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1 ALABAMA DEPARTMENT OF CONSERVATION
2 AND NATURAL RESOURCES
3 ADVISORY BOARD MEETING
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9 Taken before Dianna C. Stepp,
10 Court Reporter, at Joe Wheeler
11 State Park, 4401 McLain Drive,
12 Rogersville, Alabama, on the 12th
13 day of March, 2005, at 9:00 a.m.
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A P P E A R A N C E S

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3 Advisory Board Members present:
4 Dan L. Moultrie, Chairman
5 M. Barnett Lawley, Commissioner
6 Dr. Gaines Smith
7 Ross M. Self
8 Louis W. Colles
9 Present
10 Dr. A. Wayne May
11 Bill Hatley
12 Bill Hatley
13 Johnny M. Johnson
14 W. Grant Lynch
15 Marvin Willis
16 George Harbin
17
18 Also Present:
19 Robin Nummy, secretary
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23

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A G E N D A

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3 Call to order --
4 Chairman Dan Moultrie
5
6 Invocation -- Johnny Johnson
7
8 Introduction of Board Members -
9 Commissioner M. Barnett Lawley
10
11 Approval of minutes of last meeting
12
13 Public Hearing
14 Break

15 Old Business/Proposed Regulations
16 Marine Resources
17 Wildlife and Freshwater
18 Fisheries
19 New business/Action to be
20 considered at May meeting
21 Selection of date and location of
22 2005 summer Advisory Board meeting
23 Adjourn

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1 P R O C E E D I N G S

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3 CHAIRMAN MOULTRIE: I'd like to
4 call to order the meeting of the
5 Conservation Advisory Board, March
6 12th, 2005 meeting. I'd like to
7 welcome everyone to Joe Wheeler
8 State Park. The Board is glad that
9 you're able to be here today. The
10 invocation will be given by Mr.
11 Johnny Johnson.

12 John.
13 MR. JOHNSON: Let us pray.

14
15 (Prayer.)

16
17 CHAIRMAN MOULTRIE: Thank you
18 for the invocation, Johnny.
19 For the next order of business
20 I'd like to call on Commissioner
21 Barnett Lawley to introduce the
22 members of the Board.

23 COMMISSIONER LAWLEY: Thank

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1 you, Mr. Chairman. We'll start by
2 calling the roll. George Harbin?

3 MR. HARBIN: Here.
4 COMMISSIONER LAWLEY: I can't
5 read my writing. Ross Self?

6 MR. SELF: Here.
7 COMMISSIONER LAWLEY: Dr. Wayne

8 May?
9 DR. MAY: Here.
10 COMMISSIONER LAWLEY: Bill

11 Hatley?
12 MR. HATLEY: Here.
13 COMMISSIONER LAWLEY: Louis

14 Coles?
15 MR. COLES: Here.
16 COMMISSIONER LAWLEY: Jim

17 Porter?
18 Ray Willis?
19 MR. WILLIS: Here.

20 COMMISSIONER LAWLEY: Gaines
21 Smith?
22 MR. SMITH: Here.

23 COMMISSIONER LAWLEY: Grant

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1 Lynch?
2 MR. LYNCH: Here.
3 COMMISSIONER LAWLEY: Johnny

4 Johnson?
5 MR. JOHNSON: Here.

6 COMMISSIONER LAWLEY: Dan
7 Moultrie?
8 CHAIRMAN MOULTRIE: Here.
9 COMMISSIONER LAWLEY: Did I
10 leave anybody out?
11 We welcome everybody to Muscle
12 Shoals. It's been a long time since
13 we brought this meeting to
14 northwest Alabama, and I appreciate
15 your turnout and appreciate
16 everybody being here.
17 CHAIRMAN MOULTRIE: Thank you,
18 Commissioner.
19 We're going to go right into
20 the public hearing part of the --
21 we're going to take a little bit of
22 a change from the agenda here. The
23 next order of business will be the

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1 public hearing. When your name is
2 called, please come to the
3 microphone and give your name and
4 subject you wish to speak about. I
5 will remind you that only you can
6 speak at the time that you're up
7 speaking. Any interference as in
8 our other meetings will not be
9 tolerated. There'll be a three
10 minute time limit when you're
11 getting close to your time. Robin
12 -- wherever you are, Robin -- will
13 advise you. We'll advise you and if
14 you're doing -- if you're concise
15 and doing a good job, we'll allow
16 you some extra time. We want to
17 hear it. If you're rambling, got
18 the same subject going on and
19 rehash the same thing, we'll
20 probably ask you to stop at three
21 minutes. But we appreciate you
22 being organized and ready.

23 Robin, do we have a list?

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1 MS. NUMMY: Yes.
2 CHAIRMAN MOULTRIE: The first
3 speaker will be Mr. Ronnie Willis.
4 And if you would, state your county
5 also when you come up.
6 MR. WILLIS: First, I'd like to
7 say thank y'all for coming to
8 Lauderdale County today. I'm proud
9 that y'all had this meeting in
10 Lauderdale County as the sheriff of
11 Lauderdale County. And also, what
12 I'd like to -- what I was wanting
13 to say is I would like to see us be
14 able to have a firing range or a
15 shooting range in Lauderdale County
16 and any way that we can help as
17 citizens in Lauderdale County.
18 We're having a lot of trouble with
19 people having no place to go shoot
20 a gun and neighbors calling because

21 neighbors in the county are
22 shooting guns and high-powered
23 rifles around the community. And

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1 any way I can help to raise the
2 money for that or have inmates that
3 work -- that's in our jail to come
4 out and clean it up after we get it
5 built, I'll be more than glad to do
6 that. And I'd like to see us be
7 able to have one in Lauderdale
8 County.

9 CHAIRMAN MOULTRIE: Any
10 questions from the Board?

11 COMMISSIONER LAWLEY: Yes.

12 CHAIRMAN MOULTRIE:
13 Commissioner Lawley.

14 COMMISSIONER LAWLEY: Gary
15 Moody may want to address this and
16 ask you some questions. We've been
17 able to put in some shooting ranges
18 lately throughout the state through
19 some federal funds and other
20 sources.

21 Gary, why don't you kind of
22 get us started in the right
23 direction.

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1 MR. MOODY: I had an
2 opportunity to talk to Sheriff
3 Willis a little bit before the
4 meeting started, and we have
5 already set up a time or are going
6 to set up a time to meet on this.
7 And I think it's really a good
8 idea. We'd love the opportunity to
9 look around and see what we could
10 find up here and in any other
11 county where we could find a
12 shooting range.

13 And just for everybody's
14 information, Monday morning we will
15 start building a new range in
16 Oakmulgee down in Tuscaloosa
17 County, and we will be building one
18 in Baldwin County this year. So
19 we're very interested in new range
20 sites and new opportunities for
21 people to shoot, and we'll work
22 with Sheriff Willis on this.

23 CHAIRMAN MOULTRIE: Very good.

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1 Thank you, Sheriff.
2 The next speaker will be Mr.
3 David Hagood from Elkmont, Alabama.
4 MR. HAGOOD: Good morning. I'm
5 David Hagood. I'm with American
6 Bass Anglers. American Bass Anglers
7 is actually located in Athens,
8 Alabama. It was originally in
9 Dallas, Texas and moved to Athens.
10 So we actually brought industry
11 into the state. We run the largest

12 bass fishing tournament
13 organization in the country. We run
14 over a thousand tournaments nation
15 wide in 42 states, okay. So I want
16 to give you just a little history
17 on this. And I know you guys are
18 here about hunting, and it looks
19 like the passion is pretty big on
20 that. I'm glad.

21 We're actually sponsored by a
22 lot of real industry sponsors, and
23 that's one of the things I wanted

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1 to talk about real quick. Triton,
2 Mercury, Lowrance are real industry
3 recognized sponsors that are
4 involved with us.

5 There's three areas of concern
6 we currently have as fishermen on
7 the Tennessee River, and that's
8 size limits, creels, stocking, and
9 the commercial gill nets that are
10 going on in Guntersville. And
11 instead of just giving a
12 presentation, I actually put
13 together some figures to help on
14 this. One of it was the need for
15 limits. So what we did is we took
16 stats from 2001 through 2005 on
17 Guntersville, Wilson, and Wheeler
18 from our fishermen. So you can see
19 that on page 5 of the outline I
20 gave you.

21 If you take really large
22 events, which I list two, these are
23 three-day events; 570 fishermen in

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1 2004 they caught 3,547 fish. That
2 sounds like a lot -- three days.
3 That's two fish a day; average size
4 of fish 1.4, okay. That's the
5 reason we need size limits on
6 Wheeler. All the surrounding states
7 have either 12- or 14- or 15-inch
8 size limits.

9 How we judge the quality of
10 our lakes is by the size of the
11 fish. One out of 35 fish on Lake
12 Guntersville is a 5 pounder. One
13 out of 229 fish on Wheeler is a 5
14 pounder. One out of 55 on Wilson.
15 Guntersville has a size limit.
16 Wheeler has a size limit. We don't.

