about me. It's always about me, what we do for a
15 living, the people we feed. That's what you hear
16 about. We're doing all the damage. They have not
17 stepped up there ever and given back something that
18 they have. They have never given up anything that
19 they already possess. They never offered one time
20 to step back and say -- let's do our part. I think
21 that needs to be considered.

22 I've ran over my time. I would just
23 like to say that a couple of years ago,
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1 Commissioner, you know that we give up over 50 days
2 in the gulf on behalf of the Spanish mackerel
3 mostly. There two other species of fish we catch
4 quite a bit that comes along that coast, too --
5 ladyfish and blue runners -- took us out of those.

6 We're not going to fight to try to get weekends
7 back. Weekend days probably should belong to the
8 recreational fishermen at the gulf, that's fine.

9 Still we lost 50, 24-hour days. If
10 we could get some time back at night -- there's a
11 lot of beach closed from May 8th all the way to the
12 Florida line. If we could get some nights back --
13 that's just 12 hours -- to try to make up some time
14 catching these other species of fish that come
15 along after the Spanish mackerel. That's due to
16 we're all squished down on one little spot of the
17 beach. This would spread us back out. We could
18 take 30 or 40 nights, maybe from May 8th. They
19 have 30 or 40 nights, that's a little bit of time
20 back to make up some loss on all these other fish
21 that we're not fishing in.

22 Maybe starting during the weekend
23 closure. Start it Memorial Day. It ends at Labor
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1 Day now. That's the summertime season for
2 recreational.

3 Anyway, we'd just like a little
4 consideration. Maybe some nights on the weekends
5 we could fish. If not weekends at all, there is
6 some -- like I said after Memorial Day all the
7 beaches open up except Little Lagoon east of the
8 Florida line. Maybe you could open it up with it.
9 It opens up October 2nd of that time down off
10 Orange Beach. If we could open it up at the same
11 time, that would give us a little bit of time back
12 to catch these other fish.

13 Thank you very much for your time.

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

16 The next speaker will be B.G.
17 Thompson.

18 MR. THOMPSON: Thank you very
19 much for your time. I appreciate it. I represent
20 the consultant to the Organized Seafood Association
21 of Alabama.

22 The point I'd like to make to the
23 group today is that the U.S. Health and Human
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1 Services recommends everybody eat fish at least
2 once a week. One main reason is the Omega 3 in

3 fish. Omega 3 comes from one phytoplankton. It's
4 found only in marine waters.

5 Now, the fish that are in those
6 marine waters belong to all the people in Alabama,
7 in Alabama waters, federal waters, all the people
8 in the United States.

9 To get those fish to the consumer,
10 who own the fish, requires some kind of commercial
11 effort because it costs money to catch them, and
12 it's a means of employment for the people who do
13 catch them. And I would hope that in you-all's
14 considerations for these resources.

15 And in the Gulf of Mexico and the
16 local waters we have some wonderful fish for Omega
17 3 -- mullet, Spanish mackerel -- and I could go on
18 and make you a long list, but you'd bear in mind
19 those facts that you've got to make it equitable
20 not just for the person who wants to have fun, but
21 the people who need it for their health.

22 Thank you.

23 CHAIRMAN MOULTRIE: Thank you.

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1 The next speaker will be Mr. Avery
2 Bates.

3 MR. BATES: I know you-all was
4 invited last week to the seafood bash. You missed
5 a great bash. I want to tell you that was some
6 good seafood. We also cooked for some crippled
7 children at a hunting -- this man was there. Love
8 to do it, but that's beside the point. We've got
9 business to talk about.

10 I'm Avery Bates. I'm vice president
11 of the Organized Seafood Association of Alabama and
12 been here over the years defending our fishermen's
13 right to work and some of the laws in the state of
14 Alabama will be violated if some of these
15 regulations is passed.

16 And I just want to address one in
17 particular that needs to be handled. The
18 Conservation wants a 300 foot around Fowl River. I
19 think that was in the last proposal. We just need
20 to be marking off -- we had a case, Marino versus
21 the State, that the judge ruled in being 300 foot,
22 if the officer does not know where 300 foot he
23 might make a case. We are on a point system and if

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1 there's 200 foot and if the officer says -- you're
2 in 300 foot -- the judge threw it out because there
3 was no permanent markers. We had markers in the
4 past marking our reefs -- so the shrimpers wouldn't
5 drag on them -- marking our permanently closed
6 areas, lighted areas, with tape wrapped around
7 them.

8 We don't want our fishermen arrested
9 by an officer on -- I guess he was 300 foot. He
10 looked like he was 300 foot. If a boundary is
11 drawn, let's make a clear boundary. Because if he
12 has a point system and he has ten points and say he
13 had a five-point violation and if you have a
14 million pounds of fish coming out and he pushes a
15 line in a 30-knot northern shoved in an imaginary
16 line, you could put him out of business forever on
17 the point system.

18 So if you make a line like 300 foot
19 -- and I'm not saying the fisherman is truly for or
20 against the 300 foot because of the million pounds
21 of fish. But as far as enforcement, it's a
22 nightmare and a judge threw the Marino case out.

23 We need to make sure if we make a

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1 regulation, it's enforceable to protect the stocks,
2 to protect the fishermen's rights to work. In
3 other words, he could be throwed out of business
4 without a true line.

5 MR. SELF: Mr. Bates -- Mr. Bates

6 --

7 CHAIRMAN MOULTRIE: Go ahead,
8 Mr. Self.

9 MR. SELF: Ross Self here. You
10 are asking about a marker. Are you talking about a
11 physical marker or a GPS line or --

12 MR. BATES: A physical marker
13 could be seen by a light, a reflector. We have
14 them in the shrimping lines. In the past we'd have
15 them on the oyster reefs to make a point where it's
16 against the law to drag on a reef. It's against
17 the law to drag in a nursery area. They was
18 demarked by pilots with reflection tape.

19 Here again, if we have something that
20 the fishermen can go by -- if it's a 300-foot

21 line. A fisherman come in there and he sees a
22 million pound of fish. You say a million pounds of
23 fish -- yes. Because you can almost walk on them
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1 sometimes in Fowl River. Some of the fishermen can
2 verify that. And the officer says -- well, I guess
3 you was 300 feet. 300 feet on the water -- can you
4 guess 300 feet if it's blowing farther (inaudible)
5 without something to show you that? That's the
6 reason the Marino case was throwed out. The State
7 had to repay him for the fish, give his net back to
8 him. But Mr. Marino lost that period of time. See
9 what I'm saying? Even though the case was throwed
10 out, that still didn't make up for his loss.

11 This is what the problem might be in
12 the future with a regulation that's an unmarked
13 regulation. Say the man goes out there and fishes,
14 he's within the 300 foot. He has a GPS thing.
15 He's within the -- but he still gets the citation,
16 he still gets the net taken, he still gets the fish
17 taken away from him.

18 You see where I'm coming from?
19 You're stopping a man from next week going out
20 there with his net because he's been arrested. And
21 if he has eight points and there's a two-point on
22 this violation, he's out of fishing forever.

23 CHAIRMAN MOULTRIE: Mr. Self, do
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1 you have any other comments on that?

2 MR. SELF: No, mr. Chairman.

3 MR. BATES: You can mark the
4 mouth of a channel. We've marked bays. We've
5 marked reefs. Something that fishermen can say --
6 I'm legal -- and that officer says -- he's
7 illegal. That's what we see in the past, officers
8 making a judgment that could be throwed out of
9 court and could put that fisherman out of
10 business. And we don't want the courts to throw it
11 out. We don't want the fisherman to lose his
12 livelihood, lose his net, lose his product, and
13 lose a month of fishing waiting for a court case to
14 come up because his net's in holding and he might
15 be put out of business.

16 I hope you see the perils of a
17 fisherman today. It's almost like a truck driver

18 running a stop sign and he can never drive again,
19 or take his driver's license for a number of
20 months.

21 The penalty must fit the crime. In
22 other words, as the prayer said that we might be
23 just -- we, as law regulation makers or lawmakers
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1 or whoever it might be, make a just law that can be
2 enforced that would not put our fishermen out of
3 business. These fellows -- can you guess 300 foot
4 that quick in a 40-knot northern?

5 CHAIRMAN MOULTRIE: I think --
6 please don't address the Board, Mr. Bates. I think
7 that everybody is clear on your point.

8 MR. BATES: This is just a
9 request. The reason I'm bringing this up is
10 because Vernon had talked to our president of
11 association and said this was going to be brought
12 up today, and I'm stressing because I've dealt with
13 it in the past as being a commercial fishermen, saw
14 the results of a precedent case being throwed out
15 and knowing that any regulation that you make, it
16 must be a good one.

17 CHAIRMAN MOULTRIE: Very good,
18 Mr. Bates. I think everybody follows that.

19 Thank you very much.

20 MR. BATES: And some other things
21 --

22 COMMISSIONER LAWLEY: Mr. Bates,
23 we have a lot of people to talk and your time is
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1 expired.

2 MR. BATES: Thank you-all very
3 much and hope to see you at this next cookout.
4 Good things going on.

5 MR. MOULTRIE: Thank you. The
6 next speaker will be Mr. James Rhodes.

7 MR. Rhodes: Good morning, guys.
8 Jim Rhodes, Critter Creek Farm, wildlife exhibitor,
9 petting farm.

10 The State has brought up -- last week
11 has brought some new exhibitor regulations to us at
12 our farms, trying to get our -- I guess get our
13 input. What we were wanting to bring up is a few
14 key points. I'd love to give you-all a copy of

15 these regulations, but they didn't let us have one
16 at the time. They took them back. Showed it to
17 us, took it back. We have nothing to show you --
18 just what we read and such as that. They did take
19 down our thoughts, but we don't know how well they
20 will get to you. So we wanted to bring some of the
21 points to you.

22 We are already USDA-regulated. The
23 regulations are somewhat flexible with our

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1 inspectors. They are effective. They are used
2 throughout the country. Everyone around here uses
3 those. Fish and Game has composed regulations to
4 regulate animals that are not native to Alabama.
5 They are regulating everything from emus to
6 elephants -- from what I read.

7 Frankly I don't know that the Fish
8 and Game Department has the ability to regulate
9 the -- you know, things that are nonnative to
10 Alabama.

11 The regulations themselves are going
12 to be very burdensome to small businesses like
13 ours. The big zoos may be able to file -- or work
14 and be able to comply with them. A lot of them
15 were cage regulations and things like that. But
16 for smaller businesses like ours, the cost to
17 rebuild, change sizes of our cages is going to
18 be -- put us out of business basically.

19 And the other thing is that the
20 regulations were very subjective. I know you-all
21 may not have a copy of them, but they were very
22 subjective to what the officers thought, what the
23 officers wanted, what the officers deemed was

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1 appropriate. A lot of gray area for us to not be
2 able to deal with. You know, yes or no -- yes or
3 no.

4 They made mention that these were
5 safety issues where they would be -- people would
6 be -- the chimp attack. That's one thing they
7 brought up, the chimpanzee. That's not what we're
8 about. Exhibitors exhibit to the public. We have
9 safety regulations where we are.

10 Like I said, USDA inspected. They
11 come out there, check us, we're fine. If we were

12 not, we would not have a USDA license. Our
13 officers would shut us down.

14 I think what they're wanting to do is
15 basically stop people from having tigers in their
16 house, cougars in their house, chimpanzees in their
17 house. And that's something to be regulated for
18 sure, but not to put a blanket on all the
19 exhibitors.

20 CHAIRMAN MOULTRIE: If you could
21 finish it on up.

22 I have a question -- within the news,
23 the chimpanzee issue, what would be the most

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1 dangerous game that you see that you think would be
2 allowable that would be a dangerous game?

3 MR. RHODES: As far as?

4 CHAIRMAN MOULTRIE: As in
5 something that could be dangerous to the public?

6 MR. RHODES: Lions and tigers --
7 is that what you're asking?

8 CHAIRMAN MOULTRIE: But nothing
9 else? Do you think you would have foreseen the
10 chimpanzee as being dangerous?

11 MR. RHODES: Possibly in the
12 wrong situation, yes. Having a chimpanzee in the
13 home, I think that's beyond.

14 CHAIRMAN MOULTRIE: I think that
15 proved out to be. I just think that would probably
16 be prudent that we look at all aspects of that.

17 MR. RHODES: In a private holding
18 situation, that's true. But not in an exhibitor,
19 like Mann and myself. Mann owns ten acres. In
20 Blount County she has primates, and they are all
21 behind cages. We don't exhibit in an unsafe
22 manner.

23 CHAIRMAN MOULTRIE: Any other

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1 questions from the Board?

2 DR. SMITH: Give us a brief
3 description of your operation?

4 MR. RHODES: We have a -- it's a
5 small ten-acre petting farm. We have everything
6 from -- we have farm animals and we have wildlife
7 animals. The most dangerous things I have a
8 declawed cougar and bears -- two bears. We've had

9 skunks. We've had raccoons. We've had different
10 things.

11 We have field trips come to us. This
12 is the bulk of our business is field trips come to
13 us. And we -- October we had around 4,000 people,
14 just about every Tuscaloosa school, kindergarten,
15 comes to us. And they have a chance to see, pet,
16 and feed -- not the dangerous animals -- but some
17 of the smaller ones like skunks and baby raccoons,
18 or things like that that we have on display. We
19 will take them out and show them to them.

20 CHAIRMAN MOULTRIE: Who oversees
21 the security of like a bear, a dangerous animal,
22 who oversees that?

23 MR. RHODES: USDA does that. All
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1 of our facilities are in compliance with USDA
2 regulations.

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

5 MR. HARBIN: Yes, sir. I'd like
6 to -- Mister, what do you want this Board to do to
7 help you?

8 MR. RHODES: We don't believe
9 that the regulations are necessary at all, what
10 they are proposing, 12 pages of regulations, are
11 unnecessary. We are fully in compliance. We are
12 fully compliant with the USDA right now.

13 MR. HARBIN: I haven't seen any
14 of those.

15 MR. RHODES: I know. I'd love to
16 be able to give each one of you-all a copy of
17 them. But like I said, the officer that brought it
18 out to us took them back, would not let us have
19 it. We asked for it, would not give us a copy of
20 it.

21 CHAIRMAN MOULTRIE: When you get
22 in possession of those, if you would forward them
23 to the Board, that will be great.

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1 MR. RHODES: We definitely will.

2 CHAIRMAN MOULTRIE: Thank you for
3 your time.

4 MR. HATLEY: Mr. Chairman --

5 CHAIRMAN MOULTRIE: Yes.

6 MR. HATLEY: Who is he talking
7 about gave him these regulations? I don't
8 understand that.

9 CHAIRMAN MOULTRIE: Would you
10 like to explain that, Mr. Rhodes?

11 MR. RHODES: Yes. We have had --
12 Mr. Bloxum(phonetic) came and saw me, one of the
13 officers for Fish and Game, and -- who came and saw
14 you?

15 CHAIRMAN MOULTRIE: Speak in the
16 microphone, please.

17 UNIDENTIFIED SPEAKER: I can't
18 think of his name. It was a Fish and Game officer
19 came to the houses.

20 MR. RHODES: They came and spoke
21 to us at the request of the Fish and Game
22 Department.

23 CHAIRMAN MOULTRIE: Mr. Address,
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1 could you comment on this? Do you have any
2 comments on this?

3 MR. ANDRESS: Gentlemen, we're in
4 the process of trying to develop some regulations,
5 draft regulations for recommendations on the
6 safety, health, and welfare of animals kept -- or
7 wildlife kept in captivity. The State law gives
8 that responsibility, and there was a committee
9 formed about a year ago to make some
10 recommendations to us. They made some
11 recommendations. We're taking those
12 recommendations and have them in a draft form,
13 which we're sharing with the people that are in
14 this business now, and we're bringing their
15 comments back and going to incorporate their
16 comments and concerns into a draft regulation to
17 deal with this issue. And when we get through
18 doing that, we're going to go back to them again
19 and meet with you again to make sure it's not
20 creating any undue burden on them to comply with
21 them. And at that time, we may present a
22 recommendation to the Board to deal with that.

23 But at this time we're not prepared
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1 to do that now. We haven't completed the draft.
2 And the reason we didn't leave a draft with them is

3 because we were afraid it might be misunderstood as
4 being something more final than it really is.

5 But we're going to continue to work
6 with the people in the business to deal with their
7 concerns and prepare to come back to the Board with
8 a report at a later time.

9 CHAIRMAN MOULTRIE: Very good.
10 Thank you, Mr. Andress.

11 Thank you-all very much.

12 The next speaker will be Mr. Keith
13 McCartney. They have changed the -- Robin has
14 changed the --

15 MS. NUMMY: There's some computer
16 problems, so your list --

17 CHAIRMAN MOULTRIE: The list --
18 so if you will just follow along.

19 Mr. McCartney --

20 MR. McCARTNEY: My name is Keith
21 McCartney, and I am from Wetumpka, Alabama, and
22 good morning. I was here a few weeks ago. I sent
23 the Advisory Board members a letter asking for

0030

1 consideration of changing legal firearms for
2 bobcats for predator hunting, and you've got -- you
3 should have a handout today that you've got that
4 has the current regulation on it. If you've got
5 that in front of you, you might refer to it.

6 And let me go over that quickly and
7 tell you what I'm asking the consideration. As it
8 reads now, it says for hunting fox and bobcat that
9 guns only in areas and during dates of turkey
10 and/or gun deer season, bow and arrow only in areas
11 of and during dates of open bow and arrow seasons
12 for deer and turkey. So this means that the
13 shooting of a bobcat or a fox is not legal between
14 the close of gun deer season and the open of turkey
15 season in the spring.

16 What I'm asking is a change in
17 regulations that would allow that for predator
18 hunters with as many coyotes as we've got now,
19 there's getting to be an increase in the number
20 varmint collars, such as myself. And we're hunting
21 coyotes and we're calling up a lot of bobcats.
22 Bobcats are very plentiful now, seem to be very
23 much on the increase.

0031

1 I'm asking just a slight change in
2 that that might be appropriate. And I've got a
3 suggestion in here that says -- bow and arrow only
4 during legal archery seasons. Guns beginning with
5 opening of gun deer season and ending on the last
6 day of the following spring turkey season -- which
7 would just allow for an additional six weeks or so
8 that you would be allowed to shoot a bobcat when
9 you're predator hunting.

10 Now, I have run this by the Wildlife
11 section and by law enforcement section, and they
12 have no problems with doing this.

13 CHAIRMAN MOULTRIE: Mr. Pugh,
14 Mr. Address, you-all got any comments on this?

15 MR. PUGH: I think it's really
16 premature to comment on it at this point. We'd
17 like some time to study it and come back to the
18 Board with a recommendation.