17 We think there should be a
18 14-inch size limit statewide like
19 most states do in the south. Texas,
20 Florida five fish limit, 14 inch.
21 What it does, it allows us to get
22 brood fish in lakes.

23 We think the change for the

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1 creel limits need to go from 10
2 down to 5. Every tournament across

3 the United States is a 10 fish
4 limit. Why should we allow them to
5 take more than that? So we need to
6 take it down to five.

7 Stocking: The Economics Drive,
8 Why You Should Do Stocking: Today
9 we're spending 74 billion dollars
10 nationally fishing. We're spending
11 over a billion dollars now in the
12 southeast on tackle. We don't fish
13 farm ponds. We have 30 or 40
14 thousand bass boats and we're using
15 real expensive tow vehicles as you
16 all are seeing.

17 In 2003 the state does stock.
18 They stock stripe; over a million
19 of 'em. They stocked -- did stock
20 large mouth. I'm trying to go fast
21 'cause it's three minutes, okay.
22 They stocked 373,000 large mouth in
23 2003 on Smith Lake and Logan

0015

1 Martin, okay. But they stocked over
2 a million bass in farm ponds. Farm
3 ponds is not where the economic
4 impact is at.

5 On page 10 what I did was
6 listed one single event of the
7 economic impact of a bass
8 tournament; 601 anglers plus
9 family, 400; 300 room nights in
10 Decatur, Alabama times 6 -- times
11 \$60 a night, \$108,000 in one week
12 just hotels. You take \$150 a day of
13 expense money, 601 anglers, they
14 generated a half a million dollars
15 into the City of Decatur hard cash
16 in one week. Farm ponds don't do
17 this. We need to take our fishing
18 stocking resource and put it into
19 the lake.

20 At the bottom of this page I
21 listed a United States survey from
22 the Fisheries Wildlife on the
23 stocking practices of Texas versus

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1 Alabama on revenue, okay. Alabama
2 stocking right now is based off of
3 rural areas. Now, they do do some
4 in public waters, but it's limited
5 when it comes to bass. The annual
6 revenue on retail sales in Texas
7 was 1.5 billion dollars. Alabama,
8 612 million. Jobs 13 -- almost
9 14,000 jobs in Alabama. 26,000 --
10 almost 27,000 in Texas. Sale taxes,
11 85,000 Texas -- 85 million in
12 Texas; 30 million in Alabama. They
13 don't have any -- they don't do any
14 stocking in private waters in
15 Texas. They only stock public
16 water. That's all they do.

17 There's a lot of companies in

18 the south that actually provide
19 stocking services. They should be
20 encouraged as entrepreneurs to do
21 this instead of the state coming in
22 and stocking farm ponds for' em. We
23 should let these individual private

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1 companies stock farm pond, farm
2 pond management and all that with
3 the guidance of the state.

4 I actually talked to the Texas
5 Department and they have this
6 really neat center that explains
7 their approach. And I got a
8 personal invitation from their
9 director to invite the Board and
10 the Fisheries Department to come
11 out there. They will host you and
12 show you what they do.

13 The reason this is is because
14 it would double the economic impact
15 in the State of Alabama. They only
16 have one natural lake in Texas --
17 Caddo. They're so used to building
18 everything from scratch; they do
19 all the stocking of public waters.

20 One other issue. The gill nets
21 on Guntersville; the issue popped
22 up a couple of weeks ago and some
23 of you may have heard about that,

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1 the fishermen using gill nets. And
2 we got to talk to one of' em, and
3 this one gill-netter, example of
4 one, and we know of 11 on
5 Guntersville, okay, and there's an
6 illustration of what a gill net is
7 if you don't know what one is or
8 haven't seen one before. He runs 20
9 nets a day, okay. And in these 20
10 nets he catches on average between
11 10 and 20 fish a day. Large mouth
12 bass get caught in his nets; 50
13 percent of' em when he gets to' em
14 are dead, okay. Now, this is per
15 day. So if you take the minimum of
16 20 nets, 10 fish, that's a hundred
17 bass. You do that on average of a
18 month, he's killing a lot of fish.
19 He's killing 3,000 fish in a month,
20 okay. At max 6,000.

21 Now, everybody's going to say,
22 okay, what about bass tournaments?
23 -- you're going to kill fish too.

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1 Well, I'm not going to say we're
2 not. So we got involved. I had
3 Jimmy Yarbrough get involved with
4 Auburn University to do a test on
5 delayed mortality of our fish. And
6 there's documents; Auburn has
7 documented this. It's on page 16.
8 280 -- 2880 bass were caught,

9 three days, 700 -- 476 fishermen,
10 they took 50 fish from our
11 weigh-in, 50 fish from the lake in
12 a controled study, took'em to
13 Carbon Hill, put'em in a pond, we
14 had a 6 percent delayed mortality.
15 Three fish out of our control group
16 died.

17 In other words, as bass
18 fishermen real, real concerned
19 about the resource and we want the
20 fish to survive. So we're trying to
21 take a right approach in these
22 larger tournaments to put these
23 back, okay. So I want to talk about

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1 both sides. Not just that the gill
2 nets are killing fish, but actually
3 fishermen are going to have a
4 delayed mortality rate, but if we
5 do it right we'll control that.

6 The state law -- there's a
7 state law that actually covers this
8 issue. There's not supposed to be
9 any gill nets run on the Tennessee
10 River, okay. But when it was
11 enacted -- and it's under State
12 Code 911-88. When it was enacted
13 there was two problems with it.
14 One, it only effects nine counties
15 so it has to be announced
16 statewide. It was not, okay. And
17 that was unconstituti onal.

18 The second part of the problem
19 is the law says there's a penalty
20 involved, and it explains the
21 penalty. The Court found it was
22 unconstituti onal, okay, so the law
23 was stricken down. This was passed

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1 back in the '70s. We simply need
2 the law changed to remove the
3 penalty and have it announced and
4 it would protect the entire
5 Tennessee River.

6 Thank you.

7 CHAIRMAN MOULTRIE: Any Board
8 member have any questions for Mr.
9 Haygood?

10 MR. HAGOOD: I know that was
11 fast.

12 CHAIRMAN MOULTRIE: Inside your
13 package you ought to have his
14 information.

15 Thank you, Mr. Haygood.

16 The next speaker will be
17 George Ellison from Dothan,
18 Alabama.

19 MR. ELLISON: Thank you. George
20 Ellison. I actually am speaking
21 toward the entire state on
22 crossbows. I'd like to indicate
23 that we'd like the Board to

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1 consider the lifting of the turkey
2 season where we cannot use
3 crossbows. Many of us love to
4 turkey hunt and we also deer hunt,
5 would love to have the opportunity
6 to take a crossbow out since we
7 cannot use compound bows to take a
8 turkey. We'd like for that to be
9 considered.

10 Also, since it's somewhat
11 unclear in some areas and when you
12 really dig down into it we'd like
13 to ask the Board to consider
14 allowing scopes to be placed on
15 crossbows for the follow reasons:
16 First of all, younger people and
17 women and some of the older guys
18 that different disabilities has
19 also done, you know, like I'm doing
20 this morning, put on a little extra
21 help, and it would make for the
22 reason of more precise shots. More
23 precise shots would give cleaner

0023

1 kills. It would give the confidence
2 that is needed to the young people
3 and the women and also to the older
4 people and this would encourage
5 them to get out there into the
6 woods and not only just for the
7 fall season but it'll also
8 encourage more numbers going out in
9 the spring season.

10 Thank you.

11 CHAIRMAN MOULTRIE: Thank you
12 very much.

13 The next speaker will be Mr.
14 Gary Hawkins from Cullman, Alabama.

15 MS. NUMMY: And his daughter.

16 CHAIRMAN MOULTRIE: And his
17 daughter. Okay.

18 Y'all make way for this young
19 lady to come through here.

20 MR. HAWKINS: I'm Gary Hawkins
21 from Cullman County. I have -- me
22 and my daughter both have some
23 concerns about the way the laws are

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1 going in the state, and as time
2 goes on it seems like things are
3 kind of heading in a direction that
4 my concern is for our future and
5 for our children's future about the
6 way things are going. I just want
7 to say that I'm very thankful to
8 God for the abundant source of
9 wildlife we have all over our
10 state. Some forms of wildlife such
11 as whitetail deer are multiplying
12 in large numbers year after year
13 while on the other hand species
14 such as the bobwhite quail are

15 rapidly declining.
16 I'd like to say if we're going
17 to pass any new huntin' laws or
18 regulations, let's try to focus
19 only on what will benefit the
20 well-being and survival of
21 wildlife, not the well-being of our
22 buddy in high places pocketbook.
23 It's seems like there's a lot of

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1 that going on, you know.
2 There's a lot of people all
3 over this state that have a lot of
4 concerns about the laws that are
5 passed and the laws that are taking
6 place, and people don't know about
7 it until they're already passed.
8 And -- but there's a lot of -- a
9 lot of people that, you know, have
10 a lot of pull and are persuading
11 these laws to get passed. And I
12 just want, you know, us to
13 consider, you know, the large
14 number of people out here in the
15 state that don't have so much pull
16 that are concerned about a lot of
17 these laws. Let's try to keep
18 huntin' in a sport and not shooting
19 for profit.

20 My father taught me from a
21 small child how to identify deer
22 signs in the woods and how to find
23 a big buck's territory and how to

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1 outsmart him. He taught me to obey
2 the laws and hunt fair. He taught
3 me that huntin' for food comes
4 first and huntin' a trophy comes
5 last and to never kill an animal
6 only for the sake of killing him.
7 Where is the sport of paying
8 big money for a guarantee of a big
9 buck that will run to a human scent
10 because he associates a human scent
11 with dinner time?

12 My father taught me never to
13 kill out an entire covey of quail
14 because if you do it will never
15 reproduce itself. It now appears
16 that many hunters have failed to
17 teach that to their children.
18 Raising tame quail and turning them
19 loose only to shoot them moments
20 later isn't a sport and it isn't
21 helping the quail population. Tame
22 quail have been feed by humans all
23 their life and don't know how to

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1 survive in the wild. If they're not
2 killed by humans, they'll be eaten
3 by predators.
4 If someone want to pay a lot
5 of money to kill a domesticated

6 animal, I know a lot of farmers who
7 would be willing to increase their
8 profits by turning their cattle
9 loose in the wild for a so-called
10 hunter to kill. It would be a very
11 large mount and would also fill up
12 a freezer with some very good meat.

13
14 (Appl ause.)

15
16 MR. HAWKINS: I don't have a
17 problem with someone's rights to
18 farm a wild animal and entertain
19 guests for profit, but they should
20 be put in the classification of
21 farmers and entertainers, not
22 wildlife experts.

23
0028
1 (Appl ause.)

2
3 MR. HAWKINS: If they want to
4 change any wild -- any laws on wild
5 game huntin', the laws should be
6 limited to inside their fenced in
7 reservation where it will not
8 effect an animal's natural habitat
9 or a true sportsman's freedom to
10 enjoy God's creation the way God
11 designed it to be from the creation
12 of the world.

13 And I'd also like to make a
14 statement for the dog hunters and
15 for those who would oppose it: I
16 don't feel like we should end a dog
17 hunter's freedom to enjoy the
18 outdoors with his dogs, but we can
19 regulate it and how they hunt so
20 that they will have respect for
21 surrounding landowners. Just an
22 example that I want to give -- you
23 know, I'm just trying to throw

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1 something out there so that we can,
2 you know, let everybody have their
3 freedom but not -- you know, cut
4 down on some of the conflict.

5 Any part of dog hunters --
6 any party of dog hunters could be
7 limited to only two dogs on the
8 property at one time and not
9 allowed to turn huntin' dogs loose
10 within 3 miles of an opposing
11 landowner. If the dogs are caught
12 on an opposing landowner's
13 property, they would be considered
14 a lost animal and turned in to a
15 local animal shelter until the
16 dog's owner is charged a price or a
17 fine to get his dogs back. I
18 believe this would encourage
19 respect between dog hunters and
20 landowners and discourage

21 conflicting confrontations.
22 And I heard a guy on February
23 12th in Montgomery talk about very

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1 fast and furious hounds that are
2 chasing down deer and eating' em to
3 the point of totally killing out
4 the deer in that area. I think
5 someone ought to report that to the
6 Discovery Channel. I'd like to see
7 it.

8

9

(Laughter.)

10

11 MR. HAWKINS: And one more
12 thing, I'd like to say something
13 for Forever Wild. I want to call
14 the names of the state senators
15 that are pushing to get the funds
16 for the Forever Wild Program, 5
17 million dollars a year transferred
18 into the general fund; Senators
19 Lowell Barron, Fyffe; Tom Butler
20 from Madison, Zeb Little from
21 Cullman, Hinton Mitchell from
22 Albertville, Tommy Edwards from
23 Hartselle.

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1 2 percent of the state's
2 voters voted for these funds to be
3 directed for the Forever Wild
4 Program in 1992 until the year
5 2012.

6 I'm really getting tired of
7 politicians getting the people to
8 vote something in and then trying
9 to change it into something else
10 after it's voted in. I hope you'll
11 remember their names next election.

12

Thank you.

13 CHAIRMAN MOULTRIE: Okay. We've
14 got another speaker with you, I
15 think. LaShea, come on up here.

16 Can you hold that microphone
17 and your pad, or do you need some
18 help?

19 MS. HAWKINS: I got this one.
20 My name is LaShea Lynn, and I'm
21 from Cullman County and I'm going
22 to be talking about deer
23 management.

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1 I want to say God has blessed
2 our state with a tremendous amount
3 of beauty and wildlife that our
4 grandparents and parents have
5 enjoyed for many years. They have
6 taught me the job of hunting fair
7 and the peace of touching the face
8 of God in the quiet of the day.

9 My father and grandfather have
10 also taught me hunting is a sport
11 and a sport must be played fairly.

12 When we go outdoors we can see deer
13 and lots of wild animals living
14 good healthy lives on their own
15 without anyone having to feed them.
16 God gives them everything that they
17 need. If we feed them, we try to
18 shoot them when they come to eat,
19 we are not being fair to the
20 animals.

21 Men are trying to pass laws to
22 take God out of schools, the Pledge
23 of Allegiance and everywhere else

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1 God is. If they pass laws that are
2 unfair to animals, we will be
3 taking God out of the outdoors
4 also.

5 The outdoors is about the only
6 place left in our country where we
7 can still be free from the rules of
8 men and experience the presence of
9 God without offending someone else.

10 Please, let's not pass any
11 laws that would take the sport out
12 of hunting and God out of outdoors.
13 Thank you.

14

(Appl ause.)

15

16
17 CHAIRMAN MOULTRIE: Excellent
18 job.

19 The next speaker will be Harry
20 Curl from Cullman, Alabama.

21 MR. CURL: I'm Harry Curl from
22 Cullman County. I'd just like to
23 say I'm against the baiting for

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1 deer.

2 Thank you.

3 CHAIRMAN MOULTRIE: Very good.

4 Next speaker will be Ronald
5 McBrayer from Cullman Alabama.

6 MR. MCBRAYER: Yes, sir. Ronald
7 McBrayer, Cullman. And pretty much
8 everything that I had to say has
9 been covered by the previous ones.
10 I'm just completely against the
11 baiting or the feeding program of
12 deer.

13 CHAIRMAN MOULTRIE: Very good.
14 Thank you, sir.

15 Next speaker will Joe Mac
16 Smith from Haleyville, Alabama.

17 MR. SMITH: I'm Joe Mac Smith
18 from Haleyville, and we have quite
19 a bit of land and we feed the deer,
20 oh, about what? -- nine months out
21 of the year, and the other three
22 months we don't feed'em. And I know
23 they's opposed and disopposed for

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1 that, but still right now is the
2 time the deer need more feed. Put

3 your briar lines out in your
4 fields, around your pasture fences;
5 your briar lines are up here and
6 deer stands -- nobody's
7 shooting'em. And so this is what
8 I'm for. I'm not for baiting from
9 the standpoint of baiting, but I'm
10 for feeding deer. I'm not for going
11 out here and putting a pile of corn
12 out and shooting a deer over it.
13 I'm for putting feeders out where
14 you don't hunt over it where that
15 you could feed'em, and then you
16 could have trophy deer and have a
17 good sport. It's not a sport, like
18 I said, to put corn out there and
19 wait till it comes and shot it. I
20 can do that in my backyard, but I
21 don't like that.

22 Thank y'all.

23 CHAIRMAN MOULTRIE: Thank you

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1 very much.

2 Next speaker will be Steve
3 Younghance from Fayette, Alabama.

4 MR. YOUNGHANCE: Good morning.
5 I'm Steve Younghance from Fayette
6 County. Along the line of
7 supplemental feeding, I believe
8 that it should be adopted by the
9 Board to change the wording in the
10 regulations concerning supplemental
11 feeding because the term in the
12 area is too vague. It allows the
13 game wardens on patrol too much to
14 interpret within the law instead of
15 just enforcement of the law. I
16 believe it should be changed to
17 give a certain delineation as to
18 x-number of yards away from the
19 feed site that the stand may be
20 placed.