19 CHAIRMAN MOULTRIE: Very good.
20 Mr. McCartney, thank you very much.

21 MR. McCARTNEY: Thank you.

22 CHAIRMAN MOULTRIE: The next
23 speaker will be Kenny Childree.

0032

1 MR. CHILDREE: Mr. Chairman,
2 Commissioner, Board, my name is Kenny Childree and
3 I live in Comer, which is in Barbour County. I'm
4 here today representing the Alabama Farmers
5 Federation, Wildlife Resources Division. First, I
6 would like to thank you guys for your foresight,
7 your vision, and commitment to the long-term
8 quality of deer management in this state by
9 instituting a buck limit program two years ago.

10 We wish every deer hunter in the
11 state would voluntarily limit their harvest and
12 follow the rules set forth in this program.
13 Unfortunately, we know that's not going to ever be
14 the case.

15 There must be an adequate enforcement
16 component in this separate to discourage those who
17 would go beyond the limit. We do not feel the
18 present system of enforcement is adequate enough to
19 discourage the cheaters; therefore, we would like
20 to recommend for you to consider a tagging system

21 for harvested deer and turkey in Alabama similar to
22 those now in place in states like Texas. The
23 licenses there -- when you purchase your license,
0033

1 the tags are attached to the licenses. And I have
2 you a -- I have one of those for you to look at.
3 We understand that there would be an
4 additional cost for implementing the system. The
5 Federation would be happy to work with you guys on
6 coming up with funding for it.

7 We also feel that the current fines
8 for the violations of the current regulations are
9 too small. We feel like for the first violation it
10 should be a minimum of \$250, and the second
11 violation of \$1,000.

12 And thank you for very much for your
13 time and consideration, and we look forward to
14 working with you guys on this effort.

15 CHAIRMAN MOULTRIE: Thank you
16 very much.

17 The next speaker will be Duane
18 O'neal.

19 MR. O'NEAL: Good morning,
20 Mr. Chairman and Board. First off, I want you say
21 you-all think that chimpanzee was bad, you-all
22 didn't see my wife.

23 I'm here today to ask you about a
0034

1 thing that's happening here and through the state
2 of Alabama that's a problem that's getting worse
3 and worse. First off, I'm aware of the Alabama
4 dumping law pertaining to the carcasses of deer,
5 and we all totally agree with that law. But I am
6 here today to get you folks to go a step farther.
7 Our state needs a wanton waste law to go hand in
8 hand with the dumping.

9 I live in Covington County, right out
10 of -- in Andalusia, and this year my hunting buddy
11 over here and I have seen over 100 deer carcasses
12 dropped off at our local fox pen. It joins Highway
13 29, which is one of the main (inaudible) going
14 north and south.

15 The deer carcasses are left within 30
16 yards of the highway, so it's open view for any
17 motorists going by, plus the school buses going to

18 and from the school.

19 What we have seen that makes it so
20 bad is a number -- a great number of deer are being
21 thrown out at the fox pen with only back straps
22 removed off of some of them, hindquarters off of
23 some, antlers taken off the head, and no meat
0035

1 removed whatsoever.

2 The State has gone way out to help
3 everybody here to see that the meat is just
4 distributed out to the needy people who need it.
5 And right now our economy is at an all-time low.
6 There's a lot of people who can't afford groceries.
7 Yet you can ride by on numerous places and see
8 where the deer are being thrown out. And with all
9 this meat that's being wasted there, these deer
10 could be dropped off at drop-off points furnished
11 by the State who pays to have this deer processed
12 and give out to the needy.

13 I would like to see a wanton waste
14 law enacted here and a fine if you are convicted of
15 throwing out -- caught throwing out deer without
16 being cleaned completely, and a hefty fine put on
17 it for the first go-around. After you are caught
18 numerous occasions, two or better, I'd like to see
19 your license revoked so you can't hunt the rest of
20 the year.

21 A lot of people feel the same way I
22 do. If you're not going to eat it, give it to
23 somebody who will. If you don't want to do that,
0036

1 take it to a drop-off point where it will go out to
2 the needy families who could use it. But if you're
3 not going to cooperate with this, why should you be
4 out there hunting anyway? What's the deal about
5 the horns? You can buy reproduction horns all over
6 the place if you want to order them. But to go out
7 and waste the meat is, to me, is totally
8 ridiculous. And like I said, too many families
9 need it.

10 And that's not just taking place in
11 Covington County. It's going to happen all the way
12 through the state. And the wardens have their
13 hands full right now trying to catch a guy that's
14 going out -- which I hate to be in the same class

15 with him -- but throwing the carcasses out the side
16 of the highway. I mean, we have seen it all over
17 the place.

18 But I would like to see this Board
19 enact a new law for wanton waste so the meat is not
20 just wasted, and stop a lot of this horn-hunting
21 that's taking place.

22 That's why I'm here, gentlemen.

23 CHAIRMAN MOULTRIE: Very good.

0037

1 Allen, would you comment about what
2 we have that's in place that would pertain to
3 wanton waste?

4 MR. ANDRESS: Currently we don't
5 have a wanton waste law in Alabama. Essentially
6 all it requires now is that you take the animal in
7 your possession and have it counted in your bag
8 limit. Beyond that, there's no requirement as to
9 how you dispose of it at that point.

10 However, dumping deer carcass is a
11 very serious problem. One of the more difficult
12 ones to deal with. We deal with it now under the
13 basic litter laws. But the problem is enforcement,
14 which is very difficult to do when they are dumped
15 in these rural areas.

16 COMMISSIONER LAWLEY: Allen,
17 could this be done by statute -- or regulation, or
18 would it take the statute?

19 MR. ANDRESS: I think you can do
20 it by regulation. This issue would be whether we
21 can enforce that any better than we do the dumping
22 law, which is -- we can't hardly enforce it.

23 That's difficult enough. That's the real issue is

0038

1 whether or not we'd be able to enforce that.

2 CHAIRMAN MOULTRIE: Very good.

3 Thank you, Mr. Andress.

4 The next speaker will be Frank

5 Chirico.

6 MR. CHIRICO: Gentlemen, I'm
7 Frank Chirico from north Coffee County, and I am
8 here in reference to dog deer hunting. I'm against
9 it. I'm a landowner. There was a letter submitted
10 as part of a packet, I believe to this Board, and I
11 really have nothing to add to that.

12 It was my understanding that this
13 issue was tabled last time as Old Business for this
14 particular Board, so I have nothing to add at this
15 particular point over what I said last time.

16 Thank you.

17 CHAIRMAN MOULTRIE: Thank you.

18 The next speaker will be Faye Glover.

19 MS. GLOVER: I am Faye Glover
20 from Barbour County, and I'm here to represent
21 people from Barbour County about the dog deer
22 hunting. We've had a lot of problems in Barbour
23 County, and we have a petition that a lot of

0039

1 landowners signed, and I brought -- presented to
2 Mr. Coles. And I would like to read this real
3 quick.

4 As you are aware, we were instructed
5 to contact you referencing assisting the good
6 citizens of Barbour County with the issue of deer
7 dog hunting. We have identified concerns and
8 discussed some solutions to these issues. After
9 review, it is evident that these concerns need to
10 be resolved.

11 The first issue is to regulate the
12 deer dog hunting. Numerous events have occurred
13 which has resulted in unfavorable encounters with
14 dog hunters. Issues such as running of dogs on
15 properties which do not belong nor are leased by
16 the dog hunters; casting the dogs on adjoining
17 properties and allowing them to freely run onto
18 private property of another; road hunting and
19 casting of dogs off the roads which are illegal to
20 hunt; hunting of properties of another when the
21 owner is away or without permission.

22 The second issue is to eliminate deer
23 dog hunting. We understand this is not a popular

0040

1 choice. However, an incident occurred in the Baker
2 Hill area last year where officers were shot at.

3 Due to the issues with dog hunters
4 cutting on private property, landowners who
5 lease -- feed wildlife do not want someone dropping
6 dogs off from the highway onto their property and
7 running game out to be shot on the adjoining
8 highway.

9 It is evident with the rising cost of
10 leased properties this activity deters anyone from
11 wanting to hunt in Alabama. Revenues derived from
12 license purchase is critical to the future of
13 proper enforcement as well as the management
14 practice provided by Game and Fish.

15 We understand there is a device in
16 place to regulate dog hunting. After some
17 discussion with Wildlife officials, we were told
18 permitting may be one solution. This consisted of
19 acreage requirements, dog identification, and
20 hunting permits for every participant.

21 This may resolve the issue, provided
22 enforcement efforts maintain compliance. This is
23 critical. The resolution of these events are not

0041

1 necessary for the welfare of the landowners, their
2 safety and property. This will also promote a
3 positive hunting environment.

4 Hopefully, this will assist you and
5 create a reduction of damage to private landowners
6 and their efforts.

7 Thank you for your time.

8 CHAIRMAN MOULTRIE: Thank you.

9 MS. GLOVER: We have a real
10 problem in Barbour County.

11 CHAIRMAN MOULTRIE: The next
12 speaker will be Sonny Granger.

13 MR. GRANGER: How are you-all
14 doing today? I'm going to share my time here real
15 quick. I'm Sonny Granger from Coffee County, and
16 this is Addison and Mallory. You guys heard from
17 Mallory last time. I wanted Addison to share a
18 story with you quick. We're having issues with the
19 dogs coming on our property in Coffee County.
20 We've been working on it for a while, and so she
21 wanted to say something.

22 MISS ADDISON HOWARD: I was at
23 the hunting camp, and there's only one weekend

0042

1 girls are allowed to go there. And Sonny was
2 watching a deer for two weeks and dogs ran through
3 where the deer was, and the deer ran off. So I
4 never got to shoot a deer for the first time ever.

5 MR. GRANGER: She's not making

6 that up, guys. I mean, this is something we
7 experienced this year, and it's been an ongoing
8 issue. And we've tried to work with the dog
9 hunters, and we're trying to get something done
10 here. We've asked them, and most of the guys are
11 really cordial with us that we talk to. It's just
12 there's a few of them -- even the guys that really
13 work with, they acknowledge they can't control the
14 dogs running our property. The properties have
15 just gotten too compartmentalized, and there's just
16 not a way to keep them from running across.

17 I have no problem with dog hunting.
18 It's just when they get on us. And if they
19 can't -- if they can't control them, then
20 something's got to happen.

21 And Mallory, I don't know if you
22 wanted to say something real quick. I only got
23 three minutes, so --

0043

1 MISS MALLORY HOWARD: Well, I
2 just think it takes all the sport out of hunting
3 because you can actually see all the scrapes and
4 runs and where they sleep and where they drink and
5 all that. And I just do not like dog hunting at
6 all.

7 MR. GRANGER: They feel pretty
8 strongly about it, and so do I. And I'm asking you
9 guys for help. And I am being very sincere here,
10 and so are they. We really appreciate your
11 consideration and listening to us, and thank you.
12 I know you guys hear this stuff all the time, and
13 it's -- you know, it's an issue where we're asking
14 for something that would be an equitable
15 resolution, something we can figure out and make it
16 work.

17 So I appreciate everybody's time.

18 CHAIRMAN MOULTRIE: Mr. Granger,
19 Mr. Lynch had a question for you, please, sir.

20 MR. LYNCH: How come girls can
21 only hunt one weekend a year?

22 MR. GRANGER: They asked the same
23 question. They look at me and say -- why can't you

0044

1 change -- our club was actually founded in 1968,
2 and we've got one of the older members here as

3 well. And apparently back then there was a women's
4 weekend where there was some problems, some invited
5 guests, some women, and some of the wives found out
6 about it, so it was rule that was passed about 30
7 years ago.

8 MR. LYNCH: Remember, one time
9 women couldn't vote either. They should open it up
10 year-round for these ladies.

11 MR. GRANGER: I agree. And it
12 might be pretty hard for them. There's a couple
13 members here, and I think that's about to change.

14 They like you now.

15 CHAIRMAN MOULTRIE: Thank you
16 very much, Mr. Granger.

17 Thank you, girls.

18 MR. GRANGER: Thank you. I
19 appreciate your time. Thank you very much.

20 CHAIRMAN MOULTRIE: The next
21 speaker will be Truman Herren.

22 MR. HERREN: My name is Truman
23 Herren. You listened to me last year complaining
0045

1 every time, and I want to thank you for the ban on
2 deer dog hunting in Fayette County.

3 We had about an 85 or 90 percent
4 improvement this last year. We did have some
5 occasions where people deliberately turned dogs
6 loose on us, but they were few and far between. So
7 I just wanted to thank you for that.

8 And I'd like to encourage everyone to
9 participate in some organization, whether it be NRA
10 or some other like organization, to maintain our
11 right in hunting. This year we expect an all-out
12 drive to ban not only semiautomatic pistols, but
13 long guns too, and a drastic increase on taxes on
14 all ammunition -- which would be one way to ban
15 guns.

16 So everybody needs to participate in
17 some organization and keep an eye on what's going
18 on in that square city to the north of us.

19 Thank you very much.

20 CHAIRMAN MOULTRIE: Thank you
21 very much.

22 The next speaker will be Paul
23 Jeffreys.

0046

1 MR. JEFFREYS: I am Paul Jeffreys
2 from Lamar County, and I'm not going to take much
3 of you-all's time today. I just wanted to thank
4 you-all for the ban that we received on dog deer
5 hunting about six years ago now. It's been a
6 drastic improvement, and you have given us our
7 landowner rights back.

8 Thank you-all.

9 CHAIRMAN MOULTRIE: The next
10 speaker will be Ben McKee.

11 MR. McKEE: Mr. Chairman,
12 Commissioner Lawley, members of the Advisory Board,
13 I hope to be here next year as the last two people
14 have stood here before you and thank you for what
15 you did in their counties.

16 Our county in Coffee County has most
17 of the county banned to deer dog hunting. It seems
18 that the deer dog hunting is concentrated in our
19 little area. I'm a landowner in north Coffee
20 County. I have submitted a petition here last
21 month. And it's grown so much during the month
22 that we had to add to it 80-some names of people
23 that came to sign the petition that wanted the deer

0047

1 dog hunting banned -- a doctor, attorney, a deputy
2 sheriff who submitted a thing there were
3 accidental -- thank God it was accidental.
4 Somebody shot -- one of the deer dog hunters shot
5 into a trailer, and they paid for it, all right.
6 But just accidents like that with the guns along
7 the highways and 15 pickup trucks with
8 semiautomatic weapons that we're concerned about.

9 I love hunting, but I can't hunt on
10 my property. It's only 80 acres. And when the
11 dogs come around it and a gate is opened or tore
12 down, as it was this year, and the dogs are let in
13 then the deer go, and we don't have any choice.

14 The petition speaks for itself with
15 the five appendices that we've added to it.
16 There's actually 287 or 289 names to it now in our
17 little community of north Coffee County that wants
18 this banned.

19 And I would invite any of the dog
20 hunters to come and still hunt on my property, as I

21 did when I moved there, and let them hunt for the
22 first three years -- until they wouldn't hook my
23 gates right and our cattle got out on the road and
0048

1 one was hit by a neighbor, causing problems between
2 me and my neighbor. Because we have a free animal
3 roaming thing in Alabama where I thought I'd have
4 to pay for it since it was my cow that he hit. But
5 in Alabama it seems that if you hit an animal,
6 you're responsible. So that caused some problems.

7 But you can read all the appendices
8 yourself. There's additional paragraphs in there
9 as well.

10 And I agree with this deer carcass
11 thing. It's awful. There's somewhere around eight
12 to ten carcasses in those pictures that was found
13 under Witch River Bridge.

14 I thank you for your time and hope
15 you can do something for us.

16 CHAIRMAN MOULTRIE: Thank you,
17 Mr. McKee.

18 The next speaker will be Terrance
19 Mills.

20 MR. MILLS: I'm Terrance Mills.
21 I'm wanting to do away with the dog hunting from
22 the Tuscaloosa line to the Mississippi line on the
23 north side of 82.

0049

1 We've had troubles over the years,
2 and every year it's the same fight -- fighting with
3 the same trespasser running dogs across your place,
4 coming on other sides of the road, turning the dogs
5 loose --

6 CHAIRMAN MOULTRIE: Speak in the
7 microphone, would you?

8 MR. MILLS: Turning dogs loose,
9 you know, across the property lines on the other
10 side of the road -- places where they don't even
11 own property, you know.

12 I'm a trapper too. I've had several
13 traps over the years gone on account of dogs, and,
14 you know, the owners coming and getting them and
15 just loading my traps up, taking them along with
16 them. I've actually caught some of the dog hunters
17 with my traps, had a confrontation with them, had a

18 shotgun pulled on me over this.

19 It's just -- it's getting to be a
20 constant problem. Every neighbor I've got, every
21 family member I've got, I've got kids, you know,
22 I'm wanting to get into dog hunting -- or not into
23 dog hunting. You-all excuse me. I'm nervous. I
0050

1 don't like talking in front of people. Please
2 forgive me.

3 But I've got kids coming up that I
4 want to teach to hunt, and I can't even hunt my
5 property. I can't do it, so how am I going to
6 raise my kids hunting? And we've also got
7 neighbors that won't even let their kids out during
8 hunting season on account of they're afraid their
9 kids are going to end up shot or they got bullet
10 holes in their houses. I've actually got bullet
11 holes in my shooting house. God forbid my wife or
12 either one of my kids be sitting in a shooting
13 house sometime when a shot comes that way. It's
14 just time we get something done about it, and it's
15 just a constant problem.

16 And I want to thank you-all for
17 letting me talk to you.

18 CHAIRMAN MOULTRIE: Thank you,
19 Mr. Mills.

20 The next speaker will be James Price.

21 MR. PRICE: I'm James Price from
22 Reform, Alabama in Pickens County. I'm opposed to
23 dog hunting. I operate a hunting club in the
0051

1 Reform area, north Highway 82. We have 18 members
2 and -- excuse me -- we spend a lot of money
3 planting fields, buying fertilizer and seed in
4 Pickens County.

5 We have two sections of land and in
6 between our two sections of land there's a dog
7 hunting club that probably has about three and 400
8 acres. We have constant problems with these dog
9 hunters turning dogs loose on our land, riding
10 public roads to cut the dogs off, shooting from the
11 roads. And a lot of days on Saturday morning you
12 can ride up Price Road and see a line of standers
13 every two or 300 yards with loaded shotguns, and
14 there's houses in this area. So it's a danger to

15 the people that live there and the people that ride
16 the roads.

17 They also fired a gun within 400
18 yards of my hen house this year. And when
19 confronted about it, they said they were just were
20 trying to catch dogs. They didn't shoot. But I
21 know they did. But they just said -- well, we
22 trying to catch dogs. We are on public roads, so
23 there's not anything you can do about it.

0052

1 So I'm asking you-all to -- I have a
2 map here of Pickens County, north Highway 82. I
3 would like to propose a ban north Highway 82 in
4 Pickens County against dog hunts. That's the
5 Tuscaloosa County line to the Mississippi state
6 line.

7 I have letters here from all my
8 hunting members, and I have some statements here
9 from landowners around opposing this. So I would
10 greatly appreciate you putting that on your docket
11 to vote on whenever -- coming May, I believe at the
12 next meeting.

13 CHAIRMAN MOULTRIE: Thank you.

14 Whose district is that?

15 Is that Dr. May and Mr. Johnson, do
16 you-all have this information?

17 MR. JOHNSON: We visited with
18 these people already over there and gone through
19 all of it. We're prepared for it.

20 CHAIRMAN MOULTRIE: Very good.

21 MR. PRICE: Thank you for your
22 time.

23 CHAIRMAN MOULTRIE: The next

0053

1 speaker will be Joseph or Denise Smith.

2 MS. SMITH: I'm Denise Smith. We
3 are landowners in Choctaw County. We have had some
4 problems with deer hunters, severe problems. We
5 have been threatened, and you-all should have all
6 the information. Dr. May and Mr. Johnson has been
7 and seen our place.

8 It's getting to be a bad problem that
9 we've been threatened, and it's a safety issue
10 now. And we'd like for you-all to take that into
11 consideration.

12 CHAIRMAN MOULTRIE: Thank you
13 very much.

14 The next speaker will be John White.

15 MR. WHITE: Good morning. My
16 name is John White. I live at 2133 County Road 235
17 in Elba in north Coffee County. And I plant deer
18 plots every year, and the dog hunting has
19 completely eliminated us from hunting. We stand
20 hunt, and we just can't anymore for the dog
21 hunters. And we would like to see it banned in
22 north Coffee County.

23 Thank you very much.

0054

1 CHAIRMAN MOULTRIE: Thank you
2 very much.

3 The next speaker will be Mike Berry.

4 MR. BERRY: Good morning. I'm
5 Mike Berry. I'm from Macon County and live in
6 Notasulga, Alabama, north end of Macon County, and
7 I'm going to start a new trend here. I'm
8 supporting dog hunting. It's been a tradition all
9 my life, dog hunting, and we never really had a
10 problem with dog hunting until outsiders started
11 coming into Alabama leasing land, renting land, and
12 they put the land prices so high that the local
13 people is put out from hunting.

14 And if you ban dog hunting, it's
15 going to even deprive the people in the counties
16 from hunting, you know, dog hunting. And a lot of
17 people in the counties love dog hunting. I got 21
18 dogs myself, and I buy a lot of dog food and help
19 the economy.

20 And we have tracking devices on our
21 dogs so we can get the dogs off of properties that
22 they shouldn't be on as soon as possible. And we
23 have had dogs killed by stalk hunters. We have

0055

1 collars stolen. And the Game and Fish Department
2 has helped us very much in bringing justice to
3 those people who kill our dogs.

4 And we are just in support of dog
5 hunting. And you should have a letter where some
6 of the people from my county went before the county
7 commission, and we would also like that to be read
8 into the minutes to show that we have got support

9 in the county for dog hunting.

10 Thank you.

11 CHAIRMAN MOULTRIE: Thank you
12 very much.

13 I will pass this on to the Board, and
14 you can get it at the end of the meeting.

15 The next speaker will be Troy
16 Fillingim.

17 MR. FILLINGIM: I'm Troy
18 Fillingim. I'm from north Coffee County. I do
19 support deer dog hunting. I sent a letter out to
20 all the members. If you didn't get a copy of the
21 letter, I do have one right here, if anybody hasn't
22 received a copy of my letter.

23 I feel some of these people's pain

0056

1 over the issues that they have discussed earlier.
2 I have these same issues at my house, but it ain't
3 deer dog hunters. It's still hunters.

4 Several different occasions still
5 hunters posting on the property. My dad was asked
6 to leave our own property that we own by a still
7 hunter was asked -- what are you doing on this
8 property -- and I don't know what people -- what my
9 dad told him, but it wasn't nice.

10 We've got several issues. Tree
11 stands, I sent pictures of tree stands sitting on
12 our property lines. Corn piles, by (inaudible)
13 deer season that were right on our property lines.
14 We own 700 acres in north Coffee County. We lease
15 about 1,200. We've deer dog hunted all our lives.

16 You know, if I've got to face issues
17 that these other people are facing, I feel like
18 that we need some kind of system implemented to
19 stop some of this posting. If you own land on the
20 river, you know what I'm talking about. It's
21 continuously every day of deer season somebody is
22 posting on our property.

23 And I've got numerous complaints. In

0057

1 my letter you will see as many complaints -- cows
2 shot, deer shot over the property lines, tree
3 stands sitting on our field borders overlooking our
4 fields. I mean, you know, I can feel some of these
5 people's pain about the dog hunters. I've had

6 enough of it, too. I've tried every way to stay in
7 bounds with my dogs. I shock them. I plant food
8 plots just like everybody else. Probably have 40
9 acres of food plots -- plant corn. Took some of my
10 worst critics dove hunting this past year just to
11 try to keep peace. Land owner too -- pay taxes.

12 I mean, you know, I don't know what
13 else to do. If you are going to use force against
14 me, I feel like we need -- I read a letter in some
15 minutes where we infiltrated dog hunting club and
16 wrote numerous tickets. I'd like to point you in
17 the direction of the still hunting clubs that you
18 need to infiltrate that I feel you could write
19 several tickets. Actually, one still hunting club
20 has been wrote numerous violations. I don't know
21 how many made it to the docket. What's sad in my
22 letter it says they're still hunting. They're not
23 here every three times a year, like we are facing

0058

1 losing their rights.

2 It think it's time that if you are
3 going to discipline us dog hunters, let's
4 discipline all. I said, you know, they have run
5 over me just like I feel some of these other
6 people's run over.

7 CHAIRMAN MOULTRIE: Thank you
8 very much.

9 The next speaker will be Frank
10 Fincher.

11 MR. FINCHER: Now I'm Frank
12 Fincher. I live in Semmes, Alabama. And what I
13 want to do is kind of comment on that Choctaw
14 County dispute they got there. You got two hunting
15 clubs on each side of Mr. Smith. One is 8,000
16 acres, and one's about 11,000. You got Scott
17 Mountain. You got that 8,000 in (inaudible) I
18 ain't too good a speaker either, so bear with me.

19 CHAIRMAN MOULTRIE: You are doing
20 fine. Keep on.

21 MR. FINCHER: On that --
22 Mr. Smith, he didn't come up there to, you know,
23 these people here they was born and raised in these

0059

1 woods. Like I said, I've hunted up there about 20
2 years. I know them. I live in Semmes. These boys

3 -- and two is one of the president's dogs is the
4 one he had trouble with. So that didn't go over
5 too good for me. They killed one. We saved the
6 other one. And you can't really expect people to
7 like you when you do stuff like that. Or
8 especially somebody where their ancestors was
9 homestead at that land up there. That's all I got
10 on that.

11 Could I speak on this tagging deer?

12 CHAIRMAN MOULTRIE: Yes, sir.

13 MR. FINCHER: We need to
14 especially don't let this deer season run into
15 February. I've spoke on that before. Let's get
16 away from that. You can't eat the deer. And I was
17 always raised to eat what I kill. I have seen
18 them -- just like the fellows say, I seen them cut
19 the horns off the deer and throw them on the side
20 of the road. And I'm all for outlawing that, which
21 they probably already outlawed on it. And if you
22 are going to let them go into February, please make
23 them shoot two or three deer a year. I feel like
0060

1 if you will make these fellows shoot two to three
2 deer a year, you won't maybe be wanting to go into
3 February. I know people that's killing ten, twenty
4 deer -- bucks a year, and bragging about it,
5 especially the younger people. If you will cut
6 them back to two deer and them same people still
7 get fighting mad if you try to tell them to kill a
8 doe. And if I feel like he'd go out there and
9 shoot some of them does, I don't see none of them
10 throwed on side of the road.

11 All right. Hey, on another thing.
12 On that deal over there where Mr. Smith said he's
13 on Wall Temple Creek(phonetic) there. That's not
14 but about a mile from Mississippi. You stop the
15 dog hunting in Choctaw County, what are we going to
16 do about all them walker dogs coming out of
17 Mississippi that down Wall Temple Creek(phonetic)
18 that's running over this land?

19 Thank you.

20 CHAIRMAN MOULTRIE: Thank you
21 very much.

22 You going to have those dogs from
23 Mississippi, Commissioner?

0061

1 COMMISSIONER LAWLEY: Just on the
2 phone with (inaudible) --

3 CHAIRMAN MOULTRIE: The next
4 speaker will be Jimmy Fort.

5 MR. FORT: Good morning. I'm
6 hitting at the right time here. My topic is
7 cooperation. I'm the president of a 900-acre still
8 hunting club. I'm bordered on the south by large
9 walker dogs, on the east by beagles -- which run
10 deer -- to the north with rabbit dogs. Our first
11 thing we do with new members and visitors is
12 educate them about deer hunting. Those guys -- we
13 have noticed this past year of the walker dog club,
14 they have tried extremely hard to catch their dogs
15 on the boundary, the roads. And that's why these
16 people see trucks beside the road. They are trying
17 to catch those dogs to keep them from getting over
18 in the private property.

19 The other thing I noticed this year
20 was our members were hunting the edges near these
21 dog hunting clubs. Their comment was if the dog
22 happened to come across, they are bringing a deer
23 from their hunting area over into our hunting area,

0062

1 which gives them an opportunity to shoot something.

2 And our whole area, the deer hunting,
3 is down this year. Still hunters are complaining a
4 lot that, you know, they are not seeing them. It
5 isn't all dog hunting that's causing the problem.
6 But the deer herd is just -- they've gone
7 nocturnal. If you got a dog hunting club close by,
8 they cause the deer to get up, move around a little
9 bit. They in turn, they have an opportunity. They
10 don't guys -- excuse me. I'm a little nervous,
11 too.

12 We don't have guys who are
13 complaining that much about the dogs. This past
14 year one of our members that lives in Pennsylvania
15 where they shoot dogs in the woods, he complained
16 to me that this dog -- and this is a beagle running
17 it from the east side -- brought a big buck right
18 through the middle of the food plot. That dog
19 messed up his hunting. I said why did he mess up
20 your hunting, he brought you a buck from their

21 property. I said didn't I ask you that when you
22 hear a dog, get ready because he might be running a
23 deer. And he just looks at me funny. And that is
0063

1 where you need cooperation.
2 The other thing is if a dog happens
3 to come onto the property, we try to, you know --
4 mainly a lot of times you see the dog, if he's
5 running, he's gone on through because you can't
6 control him. How many people have neighbors that
7 have their dogs coming over from their property.
8 And you cannot teach a dog English to stop at the
9 posted sign and not go any further. It's just
10 common sense, you know, but cooperation and working
11 between you. If we have a dog to come up to us,
12 that hunter brings the dog out. We in turn call
13 the owner to come get the dog, or we either carry
14 it to them because we understand.

15 The other side of the fence, I also
16 hunt with a dog hunting club about five miles north
17 of me. They have 4,000 acres, who borders a 2,400
18 acre on their north side of still hunting. To show
19 you their cooperation, that club -- if the dog is
20 getting by standers -- and I am personally in there
21 watching them hunt. They try their hardest to
22 catch the dog. They have cut down their dogs from
23 a big pack of dogs to two to three that gives you
0064

1 more of an opportunity. The main thing is kill the
2 deer and you stop the dogs. But you know how that
3 is, there's a lot of shooting and not a lot of meat
4 a lot of times. Anyway at that club, they in turn
5 at the end of the day now they don't break up their
6 hunt, but at the end of the day -- now, they don't
7 break up their hunt. But at the end of the day if
8 a dog is over there that doesn't come back home,
9 they will call the hunting club. They will go get
10 the dog. And to show you cooperation, the past two
11 years, twice a year, that dog hunting -- or correct
12 correction -- the still hunting club has called the
13 president and asked him could you-all bring some of
14 your dogs over and bring some of your guys -- we're
15 going to have an organized hunt because our guy is
16 complaining the deer aren't moving.

17 That is what it's about. There's no

18 threats going on about dogs here and there. I am
19 not saying now that there's not a couple of
20 landowners in the area that complain. But dealing
21 with complaints -- and this is another question we
22 have. Someone -- an officer comes up and says we
23 have a complaint about this? Who made the
0065

1 complaint? We can't tell you. Now, if a law
2 officer, policeman, goes to a house with a domestic
3 disturbance -- see, I'm still shaky. But, you
4 know, they get both parties together there and find
5 out what the truth is. We don't have frivolous
6 types of complaints. I think that's the officers'
7 job as a mediator in there, you know, to find out
8 who is actually telling the truth in these
9 situations. Because a lot of times -- and I can't
10 speak for the people here that said they have been
11 threatened -- but I have heard out of people's
12 mouths the reason it slips out that -- you kill my
13 dog, I will shoot you -- a man's dog is about like
14 one of his children. They raise them up. They
15 feed them. They take care of them. They hunt
16 them, and it's just the madness on the spur of the
17 moment. Yes, they make threats. But if you stop
18 and think, if somebody was to shoot one of your
19 children or something like that, I mean, you know
20 just, for meanness -- not accidental -- I am
21 talking about meanness -- you know, you're not
22 going to react very favorably. And that's how a
23 lot of these dog hunters react.

0066

1 So anyway, my bottom line is
2 cooperation. Try to work with your neighbors. And
3 like I've heard some of them say, they have talked
4 to them and all. That's what you need to do.

5 CHAIRMAN MOULTRIE: Mr. Fort,
6 what county is this that all of this good neighbors
7 is going on?

8 MR. FORT: Like I say, it's not
9 all good, but they're trying. The last two years
10 --

11 CHAIRMAN MOULTRIE: What county
12 is that?

13 MR. FORT: Butler County. I am
14 sorry. I am from Georgiana.

15 CHAIRMAN MOULTRIE: Thank you
16 very much.

17 The next speaker will be Tommy
18 Gibson.

19 MR. GIBSON: Hey, how you-all
20 doing this morning? My name is Tommy Gibson. I'm
21 from north Coffee County. I'm the president of Cow
22 Branch Hunting Club. Our complaints in dog hunting
23 has went down, you know, tremendously -- which I'm
0067

1 sure all of you-all have probably seen the amounts
2 of complaints -- and I think statewide, it went
3 down.

4 At the last meeting we got a lot of
5 criticism on the dog hunting in north Coffee
6 County. Now, I think we've had one complaint this
7 year as far as I know. That's the only one that
8 was told to me.

9 I've heard a lot of talk on a permit
10 system. I don't think we need a permit system. We
11 don't break any laws. We hadn't had a ticket in
12 our club in ten years. 1,500 acres of the 3,000
13 that we hunt is owned by our club members. I mean,
14 we are hunting our own land, plus some leased
15 hand. The people we had the complaint with don't
16 even live there. They just moved in. We've got a
17 group out of Troy, they lease timber company land
18 and then they sublease it to anybody that will --
19 basically the highest bidder every year, which I
20 think is not allowed to start with.

21 They cut the fence coming over onto
22 our property. They have four-wheeler trails
23 there. They have tree stands over looking a 300
0068

1 acre cut-over that we've got because they are
2 hunting a thicket.

3 I don't really see why they are so
4 dead-set to regulate us. If we are going to have a
5 permit system, let's have a statewide permit
6 system. If you are going to give me three strikes
7 in my dog hunting club, you are going to shut my
8 club down -- let's go to these still hunting clubs.
9 You catch three of them over a corn pile, shut
10 their club down. Nobody talks about that. Nobody
11 wants to talk about that.

12 I mean, it's things like -- I mean, I
13 brought my wife and kids with me, just like I saw
14 he brought his wife and kids with him. I left here
15 as a dog hunter feeling like I was a second-class
16 citizen when we've done nothing wrong. I'm
17 neighbors with all these people over here. I live
18 in this community. And if they found 271 people to
19 sign that, they ain't got it out of our community
20 because we live in a small community. If you will
21 come to Jack, Alabama and Victoria and the Willow
22 Grove community, you will see there's not that many
23 people live there. So where 271 names come from, I
0069

1 have no idea unless you're getting the kids and
2 everybody else to sign it while you are there.
3 I know these guys. I live around
4 them. Mr. John Ed, I think a lot of him. He's a
5 good man. Everybody in our community knows that
6 that is a dispute between him and one man in
7 another hunting club, which should be resolved
8 somewhere besides right here. I think they should
9 settle their problems some place else.

10 Another one that's spoke up here
11 complained about the dogs on his land. He's got a
12 fence all the way around his property, a 54-inch
13 hog-wire fence. A dog can't even get on his
14 property. I know this because I looked at his
15 chicken house because I was going to buy them and
16 he showed it to me.

17 I'm just tired of being ridiculed as
18 a dog hunter when we have went to tracking systems,
19 shock collars, smaller dogs. I mean, we've done
20 everything we can, and we're still -- it's not
21 enough. And all the complaints, most of them, are
22 coming in from people who don't even live here who
23 just come up here, pour a pile of corn out under a
0070

1 tree stand and then go back home.

2 Thank you for your time.

3 CHAIRMAN MOULTRIE: Thank you
4 very much.

5 The next speaker is Tony Haro.

6 MR. HARO: My name is Tony Haro.
7 I hunt with Red Oak Hunting Club. I have a little
8 different take on this in that I'm a transplant

9 down here. I came through this part of the country
10 and settled through Fort Rucker. I came down as a
11 flight student. Pat went through flight school,
12 graduated, went to Korea for a year, came back, and
13 went to Vietnam for a year. And when I got out,
14 came off active duty, I married my wife who was
15 from Ashford, Alabama, down there. And she made
16 one of the decisions for me that's one of the best
17 ones I've ever had made -- and she's made many more
18 since then. I'm sure most of you know how that
19 works. When we got married, she said I wasn't
20 going to be moving back up to north to the
21 northland. I'm from Indiana, northern Indiana.

22 Now to relate some of that to
23 hunting. I grew up in a small rural community
0071

1 where I hunted, trapped, and fished quite a lot.
2 It was a farming community. Small town about 600
3 people. When I moved south, I got down here, and I
4 didn't know anyone except my wife's immediate
5 family and so forth. Well, I got introduced to dog
6 deer hunting kind of by chance. An individual that
7 my wife worked with asked me if I wanted to go deer
8 hunting. I jumped at the chance. And we started
9 up, and it happened to be at the club that
10 Mr. Granger now occupies -- used to be (inaudible)
11 Hunting Club.