21 Thank you.

22 CHAIRMAN MOULTRIE: Very good.

23 Thank you, very much.

0037

1 The next speaker will be
2 Claude Aultman from Marion,
3 Alabama.

4 MR. AULTMAN: I'd like to talk
5 about a couple of things. I'm
6 Claude Aultman from Marion,
7 Alabama, Perry County. And I guess
8 I'm on a first name basis with
9 y'all. I guess Corky Pugh, Mr.
10 Stanford, Pegg, Hill, and Andrew, a
11 bunch of'em, they've heard from me
12 about 12 years now of a couple of
13 things, and I was talking about
14 feeding. I'm going to tie these two
15 things together. Nothing wrong with
16 dog running, but you got a truck
17 load of loose dogs, you know, it

18 could cause a bad name for the rest
19 of' em. I know they's some good
20 huntin' dogs running loose, but I
21 started stalk huntin', and I still
22 stalk hunt, but we live in a
23 problem area.

0038

1 We've -- me and my wife went
2 down the road and we looked down
3 the barrel of a gun. It was a deer
4 crossed in front of us. We just
5 didn't get shot.
6 A lady close to us, she called
7 and said, "What's he doing shooting
8 already?" What'd come by her was a
9 dog runner. Didn't kill her. Shot
10 right by her.

11 And then another friend of
12 ours, his house got shot. Shoot
13 with children in the yard. His wife
14 inside, him on the porch,
15 high-powered rifle, shot through
16 the roof. So I kept calling every
17 time something unsafe comes up.

18 One day we was over there and
19 a little kid -- reminds me of this
20 little girl -- was up in a stand,
21 and the dog runners come over
22 there, and just to harass I think.
23 But they hit the ladder with the

0039

1 bullet. And we've had year before
2 last -- see, I call every time
3 something happens like this. And
4 there needs to be something done in
5 this one little area right there.
6 I'd like to see it done like it was
7 done on 183 and 219 where it was
8 outlawed where that was a problem
9 area.

10 And I called and said these
11 people here will eventually kill
12 somebody. They did year before
13 last. And we watched'em turn the
14 dogs loose, and they don't know we
15 sit there and watch'em.

16 See, we go to church on
17 Sunday. We don't hunt on Sunday. So
18 I left a little late going to
19 church one day, and I went over
20 there and they had us lined for 2
21 miles. I talked to'em. I says, "You
22 know, I'm trying to get along with
23 y'all," but they said, "We're just

0040

1 catching our dogs." And I says,
2 "Well, you left your shells here
3 last week." And about that time
4 they come around the curve, some
5 more. They got out. We heard the
6 dogs. They come running with their
7 guns up the main road. I said, "Is
8 that catching your dogs?"

9 I tried my best to -- you
10 know, I don't want to see -- our
11 little club, we got about ten
12 people in it. Most of 'em are
13 preachers and they have kids like
14 this little girl. They don't care
15 nothing about huntin' with
16 children. They love to hunt.
17 And this year we caught 'em out
18 there. One of the guys did. He
19 talked to 'em. He said, "I don't
20 want y'all to kill my little kid.
21 Can't y'all respect us?"
22 And I thought I was going to
23 have to call you again this year

0041

1 because I'd warned you before,
2 called Montgomery. The lady that's
3 up here from Montgomery, she knows
4 me. She knows my name. I only call
5 if it's a unsafe act.
6 I'd like to be able to feed,
7 not hunt over, feed deer on our
8 property that we pay for. Because
9 the reason for that, we quit -- we
10 obey y'all's laws. I called
11 Montgomery and they said it's all
12 right to feed, but then the game
13 wardens come down. We're good
14 friends. And him and somebody else
15 and they says, "No, you can't." I
16 says, "Well, your bossman says you
17 can." I said, "I got him on tape."
18 I told him I was taping him. I got
19 it at the house. I said, "It'd be
20 hard to give me a ticket with your
21 bossman telling me I could." And I
22 says, "I wish y'all could get
23 together on that, you know." I want

0042

1 to keep those deer on the property.
2 I would be willing and other clubs
3 that I know that don't -- that
4 don't hunt over corn. They don't
5 hunt over corn. And we won't be --
6 the hunters this year didn't like
7 it because I said, "There's no
8 feeding." Because the man sit down
9 and showed me in the book, and I
10 says, "That's where the laws is."
11 And I'd like to be able to
12 feed and keep the deer on the club
13 on the land that we paid for. I'd
14 be willing to pay a feeding fee. If
15 it cost \$250 to buy a permit to
16 feed we'd pay it. If it's 500 we'd
17 pay it to be able to keep the deer
18 because we sit out there and it
19 sounds like a dove shoot over there
20 and over there. They be shooting
21 over there and we sitting there and
22 our deer done left. Went over there
23 where the corn was. I would like to

0043

1 be able to do that, and like for
2 y'all to take care of that
3 dangerous area right there.
4 Because this year I thought I
5 was going to have to call you again
6 because the guy said one Saturday
7 the bullets came -- he was
8 standing there talking to the
9 president of the dog runners club
10 there and the dog runner turned
11 around there and went to shooting.
12 They hit the ground, the bullets
13 just covered him up, but he didn't
14 get nobody. Two weeks later he said
15 he was there by himself and he
16 walked out there and he looked and
17 there comes a dog runner, stopped,
18 got out, and he seen him pull up so
19 he hit the ground. He was covered
20 with mud. That's how close the
21 bullet come to him. If he hadn't a
22 went down, I believe it'd a killed
23 him.

0044

1 And one guy that was in our
2 club, he got out because he
3 couldn't handle the pressure
4 because his brother got killed by a
5 dog hunter. And we'd like for y'all
6 to take care of that problem area.
7 Because we don't want to see a kid
8 like this back here get killed.
9 It's done been too close too many
10 times. And we've just been thankful
11 that nobody has got killed.
12 Two weeks ago one of the dog
13 runners come by. He said, "This is
14 my first year in this club here,
15 and I'm looking for some beagles."
16 I said, "I hadn't seen any dogs."
17 He said, "This is my first year in
18 this club and my last." He said,
19 "That's the most dangerous club
20 I've ever seen."
21 There are two clubs so if they
22 want to know about what areas, I'd
23 like to see'em stop -- the two dog

0045

1 huntin' groups that are real
2 dangerous. I'd appreciate if y'all
3 would do something about that.
4 CHAIRMAN MOULTRIE: Thank you
5 very much, Mr. Aultman.
6 The next speaker will be Mr.
7 Howard Burns from Hayden, Alabama.
8 MR. BURNS: Yes. My name is
9 Howard Burns, and I reside in
10 Blount County. Our club now, we're
11 a small hunting club, but at one
12 time we were a dog hunting club.
13 Because of the astringent of the
14 land that we leased and people

15 getting out of the club that had
16 the dogs, we eventually turned to
17 stalk hunting.

18 But I want to say that I
19 believe that it's time for all the
20 hunters in Alabama to stand up for
21 the rights that we've had
22 traditionally. There's no greater
23 sport than hunting behind a dog.

0046

1 Now, you hear people -- I work
2 in the court system. I hear things
3 that are -- that happen to people.
4 There's a lot of bad things that
5 happen to people. Prison is full of
6 bad people who do things. Those
7 folks are criminals. Innocent
8 hunters, a hunter who obeys the law
9 is not one of those people. You
10 have a means of control. If you
11 have problems with somebody,
12 there's a legal system to deal with
13 them. But the person who does what
14 he should who is a legal hunter, he
15 should be able to continue to
16 pursue that sport. I just ask you
17 to be considerate of the legal
18 hunters.

19 The law violators are just
20 that. They're not hunters. Don't
21 group them in that group with us.
22 We know what we hunt. We know what
23 we shoot.

0047

1 I'd like to also address some
2 of the proposals that I heard
3 before the Board in Montgomery. I
4 know from conservation literature
5 that we have 1.7 million deer in
6 the state at this time. One of our
7 greatest resources, the deer herd,
8 belongs to the people of the State
9 of Alabama. Not just special
10 interests who want to profit from
11 points on a buck's rack for a paid
12 hunt. Why should anyone be able to
13 define a trophy deer for all
14 citizens of the State of Alabama.

15 More restrictions will reduce
16 the number of Alabama hunters.
17 They've used studies in these
18 proposals and looked at the states
19 of Georgia, Mississippi, and Texas
20 as models. Why do they come here?
21 Studies are conducted on areas like
22 Barbour Management area where
23 there's a lot and bigger deer than

0048

1 we have. If they want to look at
2 studies and what needs to be done,
3 let them go look at Oak Mountain.
4 Let the sharpshooters tell'em about
5 their point restrictions when they

6 cull those deer that have
7 overgrazed.

8 In their proposal they did
9 (inaudible) offered the youth a one
10 day hunt. Instead of two and a half
11 months all the young hunters in
12 Alabama can look forward to
13 harvesting a deer on the same day.
14 Good luck to them.

15 Also in their proposals they
16 said hunters may be allowed one or
17 two mistake deer. A buck which they
18 mistake for a doe. After that,
19 watch out for the fines and
20 becoming a game law violator. This
21 is part of the education process
22 for Alabama hunters. If you don't
23 learn fast, you may be a criminal

0049

1 before you know it. You need to
2 check that deer from top to bottom
3 if you plan to harvest a doe.