12 He told me on the way up there that
13 we use dogs to run deer. Well, I thought -- well,
14 that's okay because I want to hunt. But in the
15 back of my mind I said -- that's the craziest thing
16 I've ever heard of. Like the gentleman from
17 Pennsylvania, we were taught up in Indiana if you
18 saw a dog chasing a deer, you shot the dog because
19 it's going to be a wild dog.

20 Well, gentlemen, I have had the most
21 fun in the last 15 years in dog hunting. It is
22 nothing but a good social event. You had a
23 gentleman here -- I don't see him here today --
0072

1 Mr. Melton -- I went back and looked through some
2 of the notes that were posted on the web. And
3 he's -- I met Mr. Melton about five years ago --
4 the only time I met him -- and it was at a buck
5 expo in Dothan, Alabama. We had set up a booth for

6 the Dog Hunter Association. I helped man it that
7 Friday night. Since I lived in Dothan, I carried
8 the moneybag home, and I was to meet Mr. Melton and
9 his associate who was going to man the booth the
10 next day on Saturday.

11 And when I met him there, he came in
12 and he was by himself. He did not have his person
13 that's supposed to be with him, so I stayed with
14 him until about noon. Mr. Melton, to me, described
15 to an individual the best I've ever seen dog
16 hunting -- deer dog hunting described.

17 MS. NUMMY: Time.

18 MR. HARO: Okay. I'd like to
19 finish it.

20 CHAIRMAN MOULTRIE: Go ahead and
21 finish up.

22 MR. HARO: He had an eight-by-ten
23 group picture of about 20 or 25 people with two

0073

1 deer laying down, and he was explaining it to
2 somebody at the desk that this is what dog
3 hunting -- deer dog hunting is about.

4 There was two deer killed, one hunt,
5 and 25 people enjoyed that hunt. Now, I like to
6 climb a tree myself. I got a tree climber, and on
7 the 31st day of January, the last day, I got up the
8 tree, I found a scrape. By 7:30 I harvested a
9 buck. Now, you know how many people enjoyed that
10 hunt -- one, me, I, the individual. I was so alone
11 out there -- trouble pulling that deer down so I
12 could load it on the truck.

13 I'd like to just make a --

14 CHAIRMAN MOULTRIE: Finish it on
15 up if you would.

16 MR. HARO: All right. We have --
17 from what I've seen -- I've been to about four of
18 these meetings now -- there have been a lot of
19 accusations -- unfounded, unsupported accusations
20 made about dog deer hunting, some of them with
21 pictures about deer carcasses thrown along a river,
22 a road by a bridge. And people who are supposed to
23 be cutting fences and taking down gates, but nobody

0074

1 sees anything. And even the gentleman mentioned
2 that.

3 All right, please, Mr. Smith --
4 anybody that was to make --

5 CHAIRMAN MOULTRIE: Address the
6 Board, please, sir, not the audience.

7 MR. HARO: In Mr. Smith's
8 statement in here it was a crying shame that he had
9 to be afraid of more or less threatened over a --
10 by an answering machine. Well, I agreed with it.
11 But I think it's just as much a crying shame that
12 we be threatened and that we be regulated and we be
13 put on the spot for being dog hunters just because
14 of some few people that might be renegades.

15 CHAIRMAN MOULTRIE: Thank you,
16 Mr. Haro.

17 The next speaker will be Dustin
18 Houston.

19 MR. HOUSTON: Good morning. How
20 are you-all? I spoke to you-all at the last
21 meeting. My name is Dustin Houston. I'm a
22 lifelong resident of Butler County, and I'm the
23 president of the newly formed South Central Alabama
0075

1 Chapter of the Dog Hunters Association. I belong
2 to three different hunting clubs in Butler County
3 area -- one of which is a dog hunting club, Long
4 Creek Hunting Club.

5 Most of these guys have stole my
6 thunder. I really don't know what to say. Heck, I
7 scratched through all this stuff. We are very
8 family-oriented. You know, we encourage children
9 and women and everyone that is interested to come
10 and join us. And I would like -- and I'm sure some
11 of these other guys, if you've never experienced
12 it, please ask some of them go hunting with them --
13 dog hunting. You would love it. Your kids would
14 love it.

15 Thank you.

16 COMMISSIONER LAWLEY: You-all
17 need to encourage women to hunt any weekend.

18 CHAIRMAN MOULTRIE: The next
19 speaker will be Addison Howard.

20 MR. GRANGER: She already spoke.

21 CHAIRMAN MOULTRIE: Very good.
22 The next speaker will be Jeff Jeters.

23 MR. JETERS: Hi, my name is Jeff

0076

1 Jeters. I'm from Covington County. I am the vice
2 president of a dog hunting club that kind of -- the
3 change was just formed this year for the first
4 time. We lease 6,000 acres of what was formerly
5 the Covington Wildlife Management area. Along with
6 the dog hunting club to the south of it, we lease
7 the entire 15,000 acres, which was the Covington
8 Wildlife Management area from (inaudible) --

9 We have had no complaints this year.
10 We have thoroughly enjoyed ourselves, and we share
11 a lot of these other people's pain just like
12 everybody else. We are constantly fighting with
13 people dumping deer carcasses on our property.
14 Constantly fighting people going around our gates
15 and tearing our gates down. And they are not dog
16 hunters that are doing it, because all the dog
17 hunters in that area have got a key to our gate.

18 And it just feels like when you say
19 you're a dog hunter that you automatically have to
20 go on the defensive. I'm a state law enforcement
21 officer. My wife is an assistant district attorney
22 in Covington County. And just because we slide a
23 dog box in the back of my truck doesn't make us

0077

1 lawbreakers. We follow the rules. We follow the
2 law. We do what we're supposed to do. If somebody
3 in our club has a problem, we address it. But you
4 feel like a second-class citizen like you're up
5 here every couple of months defending your way of
6 life.

7 Just wanted to say, you know, again,
8 we've got 15,000 acres total dog hunting down there
9 for the first time this year. We hadn't had any
10 problems, and we'd like to be left alone to
11 continue to hunt just like we did this year.

12 Thank you.

13 CHAIRMAN MOULTRIE: The next
14 speaker will be Steve Johnson.

15 MR. JOHNSON: Good morning. I'm
16 a dog -- my name is Steve Johnson. I'm a dog deer
17 hunter from Russell and Macon County. Our club is
18 Big Swamp Conservation Club, which has been in
19 existence for 50 years. We started out with
20 50,000-plus acres. And now we're down to 11,000-

21 plus because of the price of land which makes dues
22 too high for the average working man to pay.

23 There are a few large landowners that
0078

1 join us that are trying to stop dog deer hunting.
2 Most of these landowners have purchased their
3 property and they knew or should have known that
4 there was a dog hunting club adjacent to the land
5 they bought. The main purpose of them purchasing
6 the land appears to be for hunting and some for
7 profit from hunting. Once these landowners
8 purchase the land, they want to be in control of
9 their land and all land that joins them.

10 We try to cooperate with all of our
11 landowners. We hunt on Sundays -- Saturdays,
12 Sundays, and holidays. We don't turn dogs loose
13 before 8:30 a.m. and make only one run a day. We
14 all run tracking collars on our dogs, and this aids
15 us in catching them. Or at least we know where
16 they are so we can get them caught as soon as
17 possible. We hunt no less than 2,300 acres at one
18 time. We schedule all of our hunts before hunting
19 season starts and send the adjoining landowners a
20 copy of this schedule so they will know when we are
21 hunting the land that joins them. We put chains on
22 the landowners gates and ask if they catch the
23 dogs, please chain them and we will pick them up.

0079

1 To hear from the landowners that dog
2 hunters do everything wrong while they do
3 everything right. In fact, in Russell and Macon
4 County the landowners have cut our antennas off our
5 tracking collars, killed our dogs, took collars off
6 and thrown them on someone else's property.

7 Our standers have been harassed while
8 hunting by adjacent landowners. In the last year
9 alone we had a 17-year-old girl harassed by an
10 adjoining landowner or one of his workers by
11 exposing himself to her.

12 We have done everything in our power
13 to get along with the landowners, but they continue
14 to harass our standers, kill our dogs, and remove
15 our tracking collars from our dogs. We do not want
16 a permit system because adjoining landowners have
17 made it clear that they will complain, even if

18 there is no reason, just to stop dog deer hunting.

19 The average working man is being
20 pushed out of hunting with the price of property
21 and the limit of three bucks per year. We as dog
22 hunters would like to see some of these issues
23 addressed by the Board to the landowners. What the
0080

1 landowners are doing to us in Macon and Russell
2 County is worse than our dogs crossing their land,
3 and I think we've kept quiet too long.

4 Thank you.

5 CHAIRMAN MOULTRIE: The next
6 speaker will be Phillip Kizzire.

7 As soon as we finish -- we've got
8 about a page and a half more names, and there will
9 incur a break.

10 Go ahead, Mr. Kizzire.

11 MR. KIZZIRE: Good morning,
12 gentlemen, I'm here from Fayette County. My name
13 is Phillip Kizzire. I was a dog hunter, but due to
14 this Board taking my rights away from me to be a
15 dog hunter, I no longer can dog hunt. I would like
16 to see this Board do they what they done in 2003.
17 They looked into a permit system, nearly passed the
18 permit system, had Mr. Andress to look into the
19 Florida system to see if it was working. It was
20 working down there. We've got two counties in
21 Alabama the system does work in. I've heard -- I
22 think in three years coming down here, I've heard
23 one complaint in one of those counties that had a
0081

1 permit system. So maybe the permit system would be
2 a perfect answer. It would give me a right back to
3 hunt.

4 I went hunting probably six times
5 this year with my son to go hunting. The first
6 time I went, he talked me into going and sitting in
7 one of his stands. Three dogs come up, milled
8 around me -- finally looked up at me. They wasn't
9 deer dogs. They was house dogs, somebody's yard
10 dogs. It's not always a deer dog out there.
11 People need to look at that and know for sure what
12 they're talking about.

13 I'd like to see you-all -- somebody
14 make it a point to vote for us a permit system in

15 the state of Alabama, give me my rights back.

16 That's all. Thank you.

17 CHAIRMAN MOULTRIE: Thank you.

18 The next speaker will be Rhett

19 McCollough.

20 MR. McCOLLOUGH: Good morning.

21 I'm Rhett McCollough from Elba, Alabama, and most

22 of my thunder has already been rained on, I guess,

23 and stolen. Just a few notes here.

0082

1 Speaking on behalf of a group of
2 landowners in Coffee County that belong to five
3 different hunting clubs, those five hunting clubs
4 total 18,600 acres roughly. That's mighty close to
5 the total. They are Red Oak, White Flag,
6 (inaudible) Creek, Cow Branch, and Victoria Hunting
7 Clubs. Some of these clubs have hunted with dogs
8 for more than 30 years. This method of hunting has
9 become a tradition in the state, as well as
10 others.

11 And this was started by our native
12 Americans, which was made famous by our
13 forefathers, the dog deer hunting. We as a group
14 feel that our method of hunting is under attack
15 from non-hunters and other hunters who hunt
16 differently that are from out-of-state.

17 Over the years dog hunting has been
18 cut out of our clubs, placed on a permit system.
19 We as landowners and club members feel that
20 purchasing a hunting license is enough of a permit
21 to hunt with dogs. We appreciate that no
22 additional restrictions have been placed on our
23 method of hunting over the years.

0083

1 Since 2002 we have weathered storms
2 of restrictions being placed on our dog deer
3 hunting -- from the poisoning of dogs, to shooting
4 in the woods where our hunting is taking place.
5 This past deer season my 16-year-old son was almost
6 shot by someone harassing us.

7 We feel that if more investigation of
8 complaints is done, that the real truth will come
9 out. That being there is personal problems between
10 people rather than dog hunting.

11 Thank you.

12 CHAIRMAN MOULTRIE: The next
13 speaker is Rusty McInvale.

14 MR. McINVALLE: How are you-all
15 doing? I'm Rusty McInvale. I'm the vice president
16 of Long Creek Hunting Club in Butler County, and
17 I'd like to say that our club is very family-
18 oriented. Like Dustin said, we do encourage women
19 and children. I have a little eight-year-old
20 granddaughter I carry. Just about every time I get
21 in the trucks, she's going to be with me. We do
22 have a good time basically. We don't have a whole
23 lot of complaining goes on, and I think that

0084

1 cooperation factor Mr. Jim was talking about while
2 ago, that's a great thing because we do have stalk
3 hunting clubs that border us on all sides, and we
4 do have a fairly good relationship with them.

5 There has been one particular one
6 that complains a little bit, but we've been knowing
7 him since we were that tall, so we sort of know
8 what he's -- why he's complaining, I reckon you'd
9 say. And he's done it in the past when I was a
10 youngun, so.

11 But basically, I'd like to say that
12 I'm proud to be a dog hunter, like all the rest of
13 these guys up here in support of it is, and I'd
14 like to see it continue, and if we can get all the
15 support you-all can get.

16 Thank you.

17 CHAIRMAN MOULTRIE: Thank you.

18 The next speaker is Ms. Susan Morrow.

19 MS. MORROW: Good morning,
20 Chairman, members of the Board. I am Susan Morrow.
21 I live in Turnerville, Alabama. I am a dog deer
22 hunter and a still hunter. I spoke to you-all in
23 February, and I brought you a petition of names

0085

1 supporting dog deer hunting and asking for more dog
2 deer hunting days on management areas.

3 We have 37 wildlife management areas,
4 only four we are allowed to dog hunt, and I would
5 like for you-all to please not forget and consider
6 giving us more dog hunting days on those areas.

7 Thank you.

8 CHAIRMAN MOULTRIE: The next

9 speaker will be Donald Nelson.

10 MR. NELSON: Good morning,
11 Board. I am Donald Nelson from Creola, Alabama,
12 and I would to talk about a success story -- what I
13 consider -- in Butler County here and what we've
14 been trying to do over the last several years.

15 Just a little bit of background, who
16 I am, let you understand a little bit about me --
17 and I did address you in February. And I
18 appreciate that opportunity. I've been a mayor and
19 a councilman for 25 years in Creola, Alabama, and
20 I've been -- I'm a retired full colonel from the
21 United States Marine Corps., Desert Storm, and
22 during Freedom, and that stuff like that. The
23 reason I make that point is, gentleman, I have been
0086

1 sworn to uphold the laws of the constitution of
2 this state. I have been sworn and took an oath to
3 this country. When I go hunting, I take that --
4 those same values and virtues very seriously. I
5 hunt in a club with a gentleman back there that's
6 79 years old, Mr. Sutton, in Butler County. He
7 raised me hunting. We are doing the same thing
8 with young children, and I appreciate children
9 being allowed to hunt.

10 And we have zero tolerance to
11 problems that create problems for our local
12 landowners. Mr. Coles and I had a very candid
13 discussion several years ago at Gulf Shores, and I
14 appreciate that. And I set upon a mission to make
15 sure there's no problems to make Mr. Coles' work
16 and this Board's work easier. You shouldn't have
17 to address a lot of these problems here, and we
18 don't -- you got bigger issues I think at hand
19 right now that we want to address.

20 Some of the things we're trying to do
21 -- you've have heard this mentioned before -- is
22 cooperation between your people locally, and we
23 strive to do that. We have a lot of large clubs
0087

1 around us, private -- we have still hunting clubs.
2 They invite us to come hunting with them. And some
3 names for reference, Mr. Allen Gentry of Sweetwater
4 Lodge, they invite us regularly over to their club
5 to hunt with our dogs with their stalk hunters

6 because nothing is going on.

7 Billy Cochran of Rifleman's Club in
8 Butler County, the same scenario. He invites our
9 people over there to hunt with him.

10 Mr. Darrell Anderson, who has 1,000
11 acres-plus stalk hunting -- these are stalk hunting
12 organizations -- he calls us. I stop and visit
13 with Darrell continually to make there is no
14 problems. If there is a problem, a member doesn't
15 stay in our club. We know we have to do it better,
16 cleaner, and we strive continually to do that.

17 Mr. Gary Hanks, who has 2,000-plus
18 acres in the area, private landowner, stalk
19 hunting, the same thing. I visit with them people
20 and say -- if you have a problem, please don't
21 hesitate. And we've worked great with them. We've
22 been in our area for about 40-plus years. We do
23 not tolerate members that violate the law. I'm
0088

1 happy to say the feedback I've received, we had no
2 complaints last year. So I feel like what we're
3 doing is working.

4 I've had the chance to meet a lot of
5 these individuals out here, and I know this is an
6 emotional issue out here. I do -- I hunt both
7 ways. Gentlemen, I killed zero deer last year.
8 Mr. Sutton killed zero. I really don't care if I
9 ever kill another deer. To see these young
10 children hunt with us, we enjoy that. That's what
11 it's about for us.

12 I would like to invite any of you-all
13 to come down on our -- to participate in the hunt.
14 Our first weekend and the last week we always have
15 a huge cookout -- Conecuh sausages, hamburgers. We
16 don't tolerate any bad stuff. No drinking,
17 anything like that. You can't have it. And if we
18 have anybody that's abiding -- breaking the laws,
19 we want to stop them from doing that.

20 What I would ask you to do is I
21 understand some people are talking about a permit
22 system. I would support a permit system in
23 counties where you are not allowed to even dog
0089

1 hunt. I do not -- I would not want to support one
2 in the counties -- in most of the counties right

3 now. And the reason being here is I talked to a
4 lot of the small local people in Butler County
5 that's got two or 300 acres. That would hurt them,
6 gentlemen, and almost make it virtually impossible
7 for the local people that live in the area to
8 hunt.

9 And what I would like to do is say
10 with the economic situation the way it is, I don't
11 think we can -- our (inaudible) companies are
12 hurting, gentlemen. I asked you-all that we really
13 maintain the status quo and work at these problems
14 locally, allow your Conservation officers to meet
15 with these folks and try to resolve the (inaudible)
16 and if they cannot resolve them, then I think it's
17 time to maybe revoke their hunting license or
18 something to that matter right there.

19 I do thank you for you-all's time and
20 consideration. Look forward to seeing you-all
21 again in May. And Mr. Coles, it's been a pleasure
22 working with you, sir. You have given me honest
23 feedback, and I thank you for that. And if there's
0090

1 anything I can ever do please, don't hesitate to
2 let me know, gentlemen.

3 I thank you.

4 CHAIRMAN MOULTRIE: Thank you.

5 The next speaker will be Deborah
6 Nicholson.

7 MS. NICHOLSON: My name is
8 Deborah Nicholson. I'm from Elba, and my husband
9 is the secretary-treasurer of the Hurricane Creek
10 Hunting Club. We were unable to attend the last
11 meeting because the Hurricane Creek Hunting Club
12 had its 33rd annual deer hog barbecue for all the
13 landowners where they hunt. And I understand from
14 the minutes that there was some people from North
15 Coffee County that came and complained about our
16 dog deer hunting, and I want to address some of
17 these issues today and set the record straight.

18 If I can call names, I would like to
19 call names. If I don't need to, I can still refer
20 to them.

21 CHAIRMAN MOULTRIE: You can call
22 names, but just don't attach anything else to it.

23 How about that?

0091

1 MS. NICHOLSON: All those I want
2 to talk about have been here today. They have
3 talked against dog deer hunting. One of the game
4 wardens told my husband that one of the out-of-
5 state-landowners said to a dog hunter that has
6 talked this morning, that he was told by whoever --
7 I do not know -- that every time they saw a dog or
8 heard a dog barking to call the game wardens. How
9 do they know it's a deer dog? They didn't know.
10 They just assume it is. Unless they've got that
11 dog in their hand with identification on it, they
12 don't know it's a dog.

13 When this -- this hunting club is
14 made up mostly of out-of-state landowners. When
15 they came to Coffee County to hunt, they knew their
16 hunting land was surrounded by three dog deer
17 hunting clubs.

18 I understand too from one of the game
19 wardens that told my husband -- matter of fact,
20 this week -- one of these hunters offered three
21 Conservation people in our district a free paid
22 trip to deep sea fishing in Florida. Sounds like
23 to me that's a bribe. One of the speakers last

0092

1 month said that Mr. Bill Peters' fence was cut. My
2 husband's land joins Mr. Peters' land. His fence
3 was cut also.

4 One of the gentlemen that spoke today
5 said that he was never invited to the barbecue
6 anymore. But why would we invite him when he's
7 trying to take away our sport? He talked about his
8 fence being torn down. It wasn't a dog hunter that
9 tore down that fence. He keeps that gate open all
10 year, except during deer season. But when it's
11 open, he's riding his four-wheelers on our property
12 that we rent.

13 One of the other speakers today, he's
14 been after dog deer hunting hunters a long time.
15 Matter of fact (inaudible) was found on his
16 property, and one of our deer dogs -- it was on the
17 line, got into it. And if it hadn't been for a
18 local game warden that was close by that had the
19 Clorox to pour down, the dog would have died.

20 This year the -- like one of the

21 other speakers said that the 16-year-old son was
22 almost shot by him. And you know, dog hunters have
23 rights, too. I'm tired of it. I hear it all the
0093

1 time, and I think it's time that we are not picked
2 on.

3 And far as the permit system in
4 Coffee County, it won't work because you've got to
5 have Conservation people that participate with you,
6 and some in our district will not participate.

7 And I thank you.

8 CHAIRMAN MOULTRIE: Thank you,
9 Ms. Nicholson.

10 The next speaker is Harry Rainey.

11 MR. RAINEY: Good morning. My
12 name is Harry Rainey. I'm from Coffee County,
13 Alabama. I'm on the judicial board of Red Oak
14 Hunting Club. We have a substantial lease between
15 Elba and New Brockton, Alabama. We have 52 members
16 in our club. We are a family-oriented club. We
17 encourage our youth, our wives, our grandchildren.
18 Our dog hunting is a southern tradition, a way of
19 life for all our families, our heritage.

20 And most of the times when you see a
21 man that is a man, he will go to a landowner and
22 speak with him like I was taught to speak to him,
23 ask him for permission to get his dog, or may you
0094

1 go get my dog.

2 I'm like a lot of these people. I
3 have believe that we've been discriminated and
4 judged wrong. And the only thing I have to say is
5 that there's no stronger bond than that that exists
6 between a man and his dog. Thank you.

7 CHAIRMAN MOULTRIE: The next
8 speaker is Dennis Russell.

9 MR. RUSSELL: Good morning,
10 gentlemen. My name is Dennis Russell. I'm
11 currently the president of Burnt House Hunting
12 Club. We're a dog hunting club that is based in
13 Covington County.

14 In the 2008 season we had the
15 opportunity to lease 9,000 acres on what used to be
16 the Covington Wildlife Management area. Last
17 Chance Hunting Club also leased some of the old

18 Covington Wildlife Management area. Between the
19 two clubs, we had a total of 15,000 acres.

20 As you may know, the Covington
21 Wildlife Management area hasn't allowed dog hunting
22 in over ten years. In our first year of dog
23 hunting, we had zero complaints. And to do this is
0095

1 our line of communications that we strive to keep
2 with our local landowners. We have six local
3 landowners which are members of our club.

4 Our youth is a big major part of our
5 club. You-all got a packet. I mailed every one of
6 you packets out. You can see the smiles and
7 expressions on those kids' face. You can see the
8 happiness in their eyes with those deer they killed
9 and the fun that they're having while they're dog
10 hunting. And that's something that I asked of you,
11 you look at those kids and you look at what I've
12 sent you when you think about maybe taking it away
13 or anything that may come -- those youth deserve
14 the right, the same right that I had when I was
15 growing up.

16 Gentlemen, I just ask you on any
17 decision that you have to make on dog deer hunting
18 to think of the positives on this Board.

19 Thank you.

20 CHAIRMAN MOULTRIE: The next
21 speaker is Joe Sachs.

22 MR. SACHS: Good morning. I'm
23 Joe Sachs, and I'm a dog hunter. And I'm against
0096

1 bad dog hunters, and I'm also against bad stalk
2 hunters. Anybody that does away with anybody's
3 kind of hunting is, in my opinion, doing a
4 disservice to this great state. God will bless us
5 all if we all get along and try to work this out.

6 I haven't been able to run my dogs in
7 two years because I was over in a little section in
8 north of Highway 82 in Tuscaloosa County. And I
9 sure would appreciate it if we could get it back.

10 Thank all of you. And I also am a
11 landowner, and I also vote like 99 percent of the
12 other dog owners.

13 I appreciate you-all hearing me.
14 Thank you.

15 CHAIRMAN MOULTRIE: Thank you,
16 sir.

17 The next speaker will be Russell
18 Sikes.

19 MR. SIKES: Good morning,
20 gentlemen. I'm Russell Sikes, secretary of the
21 Choctaw County Dog Hunters Association. I
22 represent 470 members and 80,000 acres of land.

23 In 2005 of March a gentleman down in
0097

1 our end of the county filed a petition with the
2 Board to ban dog hunting. The man paid taxes on 37
3 acres of land. Mr. Hatley and Mr. Self and
4 Mr. Lawley met with us with concerned dog hunters
5 and saw the situation. We thank you for doing
6 that.

7 We presented you that night with
8 4,000 signatures against the ban on dog hunting. I
9 have another 2,150. I represent some -- I'm in two
10 hunting clubs myself. Turkey Creek was formed in
11 1939 and has 12,000 acres. Bear Head Hunting Club
12 has 8,000 acres. And the word cooperation has been
13 used a lot here today, and that's the key to this
14 whole issue.

15 The two clubs I'm in, we don't dog
16 hunt on Sunday. We don't turn any dog loose after
17 one o'clock in the afternoon. Every dog that's
18 turned loose has a tracking collar on them.

19 Now, we are up here and it seems like
20 fighting each other, when the anti-hunters are
21 really happy. We should be doing everything we can
22 to preserve all types of hunting in the state of
23 Alabama, right?

0098

1 We are against rogue dog hunters.
2 They get no support from us. If they are caught,
3 they should be prosecuted to the fullest extent of
4 the law. They will be removed from the hunting
5 clubs, and I hope their hunting license.

6 We are also against rogue stalk
7 hunters. When tracking a dog, I found 11 corn
8 piles on one road. This was by a fellow that owned
9 the 37 acres of land. It wasn't his land, but he
10 had the feed out there.

11 I'm for the youth hunts. We need --

12 the Conservation Department needs the revenue. We
13 had a youth hunt, great participation. The kids
14 want to do it next year and more of it. If you
15 have never seen a group of young kids chasing a
16 beagle in a briar patch, you need to see it. It's
17 better than a goat-roping contest. But we support
18 the youth hunts.

19 Dog hunting is a big business in
20 Choctaw County and has been for a lot of years.
21 We've contributed to the economy -- land leases,
22 gas, four-wheel drive vehicles, dog food.

23 The stalk hunters have adequate time,
0099

1 we believe, to hunt. The bow seasons, no dogs in
2 the woods. The black powder season, no dogs in the
3 woods. The last 15 days of stalk season, no dogs
4 in the woods.

5 And please, as a note, do not take
6 hunting season of any kind into February, deer
7 season. Please do not go into February with that.

8 One thing I would like to say --
9 there's nothing like a bond between a man and his
10 dogs. Now, I killed my first deer 56 years ago.
11 Killing a deer is secondary to me. I enjoy the
12 thrill of the chase. I enjoy the companionship of
13 my fellow hunters. Let's keep it.

14 Thank you.

15 CHAIRMAN MOULTRIE: The next
16 speaker is Terry Sikes, Jr.

17 MR. SIKES: Hello, I'm proud to
18 say I'm a fourth generation dog hunter. I've been
19 hunting since I was big enough to follow my dad
20 through the woods. Just like those two cute little
21 girls, every time he went hunting, I was tagging
22 along behind him, and I have been doing it ever
23 since.

0100

1 I enjoy dog deer hunting and fox and
2 coyote hunting. I own 40 (inaudible) of walker
3 dogs. It takes a lot of food, a lot of time.

4 I want my children to be able to
5 enjoy dog hunting for years to come, just like I
6 have.

7 I oppose the permit system. Use it
8 only as a last resort because I'm afraid that you

9 can get two or three landowners that are just --
10 whether it's true or not -- to raise enough Cain
11 that they can get our permit pulled. That's what
12 I'm scared of.

13 I hunt in Choctaw County -- let me
14 make that clear -- Choctaw County. We have roughly
15 16 hunting clubs, and -- like Mr. Russell just
16 said -- right at 80,000 acres of land that we pay
17 leasing on. And we want to continue dog hunting
18 the way we have been hunting.

19 Thank you.

20 CHAIRMAN MOULTRIE: The next
21 speaker is Stephanie Watson.

22 MS. WATSON: Hi, my name is
23 Stephanie Watson. I actually live in Dale County,
0101

1 but we hunt in Coffee County. We're with Red Oak
2 Hunting Club. My husband is actually the member,
3 but I actually hunt more than he does. I'm the dog
4 man. I have the dogs. I chase the dogs. I even
5 went hunting with a broke foot this year. I made
6 them not give me crutches.

7 But the main thing I wanted to say is
8 that we are a family-oriented club. This year we
9 had probably a total of 25 kids, not all hunting at
10 the same time. We have them from two years old in
11 camo, barking like a dog, all the way up to the
12 ones that's getting their first deer. You-all
13 should have packets that's got pictures of where
14 they killed their first deer.

15 Like the man said, there's nothing
16 more exciting than to see a four-year-old or a
17 five-year-old dragging your dog out of the dog box,
18 bringing it to you, saying how excited they caught
19 your dog. Because there's nothing more special
20 than that. I don't care if I ever kill a deer as
21 long as these kids gets to enjoy it.

22 But the main thing is is like we're
23 being criticized for parking on the side of the
0102

1 roads. But if we don't get out there to cut our
2 dogs off, then they get on the other people's
3 property and they are mad. When we go out on the
4 county roads, we don't never have our guns loaded.
5 I'm out there with a tracking unit. I've been

6 about run over three times this year by deer. I
7 can hear them on my tracking unit. I'm not
8 hunting, I'm trying to catch the dogs. Some of
9 them are not even my dogs, but we are just trying
10 to keep our club's dogs off of private property.

11 We do our part. There's no way we
12 can teach that dog not to cross that road. If we
13 could, we would. But you can't do that. We are
14 just asking for some consideration in that because
15 we haven't had no real complaints. The game warden
16 hadn't never been to our club that I know of.

17 I'm nervous. I'm sorry.

18 CHAIRMAN MOULTRIE: You are doing
19 just fine.

20 MS. WATSON: I am really nervous.
21 But I just don't want to see it go, because -- I
22 was just like a lot of these people. I thought
23 deer hunting so inhumane until the first time I was
0103

1 introduced to it. There's nothing more exiting
2 than to hear them dogs running. I don't care if I
3 ever kill it, just to hear them run. It's so
4 exciting. It just gets your adrenaline pumping.

5 And to see how excited these kids
6 get, hearing them talking -- oh, my God, the dogs
7 are coming, the dogs are coming. I mean, just
8 running out -- even the ones that can't tote a
9 gun -- because they are thinking they are going to
10 get to catch that dog, stop that dog. Because they
11 are knowing that it's the right thing to do is to
12 stop the dog so it stays on our property.

13 I mean, to teach a five-year-old kid
14 that, that's teaching responsibility. I'd rather
15 have these kids learning that kind of
16 responsibility than to be out on the streets doing
17 drugs, smoking pot, racing cars, all the stuff the
18 kids are into nowadays. And trust me, I got a
19 21-year-old. I know some of the stuff they been
20 doing. I am telling you. I'd rather have my son
21 in the woods than doing some of that other stuff.

22 So that's all I have to say. Thank
23 you.

0104

1 CHAIRMAN MOULTRIE: Thank you.
2 What county do you hunt in?

3 MS. WATSON: Coffee County, Red
4 Oak Hunting Club.

5 CHAIRMAN MOULTRIE: Thank you.
6 The next speaker will be Tony Wynn.

7 MR. WYNN: Morning gentlemen, I
8 am Tony Wynn. I am a native American, but I am
9 also a dog hunter. If you stand up here and listen
10 to these people that got 20 and 30 acres inside a
11 boundary of 10,000 and they never see a deer, they
12 wouldn't be in front of my dogs because when my
13 dogs come across their land, they got a deer --
14 guarantee you they would have.

15 The biggest thing that I can really
16 say about being a dog hunter -- and it kind of
17 reminds me of what my grandmother said, and she was
18 full-blooded Cherokee. She said -- the biggest
19 mistakes our ancestors ever made was let the white
20 man get off the boat. But I reckon we got to live
21 with it, you know.

22 I've heard people say tracking
23 collars, they see them on the side of the road and
0105

1 all that kind of stuff. Right there is my tracking
2 collar. It's one of the latest devices. I can
3 tell you what side of the creek he's on. If he's
4 in Kentucky, I can still tell you where my dog is
5 at.

6 Most of you-all know, he said you-all
7 need to lighten up on the dog hunters a little bit
8 or he's going to learn how to guide a little
9 different. It's Jason from Ohio, too, I was
10 talking about.

11 But I hunt 10,000 acres in northeast
12 Tuscaloosa County. I do have numerous out-of-state
13 hunters that have been coming down hunting with me.
14 I don't know how much longer I can keep them
15 involved if a couple of weeks a year is all they
16 can come down and dog hunt.

17 Two weeks ago the lieutenant in our
18 district stopped to checked the license on nine of
19 them. I've got his name. He give me his card.
20 Todd Draper, lieutenant in Tuscaloosa County, he
21 can verify that all the gentlemen he checked had
22 out-of-state license. We hunt legal.

23 Some of the dog hunters talk about

0106

1 they can't stop their dogs. I can stop mine. When
2 he gets on the side of the road and I mash that
3 button, I guarantee you he's going to stop. But
4 you know, it costs a lot of money to do all that.
5 And I'm not saying that that even should be a
6 point.

7 What I want -- and I give you-all a
8 letter today. Two different landowners -- one
9 gentleman owns 250 acres in the middle of our
10 property. We've totally surrounded. For the last
11 60 years he's had no objections to us dog hunting.
12 Mr. Doyle Whitlow owns 600 acres immediately north
13 of our club. He has no objection to us dog
14 hunting. If nobody has any objection to us dog
15 hunting, why can we not get our rights back?
16 That's the only question I know to ask you. If
17 somebody is objecting, tell me who he is. If not,
18 figure out some way I can get my rights back.

19 Thank you very much.

20 CHAIRMAN MOULTRIE: Okay. We've
21 got two more before we take a break.

22 The next speaker will be Paul Farmer.

23 MR. FARMER: My name is Paul

0107

1 Farmer. I'm from Shelby County, Alabama. And I
2 just wanted to bring to your attention that we've
3 got Shelby County Dog Hunters Association, and we
4 had no complaints, none whatsoever this year.

5 And my neighbor owns 50 acres -- or
6 40 acres of private land, and he's a caretaker of
7 59 more. And there were five tickets wrote from
8 stalk hunters poaching on that property. They had
9 corn poured out there, and then he couldn't even
10 hunt on the property he owned or he was the
11 caretaker of without getting a shovel and going out
12 there and getting the corn up, or he was going to
13 get a ticket.

14 You know, I mean, not all dog hunters
15 are bad people. I mean, we're law-abiding
16 citizens, and we just want to keep doing what we
17 are doing.

18 Thank you.

19 CHAIRMAN MOULTRIE: And our last
20 speaker of the day is Wayne Parker.

21 MR. PARKER: Good morning,
22 gentlemen. It's good to be here. Before I get it
23 started, Don Knight called me yesterday and said
0108

1 that he would not be able to attend and for me to
2 fill in for him today. And he had to attend a
3 funeral, so he won't be here today. But he said if
4 any of you-all needed to contact him, be sure and
5 do it -- but he would be available tomorrow.

6 First of all, I'm going to get
7 started on -- my name is Wayne Parker, and I have
8 raised and trained hounds for over 40 years. I've
9 had them ever since I was six years old. My
10 daughters helped me raise dogs. They raise them
11 today. I have one 14 and one eight, and the
12 smallest one is -- the oldest one has kind of got
13 out. She's got into different things now instead,
14 and she don't enjoy the hunting as much. They grow
15 out of it, but usually they will come back.

16 It's a little different at my house.
17 You heard Barnett talking about the value of our
18 youth and stuff, and that's what is different. I
19 wanted to share with you-all a little bit of what
20 hangs on my refrigerator and what I do at the
21 house. My eight-year-old, she give me things in
22 the past and stuff, and it's something I wanted
23 you-all to see. I have a picture that she's got of
0109

1 me and her hunting that she drew and stuff and her
2 killing a deer. This one right here is a picture
3 of me with the dogs and her killing a deer. So
4 that's what it's basically about. We've got to
5 learn to talk and everybody get along in this
6 business.