4 And I believe point
5 restrictions is just a cover-up for
6 a commercial high-dollar industry
7 taking over a resource in order to
8 manage it for profit.

9 And thank you for listening to
10 me.

11
12 (Appl ause.)

13
14 CHAIRMAN MOULTRIE: Thank you,
15 Mr. Burns.

16 The next speaker will be Allen
17 Hawkins from Bremen, Alabama.

18 MR. HAWKINS: I'm Allen Hawkins
19 from Cullman County, and I would
20 like to express my opinion on
21 baiting, number of points, number
22 of deer to be taken, and feeder
23 restrictions. We have one of the

0050

1 most liberal hunting seasons with
2 one of the largest and healthiest
3 deer herds in the south. Other than
4 having to adjust the number of deer
5 to be taken each year, our laws and
6 restrictions seems to work. Why fix
7 something that's not broke?

8 But we are having a reduction
9 in license sales and youngsters
10 involved in the outdoors in the
11 past few years. We say we need to
12 find ways to turn this around. In
13 these same few years, we have
14 allowed out-of-state hunters to
15 come in and drive up hunting leases
16 without limiting or restricting
17 them.

18 We are also allowing our state
19 to be fenced in by a few greedy and
20 selfish people with nothing more

21 than making a profit off the game
22 that belongs to everyone in this
23 state that buys a state hunting

0051

1 license.

2 We are -- if we are going to
3 make any changes anywhere, it looks
4 like these are some areas we should
5 take a long hard look at regardless
6 of the political power they may
7 buy.

8 And there's one other area I'd
9 like to talk about and that's the
10 baiting. The gentleman was talking
11 about how dangerous the dog hunting
12 was, but there's one area in this
13 baiting we are going -- we're
14 going to have statewide and that's
15 people shooting over other people's
16 feeders. You're talking about a war
17 game going on, it's fixing to start
18 a war game. And I would hate to see
19 that happen to the State of
20 Al abama.

21 Thank you.

22

(Appl ause.)

23
0052

1

2 CHAIRMAN MOULTRIE: Thank you,
3 Mr. Hawki ns.

4 The next speaker will be Mr.
5 Warren Johnson from Tuscumbia,
6 Al abama.

7 MR. JOHNSON: Good morni ng. I
8 appreciate the opportunity --
9 excuse me. My name is Warren
10 Johnson. I live in Tuscumbia,
11 Al abama, Col bert County. I'm here
12 representing my good friend Dr.
13 Mark McIlwain who had to be out of
14 town this weekend. He's sorry he
15 could not be here. But I believe
16 Dr. McIlwain has written you guys
17 in regard to some suggestions he
18 had speci fically in regard to
19 Col bert County and deer season. And
20 just to run through this quickly,
21 he -- his idea is that we start on
22 November the 19th through December
23 14th for a period of 15 days, and

0053

1 then we would be out for 9 days.
2 Restart December 14th through
3 January 8th which would be a total
4 of 26 days at which time the dog
5 hunting would be permi tted. We'd be
6 out again seven days and then
7 restart on January the 16th through
8 February the 12th for a total of 28
9 days.

10 He also suggest that there be
11 hunters charged, ei ther sex, with a

12 minimum of three points on one side
13 except for a youth hunter's first
14 deer, and he would propose this for
15 the deer season in Colbert County.

16 One of his real passions, as a
17 number of people have said here
18 this morning, is the number of
19 children involved in deer hunting,
20 and he certainly favors this. And
21 he would like to see on the
22 Saturday before deer season starts
23 a private paid hunt to raise money

0054

1 for scholarships in Colbert County.
2 And he has figured that he can
3 charge \$250, and this would be -- I
4 failed to say this, this program is
5 supported by the West Colbert
6 Landowners Association which is a
7 number of landowners who are
8 hunters that represent about 2000
9 plus acres in our county. But the
10 idea would be that this would be a
11 paid hunt and it would raise
12 approximately \$10,000. And then he
13 would like to see that money turned
14 into scholarships. And to be
15 eligible for a scholarship you have
16 to have a "B" or better average and
17 also hold an Alabama hunting
18 license. And he feels like that
19 this would promote the deer
20 hunting.

21 And I appreciate the
22 opportunity of telling you about
23 this, and I appreciate your

0055

1 consideration of it. Thank you.

2 CHAIRMAN MOULTRIE: Thank you
3 very much.

4 The next speaker will be Rick
5 Moss from Athens, Alabama.

6 MR. MOSS: I'm Ricky Moss from
7 Athens, Limestone County. And we've
8 been hearing a lot of rumors at the
9 place where I work about extending
10 deer season on into February which
11 was mentioned by the last speaker
12 also. You know, our deer are hunted
13 to death as it is. And I really
14 can't see that extending the season
15 to February would give us any
16 larger harvest.

17 The big problem I see with our
18 ruts going on into February and
19 even March is because we as hunters
20 are not doing our job to, you know,
21 harvest the number of does that we
22 need. It's hard to do when you're
23 raised to not shoot a doe starting

0056

1 out, you know, in the '70s. So it's
2 a change we've all had to face. I

3 still have a hard time with it, but
4 what I do to help out is carry some
5 of our Hunter Ed Groups and let the
6 kids harvest the does. They enjoy
7 it and, you know, it's something
8 that really don't thrill me but it
9 does them. But, you know, I just
10 can't see any biological reason for
11 thinning the season. It's just --
12 as some of the people have said, it
13 seems to be to line the pockets of
14 the lodges, and the -- you know,
15 the big landowners to get
16 out-of-state people to come in.

17 Thank you.
18 CHAIRMAN MOULTRIE: Thank you
19 very much.

20 The next speaker will be Mr.
21 Larry Plott from Russellville,
22 Alabama.

23 MR. PLOTT: Good morning. I

0057

1 represent the Franklin County
2 Sheriff's office. And I'm not here
3 to offer a suggestion, but I'm
4 asking you to help with a solution.
5 For a number of years we've had
6 problems and I don't want to put it
7 in categories, but it came down to
8 the point where we had to ask the
9 Advisory Board members and others
10 to close a certain area of the
11 county for dog hunters. It took
12 years to come to that conclusion,
13 but in doing so the rest of the
14 county has been closed also.

15 We get a lot of calls that
16 conservation officers have, and my
17 point here is to ask the Advisory
18 Board if they're going to have an
19 avenue for these hunting clubs and
20 landowners to get together and to
21 have an agreement of some sort, for
22 lack of a better word, three
23 strikes and you're out for the dog

0058

1 hunters. We need -- in law
2 enforcement we need a good
3 clarification of this at some time
4 in point and hopefully before next
5 year's laws.

6 In times it could be critical,
7 and I've heard other people, and
8 I've heard the pros and cons. I'm
9 here to enforce the law. We have an
10 open-door policy. We hear from both
11 sides, and my phone number is
12 listed in the phone directory. We
13 try to be accessible to the public,
14 but this is something that's
15 probably not going to go away.

16 And for the young people to
17 enjoy our natural resources,

18 there's some people that likes to
19 hunt both ways. I'm not supporting
20 either one per se, but I think
21 what's fair in one area of the
22 state, it needs to be from north
23 and south to east and west. We

0059

1 would ask you for a clear
2 clarification of that if in fact
3 that is happening.
4 And thinking outside the box,
5 the person from the Bass
6 Association, that's a great sport
7 for the kids as well as adults. I
8 agree with that wholeheartedly,
9 that stocking the lakes we have
10 here as a natural resource.
11 Everybody needs the tax revenues
12 coming into their county.
13 But going back to the hunting
14 thing one more time, we need a
15 clarification. We need some help
16 with this issue in Franklin County.
17 And I know there's others that
18 wants it too.
19 And these people that violate
20 the laws are violators. Like the
21 gentleman said, we're talking about
22 the people that wants to hunt
23 honestly and abide by the state

0060

1 laws. We need your help.
2 Thank you.
3 MR. HARBIN: Mr. Chairman,
4 could I say something please --
5 CHAIRMAN MOULTRIE: Yes. Go
6 ahead.
7 MR. HARBIN: -- on this
8 clarification.
9 Mr. Plott, the biggest thing
10 is is the landowners and the dog
11 owners to work out their own
12 agreement, work out their permit
13 system and bring it up here. I
14 personally don't want to have to
15 make them and say you can't or you
16 can. But there hasn't been any
17 talks between the two parties.
18 That's the biggest problem.
19 MR. PLOTT: So it's left
20 actually up to the hunting clubs
21 that use dogs --
22 MR. HARBIN: The dog hunters --
23 MR. PLOTT: -- (i naudi bl e.)