7 You know, we've done everything we
8 know how to do in north Coffee County. We have had
9 meetings -- we have meetings. We have five clubs.
10 There's probably 250, 300 members of those clubs.
11 Not only that, you are talking about rules and
12 regulations. We meet periodically anyway. Every
13 member from a club is at that meeting -- and even
14 Dennis Russell from Covington County come up last
15 time, we are constantly implementing new things.

16 You are talking about a permit
17 system. We regulate our own. If we've got a

18 problem, we've had to kick people out for
19 violations. We didn't like it, but they just
20 wasn't doing what we needed them to do. And if
21 they are not doing that, we are not going to put up
22 with it because we are going to respect other
23 people's land and stuff. We are going to have a
0110

1 dog get out of bounds every once in a while -- and
2 that happens.

3 You know, I'm not going to go into
4 some of the things and stuff. Me and my kids have
5 a have a real good relationship and stuff.

6 And I know what they mean by dogs and
7 stuff. I've gotten letters here. I am not going
8 to read them because they are implemented
9 somewhere. But I will let you-all have them. In
10 2002 my brother had two dogs killed by Hit N Miss
11 Hunting Club. They paid for the dogs and stuff,
12 and I know Sonny is a member of it, and I give
13 Sonny all the credit in the world. He takes up
14 time with his children, and that's great. We don't
15 have the same views and stuff. But our thing is to
16 get children back into hunting. There's kids this
17 day in time that's getting hounds, getting back
18 into the business. And now what we need to do is
19 grow.

20 I don't care how he hunts, if he
21 stand-hunts -- you will never hear me stand up here
22 and criticize any type of hunting whatsoever. If
23 that man enjoys it, that's what we need. As we
0111

1 stand here today, our second amendment rights are
2 already under attack and stuff. I assure you we
3 have a lot bigger issues than dog deer hunting.
4 We've got to band together in the state of
5 Alabama -- and this the state of Alabama. We don't
6 need Board members from other counties telling us
7 how we need to do it and stuff.

8 But I just ask that everybody try to
9 work together and work out a solution to this
10 problem and stuff and let's all get together and
11 quit coming up here and griping every year and
12 stuff.

13 To hunt in our club, you have to have
14 tracking collars. We've implemented all of this

15 because we do not want one of our hounds on
16 somebody else's property no more than he wants him
17 on there. That's something that we just do not
18 want, and we will work with the landowners any way
19 that we know how.

20 I think one of the biggest concerns
21 is -- I know that a lot of people in the area are
22 concerned with ours is people from other states
23 that are moved in, they don't understand our form
0112

1 of hunting. I've got 240 acres that's in my family
2 that's been in it for over 100 years and three
3 generations. I don't care who hunts. I mean, you
4 know, my grandad was the same way. And if we had
5 more like him, you would ask him to hunt -- you
6 know, back in them days, they didn't charge you to
7 rent to hunt. They just asked you out of the
8 goodness of the heart.

9 And if we had some more -- if the
10 landowners decide that we are doing a lot better --
11 because one of our main problems today in hunting
12 is pure greed.

13 MR. NUMMY: Time.

14 CHAIRMAN MOULTRIE: Go ahead and
15 let him finish.

16 MR. PARKER: And that's something
17 we've got to get away. I mean, I don't care
18 whether it's you, Dan, Mr. Barnett, or Lewis, or
19 whoever. I hope when you go on a hunting trip, I
20 hope you kill the biggest one out there. And
21 that's the way it should be, and that's where we
22 have got to get to.

23 And gentlemen, I appreciate you-all's

0113

1 time.

2 CHAIRMAN MOULTRIE: Thank you.

3 MR. HARBIN: I'd like to comment,
4 if I can, before we take a break.

5 CHAIRMAN MOULTRIE: Go ahead.

6 MR. HARBIN: This is the first
7 time in six years that I have heard this whole
8 group talk about cooperation, and it just hadn't
9 been in the vocabulary. It's one group blaming the
10 other group all the time. Today I've heard more
11 comments on cooperation than I ever have in the

12 last six years.

13 That's it.

14 CHAIRMAN MOULTRIE: Very good,
15 Mr. Harbin. I concur with that.

16 We're going to take a break and come
17 back at 11:35 a.m., which is 20 minutes, and please
18 meet back promptly at 11:35.

19 11:15 a.m.

20 (Short break.)

21 11:35 a.m.

22 CHAIRMAN MOULTRIE: We'd like to
23 call the meeting back to order. At this time the

0114

1 next order of business is Old Business, and I'd
2 like to begin with Grant Lynch.

3 MR. LYNCH: Thank you, Dan. I've
4 served on this Board for coming up on eight years.
5 And other than Gaines, I guess that's about as long
6 a tenure as anybody has.

7 And I'm also encouraged by what we've
8 heard here today. And I know I, myself, as well as
9 others on the Board had some areas of counties in
10 their districts that they were concerned about and
11 were potentially going to bring some motions up
12 today.

13 Last year we convened a committee to
14 study permits in the state of Alabama. And based
15 on what we've heard today, the testimony, I'd like
16 to ask that the Board members consider tabling all
17 motions to let us reconvene that committee and see
18 if we can't come up with an agreement that has both
19 the participation of the dog hunting community and
20 the still hunters and landowners and try to come up
21 with some way to get something down where we can
22 treat this situation in a fair and equitable
23 manner.

0115

1 So my motion is to not take any
2 motions today, to close any portions of counties to
3 dog deer hunting and/or permitting until the May
4 meeting.

5 MR. HATLEY: Second that motion.

6 CHAIRMAN MOULTRIE: There is a
7 motion and a second. The motion is to not close
8 any portions of any counties on dog deer hunting

9 until the committee reconvenes.

10 Is that correct?

11 MR. LYNCH: That is correct. Or
12 permits.

13 CHAIRMAN MOULTRIE: Is there any
14 discussion on this motion?

15 MR. HARBIN: We will vote on it
16 in May?

17 MR. LYNCH: Yes. We would come
18 back from the committee and bring a proposal or
19 recommendation to the Board at that time of here's
20 something that we found mutual ground on and we
21 think would work going forward. Then we would then
22 consider all motions at that time taking into
23 consideration what the committee reports back to

0116

1 this Board.

2 CHAIRMAN MOULTRIE: Any other
3 discussion on this motion?

4 UNIDENTIFIED SPEAKER:
5 (inaudible) --

6 CHAIRMAN MOULTRIE: There's no
7 questions from the floor right now, please, sir,
8 not unless you are recognized by a Board member.

9 MR. HATLEY: Call for the
10 question.

11 CHAIRMAN MOULTRIE: Call for the
12 question. Again, the motion is that no county be
13 closed for dog hunting in the state until the
14 committee reconvenes and meets back at the May
15 Advisory Board Meeting.

16 All those in favor, raise your hand.

17 (Board members raised hands.)

18 CHAIRMAN MOULTRIE: All opposed?

19 (Board members raised hands.)

20 CHAIRMAN MOULTRIE: Motion
21 carries.

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

0117

1 MR. LYNCH: That's all I have.

2 CHAIRMAN MOULTRIE: Second,
3 Mr. Bill Hatley.

4 MR. HATLEY: Mr. Chairman, I'd
5 like to refer to Regulation 220-2.27, which refers

6 to crop and property damage permits. This
7 regulation is already in effect, but I would like
8 to ask the Commissioner along with our permanent
9 staff to revisit this issue.

10 We have a tremendous problem in the
11 state right now for feral hogs and coyotes. I
12 would like to ask the Commissioner to invoke an
13 emergency room rule, which would say something to
14 the effect -- and Commissioner, give you the
15 discretion of course to use working with Allen in
16 reference to feral swine -- but I would like
17 something like -- feral swine and coyotes are
18 considered invasive nuisance species for which the
19 necessity of demonstrating specific damage is not
20 required.

21 And in the rest -- from my
22 understanding, Allen, that in the normal crop
23 deprivation under 220-2.27 that proof of damage is
0118

1 required, right?

2 MR. ANDRESS: Correct.

3 MR. HATLEY: What I want is to be
4 able to eliminate a feral swine that is wild in
5 this state at any time I want to kill him. And I
6 want coyotes to fall into that same category.

7 And so Commissioner, is that what
8 we --

9 COMMISSIONER LAWLEY: Yes.
10 That's pretty close to what I gave you this
11 morning.

12 What I'd like to suggest since I
13 can't make motions --

14 MR. HATLEY: Wait a minute, I
15 have the floor.

16 And the thing about it is,
17 Mr. Commissioner, I was trying to read what you
18 had, and it didn't go far enough. So I was asking
19 you would you expound on that and expand.

20 CHAIRMAN MOULTRIE: Mr. Hatley,
21 now the Commissioner has the floor, please, sir.

22 COMMISSIONER LAWLEY: I think I
23 would suggest that you might want to add that this
0119

1 Board would request that I issue -- since it's
2 springtime -- an emergency reg that -- since we

3 don't vote on anything at the same meeting -- that
4 would be in effect, you know, immediately until the
5 next May meeting when you-all could vote on this
6 and establish it as a permanent reg or not.

7 MR. HATLEY: I thought that that
8 is what I said.

9 COMMISSIONER LAWLEY: I missed
10 the emergency reg. But if that's your intent, I
11 think I know what to do with it.

12 MR. HATLEY: That is my intent
13 totally.

14 COMMISSIONER LAWLEY: The
15 emergency reg would only last for 120 days so we'd
16 have to take action in May.

17 At this time, I want to give Allen
18 Andress the credit that he deserves. I tell you,
19 he is the best at working on issues and knowing how
20 it fits in -- cross-references with other regs or
21 other statutes to come up with a solution, and I
22 think he's come up with a great one on this issue.
23 And I applaud him, and I thank him for his time and
0120

1 effort that he's spent on it.

2 And I make one other comment. There
3 was a study done by South Carolina at the Savannah
4 River Project, which is in North Augusta in South
5 Carolina on fawns.

6 And Gary, I don't know if you have
7 seen this or not, but it just came out. It's the
8 latest news.

9 And they were looking at the survival
10 rate of fawns because of additional (inaudible)
11 because of coyotes. And their study showed that
12 they are having a 25 percent survival rate of
13 fawns.

14 Now, Auburn is starting the same
15 study at Fort Rucker on a two-year study to see the
16 effects in Alabama on coyotes, but we are not
17 waiting on that. We want to take action. I think
18 each and every one of us knows the damage that
19 coyotes do.

20 CHAIRMAN MOULTRIE: Thank you,
21 Commissioner.

22 Gary, under that same subject, before
23 we get to Mr. Hatley's motion, do we have any

0121

1 estimates of fawn survival rates in Alabama, or
2 does it vary county by county? I'm sure it does
3 with the coyote populations, I guess.

4 MR. MOODY: A variety of factors,
5 yes. But we don't have any.

6 CHAIRMAN MOULTRIE: Mr. Hatley,
7 is there a motion to what you just spoke on?

8 MR. HATLEY: That is correct.

9 CHAIRMAN MOULTRIE: Would you
10 reread the motion, please, sir?

11 MR. HATLEY: That would be very
12 difficult for me because I don't have it written
13 down.

14 CHAIRMAN MOULTRIE: Would you
15 allow me to paraphrase it for you?

16 MR. HATLEY: Yes. But I also
17 want to make certain that we include coyotes. I'm
18 not talking just about feral swine.

19 CHAIRMAN MOULTRIE: It is my
20 understanding that it would be that the coyotes and
21 feral swine be allowed to be taken without a
22 deprivation permit at any time.

23 Is that correct?

0122

1 MR. HATLEY: That's correct.

2 CHAIRMAN MOULTRIE: Hold on. I'm
3 going to let the Commissioner --

4 COMMISSIONER LAWLEY: You will
5 still have to have a deprivation permit. You can
6 call and get it as a short form that you would fill
7 out, but it does not require any crop damage to
8 issue this permit. The cost is nothing.

9 But basically why they have to have
10 it if a neighbor or someone says somebody is
11 shooting out there at night on your property, and
12 you're out there coyote or hog hunting, that it
13 would be on our records that -- yes, John Smith has
14 a permit to be hunting swine or coyote.

15 So that helps us and it helps us keep
16 control of it.

17 CHAIRMAN MOULTRIE: All those in
18 favor, raise your hand.

19 MR. HATLEY: I didn't hear
20 anybody second it.

21 CHAIRMAN MOULTRIE: I'm sorry.

22 Gaines said he'd second it, Mr. Hatley.

23 Any other discussion then again?

0123

1 (No response.)

2 CHAIRMAN MOULTRIE: Mr. Hatley,
3 since you corrected us on the format, we have to
4 reread the motion again.

5 Would you concur that it was what the
6 Commissioner said previously?

7 MR. HATLEY: I do concur.

8 CHAIRMAN MOULTRIE: Now, all
9 those in favor raise your right hand or left.

10 (Board members raised hands.)

11 CHAIRMAN MOULTRIE: Motion
12 carries.

13 All those opposed, let it be shown.

14 (No response.)

15 CHAIRMAN MOULTRIE: Motion
16 carries.

17 DR. SMITH: Let me --

18 CHAIRMAN MOULTRIE: Go ahead.

19 DR. SMITH: -- make a comment to
20 that. I was going to do it later, but while we're
21 on the feral pigs, let me call your attention to
22 some work that the folks in the Department here are
23 doing, our folks on campus at Auburn Extension and

0124

1 Federal Wildlife Service and several others.

2 There's a flyer on the table back
3 here about some seminars that's going on, and I
4 think two of them have already been held out across
5 the state. There are two yet to come.

6 If there's one in your area, I'd
7 encourage you to get there and get involved in it
8 because this thing -- that's a cause that we don't
9 hear about at the public hearing, and I think we
10 should be hearing about because this is a serious
11 threat to our whole wildlife -- our ecosystem out
12 there. And I think all of you as hunters and
13 landowners and all your companions back home to be
14 aware of what the potential of this is. And I
15 think this would be a good way of doing it.

16 Also, each of these agencies that
17 have a Web site that you could go to. And most of

18 them are going to have information on these
19 critters that should be available to you and help
20 you there.

21 CHAIRMAN MOULTRIE: Thank you,
22 Gaines.

23 The next issue, Mr. Self.

0125

1 MR. SELF: Yes. I want to make a
2 motion on the following change to Marine Resource
3 regulations. This is Old Business. It's been
4 previously brought up.

5 This is in regards to 220-3-30,
6 saltwater fish creel bag, possession and size
7 limits. I want to change the recreation bag limit
8 for the Atlantic shark, bonehead sharks, and size
9 limit for commercial red grouper and bonehead
10 sharks, to eliminate the size limit for commercial
11 sharks to conform to federal regulations.

12 I also want to add a provision to
13 require all fish to be landed with head and fins
14 intact. This will allow for the species to be
15 measured by enforcement to ensure that they comply
16 with fish size limits.

17 In regards to use of nets and harvest
18 of mullet, 220-3-03, make it unlawful to display an
19 invalid gill net placard, add within 300 feet of
20 the mouth of Old East Fowl River to the prohibited
21 areas.

22 And I'd like for MRD to do look into
23 marking the 300 feet, as was brought up by one of

0126

1 our speakers, Avery Bates, and try to simplify that
2 to where we don't have some, you know, questionable
3 areas that somebody may be violating or may not be
4 violating.

5 Add clarifying language to Section 17
6 to cast netting mullet. Add a provision that a
7 recreational gill net shall not be possessed more
8 than 300 feet from shore. Here again, we got a
9 marking problem, but you can't mark every shoreline
10 on the whole gulf coast.

11 Add a provision that the Marine
12 Resource Division will provide a tag for
13 recreational gill nets and the tag must be attached
14 to the net that is in use or in transit. Require

15 all entangled nets to have float not greater than
16 at prescribed intervals.

17 In regards to 220-3-04, miscellaneous
18 and public access regulations, I'm not going to
19 read through all these. But they include things
20 like defining public access areas, prohibiting dry
21 dock storage or abandoned motor vessels, vehicles
22 (inaudible) or other property on public access
23 areas, and that type of regulation change.

0127

1 MR. HATLEY: I second that
2 motion.

3 CHAIRMAN MOULTRIE: There is a
4 motion and a second.

5 Any discussion?

6 (No response.)

7 CHAIRMAN MOULTRIE: Being no
8 discussion, Ross, I'd ask you to reread the motion,
9 but it's as written, and I think we can get that.

10 Do any of the Board members have any
11 problem with that?

12 MR. SELF: Thank you, sir.

13 CHAIRMAN MOULTRIE: All those in
14 favor?

15 (Board members raised hands.)

16 CHAIRMAN MOULTRIE: All opposed?

17 (No response.)

18 CHAIRMAN MOULTRIE: Motion
19 passes.

20 Next, Johnny Johnson.

21 MR. JOHNSON: I think that
22 Mr. Lynch's motion probably took care of mine. But
23 if -- at the next meeting I'd probably like to

0128

1 bring this up again at that time.

2 CHAIRMAN MOULTRIE: What was the
3 time that you were going to speak on, Mr. Johnson?

4 MR. JOHNSON: That was relating
5 to Choctaw County.

6 CHAIRMAN MOULTRIE: Okay. Lewis
7 Coles.

8 MR. COLES: Mr. Lynch's motion
9 took care of my motion, too. I'd also like --
10 pertaining to Coffee County be put on the agenda
11 for the next meeting under Old Business.

12 CHAIRMAN MOULTRIE: Very good.

13 All right.

14 Any of those or all that have asked
15 to be identified, any other items or Old Business
16 that is identified on our agenda?

17 MR. HARBIN: I believe

18 Mr. Lynch's motion took care of mine, too.

19 MR. JONES: Mr. Chairman --

20 CHAIRMAN MOULTRIE: Mr. Jones --

21 MR. JONES: Thank you. I would
22 like to -- and Dr. Strickland was unable to be with
23 us today. But at the last meeting he had brought

0129

1 up the regulation on the gopher tortoise gassing.

2 And I would like to amend Regulation
3 220-2-11 by adding a Number 8 to that category, and
4 it should state -- gasoline or any other noxious
5 chemical or gaseous substance introduced into
6 wildlife burrows, dens, or retreats as being
7 illegal.

8 UNIDENTIFIED BOARD MEMBER:

9 Second.

10 CHAIRMAN MOULTRIE: There is a
11 motion and a second.

12 The motion again, Mr. Jones. Read it
13 real quick.

14 MR. JONES: Amending Regulation
15 220-2-11 a Number 8 -- gasoline or any noxious
16 chemical or gaseous substance introduced into
17 wildlife burrows, dens, or retreats.