0061

1 MR. HARBIN: -- and landowners
2 to work out their own agreement.
3 MR. PLOTT: So there's no
4 limitation on acreage?
5 MR. HARBIN: That's up to the
6 property owners and the -- we'd
7 like to see if that's the only way
8 it can be done. But as far as the

9 agreement, it should be worked out
10 between the dog hunter and the
11 property owner.

12 MR. PLOTT: I will not disagree
13 with what you're saying.

14 MR. HARBIN: That's the first
15 step.

16 CHAIRMAN MOULTRIE: Any other
17 questions from the Board for Mr.
18 Plott?

19 Thank you very much.

20 Mr. Willis.

21 MR. WILLIS: During the last
22 two years have any the dog hunting
23 clubs in Franklin County, have they

0062

1 come to you asking you how to get a
2 dog permit to run their dogs, or do
3 they come to you with the
4 landowner's signature and so forth
5 and so on?

6 MR. PLOTT: They have come to
7 me to ask the question, "How do
8 they do this?"

9 MR. WILLIS: Okay.

10 CHAIRMAN MOULTRIE: Any other
11 questions? Mr. Harbin.

12 MR. HARBIN: I think all that's
13 been brought out before, though,
14 hasn't it? -- the requirements to
15 get a permit?

16 CHAIRMAN MOULTRIE: What's your
17 question, Mr. Harbin?

18 MR. HARBIN: I say I don't
19 understand what Mr. Willis is
20 saying down there. If they've been
21 to Mr. Plott, why haven't they been
22 before the Board asking this?

23 CHAIRMAN MOULTRIE: Mr. Willis.

0063

1 MR. WILLIS: Let me clarify. I
2 do know that they've been before
3 the Board with these requests and
4 I've been mailed some. I have some
5 in my case back there that they've
6 been -- some has been presented to
7 the Board, etc., etc., and these
8 people -- frankly, they've been
9 ignored. I mean if you got as many
10 phone calls as I did, you would
11 understand.

12 MR. HARBIN: That's my point,
13 Mr. Willis. I haven't received any
14 letters or phone calls concerning
15 meeting.

16 MR. WILLIS: Well, we don't
17 want to get into a dispute between
18 me and you.

19 MR. HARBIN: No.

20 MR. WILLIS: But I do know that
21 there's some members in this house
22 that has tried to call you and ask
23 you for a meeting in order to get

0064

1 this permit or tell them what needs
2 to be done. And I have personally
3 carried some requests to the
4 commissioner and the chairman. And
5 it is left up to you because you
6 represent these people in this
7 district to get them -- to see to
8 it to get rid of the outlaws if
9 that's what you want to call these
10 people.

11 MR. HARBIN: I'm not calling
12 them anything.

13 MR. WILLIS: I'm talking about
14 the public, if that's what they
15 want to call them. I mean they've
16 been called outlaws here today.

17 CHAIRMAN MOULTRIE: Let's not
18 --

19 MR. WILLIS: But anyway, the
20 end of what I'm trying to say is,
21 they need to know some kind of
22 remedy that they -- that this sport
23 can set up some kind of committee

0065

1 to meet with these people. And I
2 will assure you they will meet you
3 anywhere in the State of Alabama
4 and might even go over into
5 Mississippi and talk to you about
6 it.

7 CHAIRMAN MOULTRIE: We have set
8 up some special committees that
9 have met, but what --

10 MS. NUMMY: Quiet please.

11 CHAIRMAN MOULTRIE: -- I think
12 would be good is following the
13 meeting is if there's some
14 disagreement between Mr. Harbin and
15 Mr. Willis, I think it'd be well
16 that y'all get together and let's
17 work this out and maybe get Mr.
18 Plott involved as he has been
19 before.

20 But, Mr. Plott, we thank you
21 for your input.

22 MR. WILLIS: I'll be very glad
23 to.

0066

1 MR. PLOTT: As long as I'm not
2 a referee. Thank you very much.
3 (Applause.)
4

5 CHAIRMAN MOULTRIE: We're
6 starting the Dog Deer section even
7 though we've had a little bit
8 before and each time we rotate
9 through this. Is that correct,
10 Robin?

11 MS. NUMMY: Yes.

12 CHAIRMAN MOULTRIE: The last
13 time the against went last and now
14 they're going first and vice versa.

15 Each meeting we'll change that so
16 there's no upper hand someone will
17 have.

18 The first in the Dog Deer
19 Against will be Sybil Deschaines
20 from Huntsville, Alabama.

21 Had you rather have this hand
22 mike?

23 MS. DESCHAINES: I always have
0067

1 trouble with this mike.

2 MS. NUMMY: There's one beside
3 you, Sybil.

4 MS. DESCHAINES: And I have
5 convinced myself already I'm not
6 going to be able to get through
7 this this morning because I'm
8 nostalgic. I'm appreciating my
9 father and what he did and
10 sacrifices he made for us.

11 CHAIRMAN MOULTRIE: Can you
12 raise the level of that mike some
13 please? Okay. Go ahead, Ms.
14 Deschaines. It's on now.

15 MS. DESCHAINES: He bought 160
16 acres in 1939, and he and my mother
17 worked very, very hard to be able
18 to pay for this land and leave it
19 to my sister and me. And you all
20 heard me say I came before this
21 Board in 1996 to get a restriction
22 against deer hunting with dogs in a
23 portion of Elmore County which I

0068
1 was granted, and it's made the
2 biggest difference in the world in
3 our being able to enjoy our land
4 that we paid for, we maintain; it
5 is our land and our rights to use
6 it.

7 This is the problem.

8

9 (Pause.)

10
11 MS. DESCHAINES: And, Mr.
12 Lawley, I'm directing part of my --
13 this to you for the appreciation
14 that we as landowners have for you
15 and the consideration that you and
16 the Board have given us as
17 landowners and our rights to use
18 our land. And this was written by a
19 father who took his daughter to an
20 airport knowing it would be the
21 last time she would come to see
22 him.

23 I can't do this.

0069

1 I've made copies of this for
2 you and, I'll give it to you.

3 CHAIRMAN MOULTRIE: You're
4 doing fine, Ms. Deschaines.

5 MS. DESCHAINES: But he is --

6 the father wishes his daughter --
7 and those of you who have daughters
8 will appreciate this.

9 He wished her a lifetime of
10 good things to sustain her, enough
11 sunshine to keep her attitude
12 bright, enough rain to appreciate
13 the sunshine more, enough happiness
14 to keep her spirit alive, enough
15 pain so the smallest joys in her
16 life may appear bigger, enough pain
17 to satisfy her wanting, enough loss
18 to appreciate all that she possess,
19 enough hellos to get her through
20 her good-byes.

21 I can't handle it.

22 It takes a minute to find a
23 special person, an hour to

0070
1 appreciate them, and a lifetime to
2 forget them.

3 I wish these landowners the
4 strength and the perseverance to
5 stand for what they know is right
6 and work for what they are
7 committed to protect.

8 I've attended these meetings,
9 and I've watched the faces of some
10 of the landowners that have come
11 before this Board, men pleading and
12 all but in tears, please help us.
13 I've watched Mr. Baker and the
14 pride in his face for Ms. Baker and
15 what she's done for Franklin County
16 and northwest Alabama, for her
17 county, her friends, her neighbors,
18 her children.

19 I watched the Jeffreys come
20 before this Board four years and
21 ask for some help. Mr. Jeffreys'
22 life even being threatened, and I
23 watched him come before this mike

0071
1 to speak for what he has now been
2 granted, and please let it
3 continue.

4 I've watched others that have
5 come from other parts of the state
6 that have asked and asked and asked
7 for some help, and we have some
8 others that are continuing around
9 the state to work for their right
10 to that land, and all we want is
11 our rights to use our land as we
12 choose, our laws of our state to be
13 obeyed and enforced. That's not
14 asking too much.

15 Thank you.

16 CHAIRMAN MOULTRIE: Thank you
17 very much.

18
19 (Applause.)

20

21 CHAIRMAN MOULTRIE: The next
22 speaker will be Wendell Harmon from
23 Lafayette, Alabama.

0072

1 MR. HARMON: My name is Wendell
2 Harmon, and I'm from Chambers
3 County. And I'm again here today --

4 CHAIRMAN MOULTRIE: Raise that
5 mike up just a little bit.

6 MR. HARMON: Can y'all hear me
7 now?

8 I'm again here today to ask
9 you to help me with my problem with
10 people running deer with their dogs
11 on my property. I'm from Chambers
12 County, and we operate under a
13 permit system. Have since 1984 or
14 '85.

15 There are primarily two
16 hunting clubs in my area that I'm
17 having trouble with, myself and my
18 neighbors. Personally I've been
19 fighting this battle for ten long
20 years. But I wasn't the first one
21 that had this problem. I'd like to
22 read from the minutes of the 1996
23 meeting of this Board.