18 CHAIRMAN MOULTRIE: Any
19 discussion on this motion?

20 Mr. Coles --

21 MR. COLES: Mr. Chairman, members
22 of the Board, I spoke with Mr. Don Childree from
23 Opp, Alabama. Mr. Childree has been associated for

0130

1 46 years as a participant, committee member,
2 chairman of the Opp Rattlesnake Festival. And the
3 committee wanted us to know that they fully endorse
4 this change in the regulation. In fact, he
5 mentioned the figure that they endorse it 150
6 percent. So that's usually a little bit more.

7 CHAIRMAN MOULTRIE: I've got a
8 question. If -- I don't know if Mr. Jones -- how

9 will they remove the snakes from the holes now if
10 they don't use it. What's the new way that they do
11 it?

12 Mr. Moody, do you have a comment on
13 that, on how they do that?

14 MR. MOODY: Mostly they will
15 catch a snake outside of the burrows or alongside
16 the roads or out sunning, and they won't enter the
17 burrow at all.

18 CHAIRMAN MOULTRIE: Now, you told
19 me before that we were one of the last states in
20 the nation not to have this reg. Is that right?

21 MR. MOODY: In the southeast, I
22 know.

23 CHAIRMAN MOULTRIE: In the
0131

1 southeast?

2 MR. MOODY: Yes.

3 CHAIRMAN MOULTRIE: Mr. Coles,
4 any other comment on that?

5 MR. COLES: Along with the method
6 that Mr. Moody mentioned, without gassing, they use
7 hooks to go down into the burrow and sometimes hook
8 the snakes to pull them out. But both methods --
9 but neither one of them are using gasses now.

10 CHAIRMAN MOULTRIE: Any other
11 discussion?

12 (No response.)

13 CHAIRMAN MOULTRIE: Mr. Jones, if
14 you would reread the motion one more time?

15 MR. JONES: Amend Regulation-
16 220-2-11 by adding a Number 8 -- gasoline or any
17 noxious chemical or gaseous substance introduced
18 into wildlife burrows, dens, or retreats.

19 CHAIRMAN MOULTRIE: All those in
20 favor, raise your hand?

21 (Board members raised hands.)

22 CHAIRMAN MOULTRIE: All opposed?

23 (No response.)

0132

1 CHAIRMAN MOULTRIE: Any other Old
2 Business?

3 Dr. May --

4 DR. MAY: Yes. I mentioned last
5 week -- last month that I would bring a motion to

6 describe the area around supplementary feeding, to
7 define it. But after some discussion with Chief
8 Address and other Board members, I'm going to hold
9 off until we get something that's more satisfactory
10 to everyone, something that's easy to enforce, and
11 something that's understood by everyone. That's
12 the problem we have now, and I don't want to make a
13 motion that's just as bad as what we've got on the
14 record now.

15 But while I have the floor,
16 Mr. Chairman, I'd like to discuss the proposed dove
17 hunting season.

18 CHAIRMAN MOULTRIE: Go ahead,
19 Dr. May.

20 DR. MAY: I feel that we are
21 hunting probably too early in the season and we are
22 hunting too long.

23 I'd like to --

0133

1 Robin, if you would hand out these
2 handouts for me.

3 I'd like to refer you to the front
4 page of it. It's a letter that was in our packet
5 last month from Mr. Bill Gray(sic). He's
6 discussing the effects. Well, actually it's a
7 letter that's sent -- he is answering a letter that
8 came to the Department from someone -- some
9 gentleman wanted to lengthen the archery deer
10 season.

11 And he goes on to explain why he
12 doesn't agree with it, and I think he also mentions
13 Chris Cook, who is also a biologist with the
14 Department, agrees with him. He says -- from
15 biological ethical perspective we don't want to
16 facilitate offspring of fawns before they are at
17 least 60 days old.

18 If you noticed, I have several lines
19 outlined there. And one of them is not only the
20 physical aspect of offering these fawns, but he
21 also mentions the psychological problem that can't
22 be ignored as far as the does raising the fawns so
23 they learn how to dodge enemies, particularly

0134

1 hunters selecting for bird betting and so forth.

2 And what I'm asking is that we show

3 the same kind of biological ethical respect to dove
4 season because I feel that we are opening it too
5 soon.

6 If you refer to the next page, it
7 shows you why I came to this conclusion. If a dove
8 started nesting the last week in August, say August
9 23rd, and we went through the stage of hatching,
10 they would hatch on opening day of this present
11 hunting season -- dove season, which would be the
12 5th. The 5th is what's recommended now.

13 If you move back to the third week in
14 August, the 29th, they would only be seven days
15 when season came open.

16 If you move back to the second week,
17 they are 14 days old. They are barely out of the
18 nest.

19 If you move back to the first week in
20 August, they're 21 days old. They are -- that's
21 the age they are on their own. They have learned
22 how to feed and eat, and some of them can fly. But
23 most of them are going to be those low birds that
0135

1 you see going across the field. Low bird --
2 everybody will duck.

3 And you can go all the way back to
4 the fourth week in July. They are only 29 days old
5 in (inaudible) season.

6 And I think that's our problem. I
7 don't think -- we are hunting a lot of days, but
8 the September days is what is hurting all of our
9 population of doves. And I know we have to sell
10 licenses to operate. And I know that pay-per-shoot
11 people want clients.

12 But I feel if we have a lot of doves,
13 we are going to accomplish both of those we are
14 going to sell more license and pay-per-shoot people
15 are going to have more clients.

16 If you move to the next page, I
17 compared them to all our southeastern states.
18 Alabama hunts two seasons, two 70-day seasons;
19 Arkansas, one; Florida, one; Georgia, one;
20 Louisiana, two; Mississippi, two; and Tennessee,
21 one. And the three states that hunt the two
22 seasons, if you will refer to the harvest report,
23 has the highest kill of juvenile birds of any of

0136

1 the states. Of course a juvenile bird, I
2 understand, Mr. Hayden, is 60 days old. I'm not
3 certain on that.

4 And if you move over to the next
5 column the kill days hunted, Alabama hunted 100
6 kill days; Arkansas, 60; Florida, 70; Georgia, 70;
7 Louisiana, 80; Mississippi, 99 -- we beat
8 Mississippi, we are hustling -- and Tennessee, 70.

9 But another big thing, look at the
10 different days we hunted. We hunt different -- was
11 81. We are not overlapping enough of our season to
12 take care of some -- not shooting too many days.
13 And the same days we hunted was 29, which was less
14 than any of the other states. And September days
15 hunted, we hunted 25; Arkansas, 23; Florida, none;
16 Georgia, 16; Louisiana, 16; Mississippi, 21;
17 Tennessee, 29 -- I mean, 26.

18 And down at the bottom of the page is
19 all the season proposed for this year, and we
20 improved. We are not hunting as many total days,
21 which is 104, which is better. And there again, I
22 don't think that's real bad, I mean, the number of
23 days. But the September days is what's hurting us,

0137

1 and we are going to hunt one day in this
2 September. That's 26 days.

3 And on next page, I just make the
4 suggestion -- having a biological and an ethical
5 prospective in establishing a dove season will
6 increase the dove population, and hunters will have
7 a more enjoyable season and a more productive
8 harvest.

9 And the following is suggested -- one
10 70-day season, 15-bag limit for the entire state,
11 and it will list the days and the month.

12 And as Mr. Addison mentioned in the
13 report that I read in the packet, we can't do
14 anything to 2-11 as far as changing zones, but we
15 can have one 70-day hunting season. And if we will
16 open it October 3rd, that gives us two years before
17 we can change anything. But it gives us a chance
18 to see if what I'm saying is correct or not.

19 I think at some point -- I mean,
20 we've been here doing the September hunting for a

21 long time, and I don't see why it's any problem to
22 change and do -- I'm just asking for a year or two
23 to see if it'd make a difference. And that's what
0138

1 I'm proposing to the Department or the Board.
2 CHAIRMAN MOULTRIE: You want to
3 make a motion on that, Doctor?

4 DR. MAY: No. I don't want to
5 make a motion. I want it discussed by the Board
6 members and the Department.

7 You-all, I do want to say one other
8 thing -- it's not pertaining to this -- but I will
9 probably make a motion on Pickens County dog deer
10 hunting next meeting in May.

11 CHAIRMAN MOULTRIE: We generally
12 don't take comments from the gallery. But in light
13 of Mr. Charles Kelley, I'd like to get your opinion
14 on this if you'd like to speak on it.

15 MR. KELLEY: Yes. I'd just like
16 to tell the Board that there were several studies
17 made back -- I fought the September dove season for
18 years, and we never could keep Mississippi and
19 other states to open up earlier. We had some
20 studies made out of Auburn, which wound up being a
21 couple of the best studies that have ever been made
22 over (inaudible) --

23 And one of them was the movement of
0139

1 our birds. And we found that about the third week
2 of September, the juvenile birds that you referred
3 to, Dr. May, they go in all directions. We were
4 getting banned from Tennessee, Georgia, Florida,
5 Mississippi. The meeting that Alabama (inaudible)
6 over there because their season was already over.
7 So we come into September to try to capture those
8 juvenile birds, and they are going to be killed.
9 Let's kill them ourselves and not have other states
10 to do it.

11 And then the other thing was this
12 business of nesting. There was a very
13 comprehensive study made on the effects of the
14 juvenile birds in the nest -- the nest study there,
15 and it was also made at Auburn. And I think that
16 Gary and them have that in the file. But if that
17 could be made available to the Board, let's get

18 that biological data, because it's very, very
19 informative.

20 Thank you.

21 CHAIRMAN MOULTRIE: Thank you,
22 Mr. Kelley.

23 Dr. May --

0140

1 DR. MAY: I read that one that I
2 think you are talking about. And no disrespect to
3 you, but the one on the nesting report I thought
4 was the worst scientific report I ever read. They
5 missed -- they even said they had to estimate
6 the -- they had to check the fledgling at a certain
7 time, and one guy didn't check his. So it was an
8 important factor there at what date they fledged,
9 and so they had to estimate all that.

10 I just didn't agree with it. I'm
11 sorry, I didn't, and --

12 MR. KELLEY: Being a
13 veterinarian, you probably wouldn't agree with it.
14 He's a wildlife guy.

15 DR. MAY: The other thing I
16 didn't mention, 60 and 70 percent of the doves that
17 we harvest are killed in the first ten days of the
18 season. So we've killed 60, 70 percent of our
19 doves the 12th. If we open the 15th, it will be by
20 the -- if we are on the 5th, it will be by the 15th
21 we will have them harvested.

22 We destroy September. It doesn't
23 matter whether there's any hatching going on in

0141

1 September or not.

2 MR. KELLEY: I was more
3 concerned, Dr. May, with that third week long. Not
4 the opening up the early part of September, just
5 purely to try to capture these juvenile birds while
6 they are still in our state.

7 DR. MAY: I understand, and maybe
8 that wrong. Maybe we are knocking heads with
9 Tennessee and Mississippi and them on opening day
10 and maybe we should communicate with them more and
11 say -- hey, let's quit knocking heads and do what's
12 biologically correct and have more doves.

13 MR. KELLEY: I did for 12 years
14 and never could get --

15 DR. MAY: Get them to do it?

16 MR. KELLEY: No, sir, I

17 couldn't.

18 DR. MAY: But I just believe we

19 could improve things.

20 Thank you.

21 CHAIRMAN MOULTRIE: Thank you,

22 Dr. May.

23 Any other Old Business items?

0142

1 (No response.)

2 CHAIRMAN MOULTRIE: Allen, would

3 you like to address or have someone to address the

4 Wildlife Exhibitors regulation or the non-game

5 species regulation?

6 MR. ANDRESS: In reference to the

7 Wildlife Exhibitors regulation, we are not prepared

8 to make a recommendation at this time. We are

9 still working with people in that business, like I

10 suggested before, to try to work out any problems

11 that might exist.

12 So we are not prepared to make any

13 recommendations at this time on that one.

14 CHAIRMAN MOULTRIE: Very good. I

15 just don't want to miss anything on here.

16 What about, Corky, proposed season

17 and bag limits, are those ready to be voted on?

18 Do we have someone to address that?

19 MR. HARDERS: Mr. Chairman, the

20 last meeting we submitted our proposed seasons and

21 bag limits for '09, '10 hunting season, and you

22 should have those in your packet. The changes that

23 were included, they are very few changes --

0143

1 increase the un-antler deer season on the National

2 Forest Service lands in Calhoun, Clay, Cleburne,

3 Franklin, Lawrence, Talladega, and Winston

4 Counties.

5 Also on the alligator season, we

6 expanded the hunting area days and increased the

7 number of permits in what was known as the Eufaula

8 area.

9 Waterfowl dates in your packet would

10 be continued upon the federal register. We do have

11 dates recommended, but we have to have those

12 approved by the federal register.

13 And then the catfish limit proposed
14 exception to allow people to keep catfish over 36
15 inches in certain portions of the state where
16 they're not native.

17 And that was it.

18 CHAIRMAN MOULTRIE: Mr. Jones --

19 MR. JONES: I have a question.

20 If we were to be able to amend the youth deer
21 season as previously discussed in this meeting, we
22 still have time to do that?

23 MR. HARDERS: I'm assuming if you

0144

1 approve these and came back in the May meeting and
2 did any other changes, we would pick this those up
3 then.

4 MR. JONES: Okay. I just want to
5 make sure that we weren't voting ahead.

6 CHAIRMAN MOULTRIE: Do we have
7 somebody on a motion on that?

8 Mr. Coles, any discussion?

9 MR. COLES: I have a question.

10 Fred, in regards to the alligator season expanding
11 in southeast Alabama, just as a matter of
12 reference, how many permits were issued at Eufaula
13 last year?

14 MR. HARDERS: I think there were
15 about 40.

16 MR. COLES: And what is the
17 proposed number of permits to be issued?

18 MR. HARDERS: Doubling it to 80.

19 MR. COLES: And that would be any
20 waters in Barbour, Henry, Houston, and Russell
21 County if you have a permit.

22 Is that correct?

23 MR. HARDERS: That's correct.

0145

1 MR. COLES: Thank you.

2 MR. HARDERS: It would allow
3 those people who have nuisance gators in ponds and
4 other areas to get those, too.

5 MR. COLES: Thank you.

6 CHAIRMAN MOULTRIE: Any other
7 questions?

8 (No response.)

9 CHAIRMAN MOULTRIE: If we are
10 looking at the dove season also, would it be
11 prudent, Dr. May, if you are going to talk about it
12 at the next meeting, or brought back up to wait
13 until May for someone to make a motion on this and
14 let's look at dove season?

15 DR. MAY: I would appreciate it
16 if there would, yes. Because it would give a fair
17 amount of time to think about it and the Department
18 could discuss it and --

19 CHAIRMAN MOULTRIE: What are the
20 proposed dates you-all have in there now, Fred,
21 please?

22 MR. HARDERS: For which
23 particular zone?

0146

1 CHAIRMAN MOULTRIE: North and
2 south zones, just so the Board knows that.

3 MR. HARDERS: North zone,
4 September 5th to October 4th; October 24th to
5 November 7th; December 12th to January 5th. And
6 for the south zone, October 3rd to November 1st;
7 November 26th, November 29; December 5th, January
8 9.

9 CHAIRMAN MOULTRIE: Is that
10 through those dates are just those --

11 MR. HARDERS: Yes -- no. Through
12 those dates.

13 CHAIRMAN MOULTRIE: Any other
14 questions for the Board?

15 (No response.)

16 CHAIRMAN MOULTRIE: Thank you,
17 Mr. Harders.

18 Mr. Andress, do you want to talk
19 about the buying and purchasing game fish from
20 public waters -- and I've got three items here --
21 illegal methods of taking minnows, shad, and
22 suckers for bait and mullet and freshwater in
23 restricted areas for the taking of freshwater

0147

1 mussels that were all discussed at the last
2 meeting.

3 MR. ANDRESS: I will take the
4 buying and purchasing of game fish from public
5 waters.

6 Do you have that language? Do
7 you-all have that language in front of you?

8 We would like to have that considered
9 by the Board.

10 Would you like for me to read it?

11 CHAIRMAN MOULTRIE: Please.

12 MR. ANDRESS: It is suggested
13 that we adopt a regulation that reads -- it shall
14 be unlawful for any person to buy or purchase, or
15 to offer to buy or purchase, any game fish that the
16 person knew, or reasonably should have known, was
17 caught or taken from the public freshwaters of this
18 or any other state.

19 And that's to close the loophole that
20 we have in the law right now. It's only illegal to
21 sell game fish. It's not illegal dealing with the
22 other side of the transaction and to actually
23 purchase the fish.

0148

1 And it tracks or is parallel to what
2 we do with game animals now. It's unlawful to sell
3 or purchase game animals or their parts or meat
4 from those animals.

5 CHAIRMAN MOULTRIE: And that --
6 you and I talked earlier -- would not affect the
7 private sector that's raising and selling fish for
8 stocking ponds.

9 MR. ANDRESS: No, it would not.
10 It only deals with game fish. So therefore catfish
11 is a non-game fish, so that's not an issue here.
12 And on the -- it's only fish from public
13 freshwaters, not -- there's another provision in
14 the law that allows the sale of certain game fish
15 from private freshwaters.

16 CHAIRMAN MOULTRIE: Any questions
17 from the Board?

18 (No response.)

19 CHAIRMAN MOULTRIE: Very good.

20 Thank you, Mr. Andress.

21 What about the legal -- do you need
22 to make a motion on that or would like a motion on
23 that?

0149

1 Mr. Andress, are you-all ready for
2 that?

3 MR. ANDRESS: Yes, we would.
4 CHAIRMAN MOULTRIE: Is there
5 anybody on the Board that would like to make a
6 motion on that?
7 UNIDENTIFIED BOARD MEMBER: Yes.
8 CHAIRMAN MOULTRIE: Is there a
9 second?
10 UNIDENTIFIED BOARD MEMBER:
11 Second.
12 CHAIRMAN MOULTRIE: There's a
13 motion and a second.
14 Allen, I hate to ask you to read it
15 one more time. But would you read the motion one
16 more time so everybody will be clear on it.
17 MR. ANDRESS: Bear with me just a
18 moment.
19 It shall be unlawful for any person
20 to buy or purchase, or offer to buy or purchase,
21 any game fish that the person knew or reasonably
22 should have known was caught or taken from the
23 public freshwaters of this state or any other
0150
1 state.
2 CHAIRMAN MOULTRIE: That's the
3 motion.
4 Any discussion?
5 (No response.)
6 CHAIRMAN MOULTRIE: I may have
7 one question on that, Allen. Would that include --
8 and I know it's -- I think this is right -- clarify
9 it. If an animal like deer or anything can't be
10 sold afterwards, it's illegal to sell those animal
11 parts, isn't it?
12 Let's just say for (inaudible)
13 somebody's got a bass mounted and somebody is
14 selling that, can they sell that?
15 Is that legal or illegal then if they
16 took it from public waters?
17 MR. ANDRESS: A mounted bass --
18 that's a good question. It depends on how much of
19 it -- on a mounted bass so much of it is not even
20 bass anymore. Technically, perhaps not. But I
21 don't know if that's an issue we've really dealt
22 with much before.
23 MR. COLES: After he's caught and

0151

1 mounted it, it's not considered a game fish then,
2 is it?