0073

1 And it was quoted by Chief
2 Hobby "In Coosa and Chambers
3 Counties we still have our
4 complaints about illegal dog and
5 deer hunting even though we have a
6 permit system." This was ten years
7 after the fact. He went on to say,
8 "The first board meeting I ever
9 came to in 1974 the main topic was
10 Dog Deer Hunting." He went on to
11 say, "I don't have solutions."
12 Evidently nobody for the last 30
13 years has had solutions. I'm not
14 smart enough to have them, but for
15 30 years this has been debated. The
16 problem still exist.

17 This past fall with regard to
18 my problem I was told, "Well, we're
19 going to give you a little
20 ammunition. We've got something in
21 the works; it's going to really
22 help."

23 I'd like to read from

0074

1 something that's Entitled "Dog Deer
2 Hunting Permit Plan for Chambers,
3 Coosa, and Covington Counties." And
4 this basically outlines how you get
5 a permit. The seventh point on it
6 says, "It shall be a violation of
7 the conditions of this permit for
8 any person hunting under this
9 permit to permit dogs to trail or
10 pursue game onto lands not covered
11 by this permit. Upon complaint by

12 the landowner, a conservation
13 officer shall document verify --
14 and verify the complaint to the
15 extent possible. The unauthorized
16 presence of dogs on lands of
17 another is sufficient evidence of a
18 violation without the necessity of
19 proving specific intent. Violations
20 of any of the above conditions by
21 any person hunting under this
22 permit shall --" not may, not
23 hopefully, not maybe some day --

0075

1 "shall subject the permit to
2 suspension, probation, revocation,
3 and further restrictions." So it
4 would seem that there is something
5 in place to take care of that.

6 Well, I happen to have a
7 document that came from the
8 District 4 office and it said that
9 there was 17 permits issued in
10 Chambers County last year to hunt
11 deer with dogs. I would like to
12 know how many permits were revoked,
13 suspended or placed on probation.

14 Is there anybody that can
15 answer that?

16 CHAIRMAN MOULTRIE: Mr. Address
17 has the --

18 MR. HARMON: I can answer it
19 for him. It says right here "17
20 issued."

21 CHAIRMAN MOULTRIE: Mr. Harmon,
22 let Mr. Address have the
23 opportunity to answer your

0076

1 question, please, sir.

2 MR. ANDRESS: Yeah, there were
3 -- yeah, I think Mr. Harmon's
4 clubs he was referring to, I think
5 some of the problems with some of
6 those, I think, clubs have been
7 addressed with them.

8 CHAIRMAN MOULTRIE: What is it
9 -- just so we can get it on --
10 what is the name of the clubs you
11 have a problem with?

12 MR. HARMON: One of them I
13 don't know their name, but it's
14 just two individuals and one of the
15 individual's son. They used to
16 belong to the Union Hill Hunting
17 Club, and they no longer belong
18 there. I didn't know until last
19 year this is the first year they've
20 had a permit in the last four or
21 five years. They've just been
22 hunting without a permit.

23 CHAIRMAN MOULTRIE: And what's

0077

1 the other one? That's both of
2 them?

3 MR. HARMON: That's both of
4 them. I don't know the name of one
5 of the groups.

6 CHAIRMAN MOULTRIE: Mr. Andress
7 would --

8 MR. ANDRESS: Yeah. We've got
9 and y'all've got a report, I think,
10 in your packages that showed some
11 of the -- the summary of the Dog
12 Deer Hunting Plan for this past
13 hunting season, and you'll see on
14 there it indicates some action
15 taken on some clubs in several
16 counties and some of those are in
17 Chambers County. And I think some
18 of those may be the clubs to which
19 Mr. Harmon refers. And if he has
20 any questions about, you know, any
21 particular club and what action was
22 taken we'll be glad to go over that
23 with you. You know, if you'll meet

0078

1 with us, we'll be glad to share the
2 information with you.

3 MR. HARMON: Yes, sir. This
4 right here came out of the Division
5 of Wildlife and Freshwater
6 Fisheries and it's signed by
7 Captain Tony Bate Batemon and it
8 has down here number of citations
9 in Chambers County and there's a
10 zero. Well, I want to know -- the
11 number of complaints is left blank.
12 There is no record of complaints
13 evidently.

14 Is there a record of the
15 complaints in Chambers County?

16 MR. ANDRESS: The -- I have a
17 report, I think, on the complaints.
18 As far as how specific it is, I
19 cannot -- I do not have it in front
20 of me right now. I'll be glad to,
21 you know, get that for you.

22 CHAIRMAN MOULTRIE: Get that
23 together.

0079

1 MR. ANDRESS: Yeah. I'll be
2 glad to get that for him --

3 CHAIRMAN MOULTRIE: Appreciate
4 that, Mr. Andress.

5 MR. ANDRESS: -- and answer any
6 particular problems specific to his
7 area. Be glad to do that.

8 CHAIRMAN MOULTRIE: That will
9 be great.

10 MR. ANDRESS: And if you'll
11 meet with me after the meeting,
12 I'll be glad to do that.

13 MR. HARMON: I'll be glad to.

14 I only have one other thing to
15 say, and I was under the impression
16 that there were no complaints
17 recorded and perhaps there are. But

18 it has listed down here that there
19 was zero citations in Chamber
20 County with regards to dog hunting;
21 is that correct?

22 MR. ANDRESS: No. I believe we
23 do have some.

0080

1 CHAIRMAN MOULTRIE: You've sort
2 of got Mr. Andress at a
3 disadvantage. Let him --

4 MR. HARMON: I understand that.

5 CHAIRMAN MOULTRIE: Let him --

6 MR. HARMON: I want to say --

7 CHAIRMAN MOULTRIE: -- prepare
8 that.

9 MR. HARMON: I want to say this
10 as a last point and I will
11 relinquish the mike. I was told to
12 catch dogs and we will do

13 something. So I did so. I caught
14 the dogs, had the game warden --

15 CHAIRMAN MOULTRIE: Who told
16 you to catch the dog?

17 MR. HARMON: I called our local
18 game warden two weeks before
19 hunting season came in because they
20 were hunting on my property then. I
21 caught the dogs, had him come over
22 there, he takes the dog and leaves
23 with it. I give him directions to

0081

1 the gentleman's house. I don't know
2 what he told him. I have no idea
3 what he told him. But he told me,
4 he said, "I can't write him a
5 ticket right now because it's not
6 hunting season. But just as hunting
7 season comes in, you do this again
8 and we'll do something about it."

9 Well, as I've told you several
10 times before, it's pretty hard to
11 catch one, and I'm not real --
12 can't run real fast on top of that.
13 But I did manage to catch one, and
14 he came and wrote the documentation
15 down off the collar and we'll take
16 care of it. And then I get a report
17 that says zero citations. So I mean
18 all I want to know is if that's
19 what I need to do? What do I need
20 to do?

21 CHAIRMAN MOULTRIE: I feel
22 certain Mr. Andress if you'll get
23 with him after the meeting, he'll

0082

1 have that for you. Is that the way
2 you're going to do it?

3 MR. ANDRESS: Yeah. And one
4 thing I might add to avoid
5 confusion between an actual
6 citation and a violation of the
7 permit itself, the two are not
8 necessarily the same. A violation

9 of the permit itself is not
10 necessarily a legal violation of
11 the law, and I don't think that's
12 what he's referring to.

13 As far as actual criminal
14 cases made, there were very few.
15 However, the violations of the
16 Permit Plan itself were documented
17 and were evaluated and taken into
18 consideration and actions were
19 taken on particular clubs. So it's
20 not necessarily -- doesn't
21 necessarily have to be a criminal
22 case made against those people to
23 actually be taken into account. It

0083

1 would not continue their permit or
2 restrict it.

3 MR. HARMON: Do I not
4 understand that the unauthorized
5 presence of dogs on land of others
6 is sufficient evidence for a
7 violation? And if I have a dog in
8 my hand is that not evidence that
9 he was on my property?

10 MR. ANDRESS: Yeah, that is a
11 violation of the Permit Plan, but
12 there's a difference between
13 violation of the law and the plan
14 itself. The two are somewhat
15 different. But I'll go over the
16 details of that if you would like
17 to meet with me after the meeting
18 to go through all that with you.

19 MR. HARMON: Okay. Thank you.

20 COMMISSIONER MOULTRIE: Do you
21 have a question, Mr. Lynch?

22 MR. LYNCH: Yes, sir. That's in
23 my district so if y'all get

0084

1 together after the meeting I'd like
2 to sit in on it too.

3 MR. ANDRESS: Yes, sir.

4 COMMISSIONER MOULTRIE: Thank
5 you, Mr. Harmon.

6 The next speaker will be Paul
7 Jeffreys from Lamar County.

8 MR. JEFFREYS: Trying to let
9 him return to his seat, that's why
10 I sit back down. Pardon my throat.
11 I'm trying to take a cold. My name
12 is Paul Jeffreys, and I'm from
13 Lamar County. Two years ago we were
14 granted a ban on dog deer hunting
15 in Lamar County. And I would like
16 to express the utmost appreciation
17 for that. It has really improved
18 our situation.