3 MR. ANDRESS: That's not an issue
4 that -- it's really not addressed very clearly. I
5 guess technically speaking, the parts of that fish
6 might still be -- and I guess from a highly
7 technical standpoint it might be prohibited.

8 COMMISSIONER LAWLEY: Do we want
9 to clean that up and bring it back in May? It's
10 obviously not earth-shattering.

11 MR. ANDRESS: That's not what
12 we're attempting to address here.

13 CHAIRMAN MOULTRIE: I hate to
14 bring that up. But I get asked every question in
15 the world.

16 That's going to get asked I think,
17 Allen.

18 Do you-all want to include that or
19 clean that up or bring it next time?

20 MR. ANDRESS: We'll work on that
21 if you would like to address that issue.

22 MR. COLES: How many do you have
23 at Bass Pro that --

0152

1 CHAIRMAN MOULTRIE: That's a good
2 point that Mr. Coles makes. Like the people
3 selling Bass Pro and Cabela's items for -- or
4 academy items to hang in the stores. I mean,
5 that's a good point.

6 Very good.

7 MR. SELF: Before we get out of
8 Old Business, I'd like to bring up one item, if I
9 may, please?

10 CHAIRMAN MOULTRIE: You have the
11 floor, Mr. Self. Go ahead.

12 MR. SELF: After our last meeting
13 in February, I was misquoted in the Mobile Press
14 Register. And I wrote a letter to the editor and
15 asked for a retraction, and they did issue that,
16 and they made a correction on the front page of
17 last Thursday's paper.

18 But the quote was that I was going to
19 make a motion at this meeting regarding the Coastal
20 Conservation Association proposal, and that was

21 completely erroneous. I never said that, and it
22 was evidenced by the transcript of our last
23 meeting.

0153

1 The reporter Jeff (inaudible) since
2 called me and graciously apologized. I accepted
3 his apology, and I just wanted to make sure
4 everyone here knew that -- if they didn't see the
5 correction, that that has occurred.

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

8 There's two more items in Fisheries.

9 MR. ADDISON: Mr. Chairman, the
10 222-39 regarding the suckers, it's effectively will
11 amend this regulation to allow the use of specific
12 suckers. These are the four most common
13 distributed suckers in the state and are not under
14 any threatened or endangered list. That was the
15 reason they were picked. To allow the use of those
16 which are being caught used as bait.

17 Effectively, those four species of
18 suckers, they can be caught by specific methods in
19 specific places. It's disallowing the use of
20 seines in small streams where we have a severe
21 threat that's been threatening endangered species.
22 And we don't want them going in there and catching
23 some of these darters that are threatened.

0154

1 And so that's basically 222-39 in a
2 nutshell. It allows the use of suckers to use as
3 bait, specifically spotted suckers are distributed
4 statewide. It's a very common sucker. But we
5 don't want to move those suckers from one watershed
6 to another. There's certain specific suckers that
7 we don't want to see outside the Tennessee River --
8 the white sucker being one of those that we
9 wouldn't want to see move south. So that is
10 basically what that is.

11 CHAIRMAN MOULTRIE: Is there
12 anyone that wants to entertain a motion on that?

13 UNIDENTIFIED BOARD MEMBER: So
14 moved.

15 CHAIRMAN MOULTRIE: Is there a
16 second?

17 MR. HARBIN: Second.

18 CHAIRMAN MOULTRIE: Motion and a
19 second.

20 If you would reread it one more time,
21 we will vote on it.

22 MR. ADDISON: The following
23 species of suckers -- spotted sucker, black red
0155

1 horse, golden red horse, and the blacktail red
2 horse -- would be allowed to be used for bait in
3 the state of Alabama. And the sucker species'
4 identified above, they can now be caught by either
5 seines from any impound -- manmade impounded waters
6 or by cast net or dip net. That's basically it in
7 a nutshell.

8 Do you want the whole thing read?

9 CHAIRMAN MOULTRIE: No, that's
10 fine. I think we can follow.

11 Any other discussion?

12 (No response.)

13 CHAIRMAN MOULTRIE: All those in
14 favor?

15 (Board members raised hands.)

16 CHAIRMAN MOULTRIE: All opposed?
17 (No response.)

18 CHAIRMAN MOULTRIE: Motion
19 carries.

20 MR. ADDISON: The next regulation
21 is 222.42, restricted areas for the taking of
22 freshwater mussels. All it does is effectively
23 amend Number 6, the Alabama River to the mouth of
0156

1 Mulberry Creek, River Mile 222, downstream to the
2 Edmund Pettus Bridge, it makes it illegal to
3 harvest any of these federal and state protected
4 species from that area.

5 MR. HATLEY: Move we adopt.

6 MR. LYNCH: Second.

7 CHAIRMAN MOULTRIE: Motion and a
8 second.

9 Any discussion?

10 (No response.)

11 CHAIRMAN MOULTRIE: If you would
12 reread the motion one time, we will vote.

13 MR. ADDISON: Item No. 6,
14 restricted areas for the taking of freshwater

15 mussels, the Alabama River from the mouth of
16 Mulberry Creek, River Mile 222.0, downstream to the
17 Edmund Pettus Bridge, River Mile 205.3. That will
18 be restricted from use of taking any mussels.

19 CHAIRMAN MOULTRIE: All those in
20 favor, raise your hand.

21 (Board members raised hands.)

22 CHAIRMAN MOULTRIE: All opposed?

23 (No response.)

0157

1 CHAIRMAN MOULTRIE: Motion
2 carries.

3 Is there any other Old Business?

4 MR. ADDISON: One more. I am
5 sorry. One more regulation, 222.92, the non-game
6 species regulation. It adds four new species to
7 that list -- the Halloween darter, Percina crypta;
8 the trispot darter, Etheostoma trisella; the
9 bankhead darter, Percina sipsi; blackmouth shiner,
10 Notropis melanostomus. I hope I pronounced it
11 right.

12 MR. HATLEY: I move the motion be
13 accepted.

14 CHAIRMAN MOULTRIE: Is there a
15 second?

16 DR. SMITH: Yes.

17 CHAIRMAN MOULTRIE: We will take
18 it as read.

19 Is there any discussion?

20 (No response.)

21 CHAIRMAN MOULTRIE: All those in
22 favor, raise your hand.

23 (Board members raised hands.)

0158

1 CHAIRMAN MOULTRIE: All opposed?
2 (No response.)

3 CHAIRMAN MOULTRIE: Is there any
4 other Old Business?

5 (No response.)

6 CHAIRMAN MOULTRIE: Okay. The
7 next order of business is New Business.

8 Is there any New Business?

9 MR. COLES: Mr. Chairman --

10 CHAIRMAN MOULTRIE: Louis Coles,
11 you have the floor.

12 MR. COLES: Thank you,
13 Mr. Chairman.

14 I wanted to give the Board and those
15 in attendance today a synopsis report of the
16 antler -- the three-point antler restriction that
17 was placed on Barbour County in 2005 and give you
18 an update as to the collection of data and what-
19 have-you. And this was prepared by Mr. Bill
20 Gray(sic), the area supervising biologist for that
21 area.

22 At the May 2005 meeting of the
23 Conservation Advisory Board, a three-point antler
0159

1 point restriction was approved for the use in
2 Barbour County. The antler restriction was
3 patterned after the approach in use in Barbour
4 Wildlife Management area. The desire that results
5 of the county-wide antler restriction program
6 included improvements to age structure of harvested
7 bucks, a reduction in the number of yearling
8 one-and-a-half-year-old bucks, an increased doe
9 harvest, and an improved hunting experience.

10 Data collection has been accomplished
11 primarily through a network of Auburn University
12 Wildlife Students manning deer processing sites
13 throughout Barbour County.

14 During the 2005/2006 data collection
15 was limited as students assisted as unpaid
16 volunteers. In the 2006/2007, 2007/2008 and
17 2008/2009 season, a combination of local and
18 Department moneys was raised and used to pay a \$50
19 per day fee for all students assisting in the
20 project. Subsequently, the amount of data
21 collected increased but still remains below desired
22 levels.

23 Initially a minimum sample of 255
0160

1 animals per year was the target sample size. Since
2 data collection efforts began, a total of 67 the
3 first year, 155 animals the second year, 100
4 animals the third year, and 144 animals from the
5 fourth year, all from Barbour County, have been
6 collected each year respectively.

7 With respect to poor sample sizes,
8 two primary problems emerged. Scheduling conflicts

9 with students, particularly final exams, have
10 resulted in a lack of manpower at critical times
11 and several high-volume processors closed during
12 the onset of 2007/2008 deer season. Consequently,
13 available sites were not maximized during heavy
14 deer harvest periods, and students were required to
15 man deer processing facilities in neighboring
16 counties, Russell and Henry County or both.

17 Prior to the onset of the 2008/2009
18 season, a long-standing Barbour County deer
19 processor reopened and provided the opportunity to
20 collect additional data from Barbour County
21 proper.

22 During the 2005/2006 season -- and
23 that was the first year -- only deer data from
0161

1 Barbour County was collected. During the 2006/2007
2 season data from deer in adjacent and nearby
3 counties was also collected in an attempt to
4 provide some contrasting data.

5 Although limited by sample size, some
6 interesting trends have been observed to date. In
7 some of the data that has been reported to date
8 included on the table below, as well as
9 accompanying graphs.

10 Briefly, the first year the program,
11 one-and-a-half-year-old bucks, the number sampled
12 was 30. The last season, 2008/2009 season, was
13 20. So we're killing less year-and-a-half-old
14 bucks. The first season was 25 two-and-a-half-
15 year-old bucks, and this last season was 31. So
16 we're increasing in the two-and-a-half-year-old
17 bucks.

18 First season on the three-and-a-half-
19 year-old bucks, 20 deer -- 20 bucks were sampled.
20 This past season, 2008/2009, there were 28. So
21 we're increasing in the three-and-a-half-year-old
22 bucks.

23 And here is an alarming final
0162

1 figure. Barbour County in 2000 to 2005, there were
2 no four-and-a-half-year-old bucks that were
3 sampled. This past season there were 14.

4 So Mr. Gray's(sic) synopsis is that
5 the program is working and he would like to

6 continue to see it. When we approved this, we said
7 we would come back with periodic reports, and
8 therefore here is my report.

9 If anybody has any questions, I will
10 be glad to try to answer them.

11 CHAIRMAN MOULTRIE: Any questions
12 from the Board?

13 (No response.)

14 CHAIRMAN MOULTRIE: Any other New
15 Business?

16 MR. SELF: Mr. Chairman --

17 CHAIRMAN MOULTRIE: Yes,
18 Mr. Self --

19 MR. SELF: The Nature Conservancy
20 through its coastal office in Mobile has obtained a
21 grant for Rabbit Island Seagrass Protection and
22 Restoration Project. The objectives of the project
23 are to protect and preserve the seagrass bed

0163

1 located on the eastern end of (inaudible) River in
2 the vicinity of Rabbit Island.

3 Dauphin Island seagrass, the city of
4 Orange Beach, Baldwin County, the representatives
5 from the State Land Division and the Marine
6 Resource Division and the Alabama Marine Police are
7 all project partners.

8 The action requested is that the
9 seagrass beds in the vicinity of Rabbit Island be
10 designated as a no internal combustion engine area
11 (inaudible) regulation needs to be adopted placing
12 regulatory signage to notify voters of a newly
13 designated no internal combustion engine area.
14 They need to conduct restoration efforts to repair
15 (inaudible) in the seagrass beds, conduct education
16 and outreach activities to inform local boaters of
17 the important of seagrass to our coastal excess. A
18 similar effort around Robinson Island Project has
19 been a great success, and this project would build
20 on that effort.

21 I would like to make sure the Marine
22 Police and MRD look into this, and perhaps we can
23 get this done with a motion at our next meeting.

0164

1 CHAIRMAN MOULTRIE: Anything
2 else, Mr. Self?

3 MR. SELF: Yes, sir.

4 CHAIRMAN MOULTRIE: Go ahead.

5 You have the floor.

6 MR. SELF: This deals with the
7 saltwater fishing license surcharge. As you know,
8 we had the active legislature to increase the price
9 of saltwater fishing license -- both for resident
10 and nonresident. As a matter of -- this is a
11 matter of record, and I would submit this as
12 Regulation 2009MR-2, Marine Resources.

13 Pursuant to the requirements of Act
14 No. 2008467, Acts of Alabama -- which that is the
15 act that was for saltwater buyout of the -- or the
16 buyout of the saltwater gill nets. Annual resident
17 saltwater fishing license provided in Section
18 91153.1 Code of Alabama 1975, a surcharge of zero
19 dollars from June 1, 2008 through August 31st,
20 2008, and unless amended, a surcharge of \$8 from
21 September 1, 2008 through the effective date of
22 Regulation 2009MR-2, and unless amended, a
23 surcharge of zero dollars from the effective date
0165

1 of the Regulation 2009MR-2 through May 31st, 2013.
2 And annual nonresident saltwater fishing license
3 provided for in Section 91155.2 Code of Alabama
4 1975, a surcharge of zero dollars from June 1, 2008
5 to August 31st, 2008, and unless amended, a
6 surcharge of \$8 dollars from September 1, 2008
7 through effective date of Regulation 2009MR-2, and
8 unless amended, a surcharge of zero dollars from
9 the effective date of the Regulation 2009MR-2
10 through May 31st, 2013.

11 This to be considered at our next
12 meeting. However, I would ask that the
13 Commissioner issue an emergency regulation between
14 now and our next meeting to cover that period of
15 time.

16 CHAIRMAN MOULTRIE: Anything
17 else, Mr. Self?

18 MR. SELF: I believe that takes
19 care of it.

20 CHAIRMAN MOULTRIE: Any other New
21 Business?

22 MR. HARBIN: Yes, sir. I have
23 one.

0166

1 CHAIRMAN MOULTRIE: Mr. Harbin --

2 MR. HARBIN: On regulation
3 220-2-16, period for training a bird dog. I would
4 like to do away with the word "and be controlled by
5 a leash". I would like for the regulation to read
6 -- dogs being trained to be controlled by some
7 manner that restricts them to a specified training
8 area. The word "some" can mean control a dog in a
9 matter of a leash, a voice collar, or a big stick.

10 CHAIRMAN MOULTRIE: Anything
11 else, Mr. Harbin?

12 MR. HARBIN: No, sir. That will
13 do it.

14 CHAIRMAN MOULTRIE: Any other New
15 Business?

16 Mr. Jones --

17 MR. JONES: Yes, sir. Thank
18 you.

19 I have two things. First of all, to
20 satisfy my nine and eleven-year-old constituents
21 that live in my home, I would like for the
22 Department to look at increasing the youth hunting
23 days, as we've talked about earlier, in pertaining

0167

1 to the riffle season, deer hunting.

2 Also I'd like to bring up for
3 consideration at our next meeting for allowing
4 properly permitted concealed weapons and WMAs for
5 the use of personal protection, and this also
6 matches the federal regulation, if I'm not
7 mistaken.

8 But I'd like to discuss both of those
9 things in our upcoming meeting.

10 CHAIRMAN MOULTRIE: Very good.

11 Any other New Business, Mr. Jones?

12 (No response.)

13 CHAIRMAN MOULTRIE: Any other New
14 Business?

15 DR. SMITH: Mr. Chairman, I have
16 two questions.

17 We need as a Board to approve all the
18 regulations promulgated by the Department since our
19 last meeting. Therefore, my motion is to approve
20 all regulations the Department of Conservation and

21 Natural Resource that came into play since our last
22 meeting.

23 (Inaudible.)

0168

1 CHAIRMAN MOULTRIE: That is
2 seconded.

3 Any discussion?

4 (No response.)

5 CHAIRMAN MOULTRIE: If you will
6 just read that one more quick time,

7 DR. SMITH: To approve all
8 regulations of the Department of Conservation and
9 Natural Resources promulgated since our last
10 meeting.

11 CHAIRMAN MOULTRIE: All those in
12 favor?

13 (Board members raised hands.)

14 CHAIRMAN MOULTRIE: All opposed?

15 (No response.)

16 DR. SMITH: Second item is
17 another informational item that I have a flyer on
18 the back table back here -- I want to call to call
19 everybody's attention -- is the cogongrass. That
20 is becoming a real threat. For those of you that
21 live in southwest Alabama -- and I see some head-
22 nodding out here -- that is a real threat to our
23 whole wildlife and forestry ecosystem out across

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1 the state.

2 For those of you that don't live in
3 that southwest Alabama area, I would encourage you
4 very, very strongly to become familiar with that
5 problem and be able to identify it and take care of
6 it on the property that you own, hunt, lease, or
7 whatever out there. Because if you go down and
8 look at some of those areas in Baldwin and Mobile
9 County that have been taken over by that, and it's
10 impossible to hunt it or harvest trees or grow
11 trees or anything.

12 So it's an area -- and I think this
13 needs to be called to all our attention and be
14 aware of it on the land and property that you
15 operate on.

16 Thank you, Mr. Chairman.

17 CHAIRMAN MOULTRIE: Thank you.

18 Any other new business?
19 (No response.)
20 CHAIRMAN MOULTRIE: Any other new
21 business?
22 (No response.)
23 CHAIRMAN MOULTRIE: The next
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1 order of business is the date and location of the
2 May Advisory Board Meeting. The date will be May
3 16th, and the location will be announced as soon as
4 possible. We are still in the process of locating
5 a facility that will let us.

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

8 12:37 p.m.
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1 CERTIFICATE
2 STATE OF ALABAMA)
3
4 COUNTY OF MONTGOMERY)

5
6 I hereby certify that the above and
7 foregoing deposition was taken down by me in
8 stenotype and the questions and answers thereto
9 were transcribed by means of computer-aided
10 transcription, and that the foregoing represents a
11 true and correct transcript of the testimony given
12 by and witness upon said hearing.

13 I further certify that I am neither of
14 counsel, nor kin to the parties to the action, nor

15 am I in anyway interested in the result of said
16 cause named in said caption.

17

18

19

20

Victoria M. Castillo, Commissioner

21 Certified Court Reporter

22 ACCR#17-Expires: 9/30/09

23 Commission Expires: 5/19/10