19 However -- and a big however
20 -- in the three counties as a
21 group, the Franklin, Marion, and
22 Lamar County group there were 69
23 complaints in Franklin County, 21

0085

1 in Lamar, 10 complaints in Marion
2 County. Of these they sum up to be
3 a hundred complaints against all
4 the deer hunting clubs in counties
5 where it is illegal to even run
6 deer with dogs. Of these complaints
7 there were two arrests made. Point
8 being is, if these clubs are
9 granted a permit system, we return
10 to where we started at before.
11 Because it does not matter if you
12 give'em a permit or not. They're
13 going to do it anyway.

14 It has gotten better. I was
15 able to take my son hunting this
16 year for the first time this past
17 deer season without having to worry
18 about a confrontation with a dog
19 hunter.

20 It has also come to my
21 knowledge that there was a meeting
22 -- supposed meeting in Lamar
23 County between dog deer hunting

0086

1 groups and landowner still hunting
2 groups. If this was a public
3 meeting, I was unaware of it
4 because this is the first I have
5 heard of it. And I and my family
6 are landowners in Lamar County. So
7 we were not made aware of it. It is
8 apparent that this was a meeting
9 between just a select few people to
10 come to an agreement on a permit
11 system that I have not seen or even
12 heard of.

13 In addition to this, it stated
14 that the landowners have agreed to
15 do a permit system. Likewise, being
16 a landowner I do not agree to any
17 permit system or heard of any
18 permit system willing to be adopted
19 in Lamar County.

20 At the March meeting when I
21 came to you to thank you for the
22 land that was given to Lamar
23 County, I waited to see how many

0087

1 dog hunters -- dog deer hunters
2 came before the Board from these
3 three counties to ask the Board
4 publicly for a permit system or
5 state the agreement talked about --
6 discuss the agreement that they had
7 reached with the -- the supposed
8 agreement that they had reached
9 with the landowners. There was no
10 dog hunters from Lamar or Marion,
11 Franklin County come before this
12 Board in the March meeting to ask
13 for a permit system. The only dog
14 hunter that came -- dog deer

15 hunter representative that stood
16 before the Board to ask for a
17 permit system in Lamar County does
18 not even reside in Lamar County and
19 is not even in close proximity of
20 Lamar County and is not even in an
21 adjacent county.

22 The point being is, if the
23 permit system is desired by the dog

0088

1 hunters in these counties, they
2 have not shown that it has been by
3 coming publicly before the Board
4 and asking for the permit system.

5 Also, they have not contacted
6 any landowners that have had
7 problems because I have not heard
8 of any landowners contacting me
9 asking about a permit system. So
10 this is an agreement that was
11 reached by a biased party for the
12 dog deer hunters.

13 Again, I would like to thank
14 you, each and every one of you for
15 the ban on dog deer hunting in
16 Lamar County and Marion County and
17 Franklin County. But as far as
18 Lamar County goes, it has made
19 things a lot, lot better.

20 Thank y' all.

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

23 MR. WILLIS: I got one questi on

0089

1 here.

2 CHAIRMAN MOULTRIE: All right.

3 Mr. Willis you go first, please,
4 sir.

5 MR. HARBIN: I was just going
6 to tell him I hope you had --

7 CHAIRMAN MOULTRIE: Mr. Harbin

8 --

9 MR. HARBIN: Oh, I'm sorry.

10 CHAIRMAN MOULTRIE: Mr. Willis,
11 go first please.

12 MR. WILLIS: Geographi cally
13 what part of the county do you live
14 in in Lamar County?

15 MR. JEFFREYS: I live in the
16 northwest corner.

17 MR. WILLIS: Okay. Well, let me
18 ask you just a point-blank
19 questi on: Would you have any
20 complai nt of somebody who was in
21 the central part of the county
22 having a dog deer hunting permi t
23 that would be miles from you? And

0090

1 if so, why would you have any
2 complai nt?

3 MR. JEFFREYS: I would have a
4 complai nt -- sole complai nt against
5 that because of the landowners that

6 surround this hunting club. Not
7 that it would affect me and my
8 hunting, but as I have stood up
9 here before the Board, I did not
10 ask for a ban just for my personal
11 self. I asked for a ban for the
12 entire county of Lamar County
13 because there were landowners and
14 citizens county wide that were
15 suffering from abuse and harassment
16 from dog hunters.

17 CHAIRMAN MOULTRIE: Any other
18 questions, Mr. Willis?

19 Mr. Harbin.

20 MR. HARBIN: I was just going
21 to let Mr. Jeffreys know that I was
22 handed a copy of that just before
23 the meeting, and I haven't had time

0091

1 to go over it or anybody else has
2 either.

3 MR. JEFFREYS: With any
4 consideration of the permit system,
5 like I said, I have not heard one
6 word or have I heard from any other
7 landowners that have been contacted
8 about it.

9 CHAIRMAN MOULTRIE: Thank you,
10 Mr. Jeffreys.

11 The next speaker will be Ms.
12 Mary Meyers from Coffee County.

13 MS. NUMMY: Quiet please.

14 MS. MEYERS: I am Mary Meyers
15 from Coffee County. Mr. Commission,
16 Mr. Chairman, and Members of the
17 Board, I'd like to thank you for
18 the opportunity to speak to you
19 again this morning. You may recall
20 that I spoke at the February
21 meeting for the restriction of dog
22 hunting in Coffee County. I am here
23 today to present a petition signed

0092

1 by over 500 people who either live
2 in Coffee County or own land in
3 this area who oppose dog hunting on
4 their property. I pray that this
5 won't take 30 years to resolve.
6 I'll be far too old to climb my
7 tree stand. Commissioner Lawley,
8 Commissioner Moultrie, and Louis
9 Coles have copies of this petition.
10 I'll answer any questions if you
11 have any.

12 Thank you.

13 CHAIRMAN MOULTRIE: Any
14 questions? Mr. Coles, any comment
15 on that?

16 Very good. Thank you, Ms.
17 Meyers.

18 The next speaker will be will
19 Gwen Thompson from Skipperville,
20 Alabama. There's another microphone

21 right there if y'all would like --
22 MS. THOMPSON: This will
23 probably work.

0093

1 COMMISSIONER MOULTRIE: Okay.
2 MS. THOMPSON: I'm Gwen
3 Thompson and with me is Margie
4 Morrison and Faye Thompson. We're
5 from Dale County, Alabama. We are
6 here to speak on dog deer hunting.
7 We attended the board meeting in
8 Montgomery on February the 12th to
9 ask for help with dog deer hunting
10 problems in Dale County. We are
11 here again today to plead with you
12 to ban dog deer hunting in Dale
13 County. And we thank you for
14 allowing us to speak and any help
15 that you can give us.

16 Thank you.
17 CHAIRMAN MOULTRIE: Thank you
18 very much.

19

20 (Appl ause.)

21

22 CHAIRMAN MOULTRIE: Okay. Now,
23 we'll go to the For Dog Deer

0094

1 Hunting speakers. The first speaker
2 will be James Bingham from
3 Russellville, Alabama.

4 MS. NUMMY: Quite please.
5 CHAIRMAN MOULTRIE: Mr. Bingham
6 is speaking on concerns in Calhoun
7 County; is that correct?

8 MR. BINGHAM: Yes, sir.
9 CHAIRMAN MOULTRIE: Okay. Go
10 ahead.

11 MR. BINGHAM: Mr. Chairman,
12 Members of the Conservative --
13 Conservation Advisory Board, Madam
14 Secretary, Game & Wildlife, I want
15 to welcome you to north Alabama.
16 We're glad to have you up here.
17 I've made several trips over the
18 years to south Alabama to
19 Montgomery and Gulf Shores, so it's
20 -- we're glad to have you up here.
21 Fellow hunters from all over the
22 state, guests we're glad to have
23 you in north Alabama. We welcome

0095

1 you back to this area. We're
2 building a new Robert Trent golf
3 course up here too. A lot of you
4 may play golf. Got one of'em open
5 and going to open the other one in
6 September. So we welcome you to
7 come back. We got many tourist
8 attractions here.

9 I've come before you -- I'm a
10 member of Water Fall Valley Hunting
11 Club, a charter member, organized

12 in 1962 in Colbert County. Also,
13 I'm a member of the Colbert County
14 Commission in District 5. I'm going
15 into my -- starting my fourth
16 term. I've served 12 years now.
17 I would like to ask you to let
18 us keep dog hunting in Colbert
19 County. We've had no complaints to
20 come before the County Commission
21 in any way that's been opposite or
22 opposed to dog hunting. So we'd
23 like to keep that if we could.

0096

1 Also, you know, I don't get to
2 hunt as much as I used to. I got in
3 politics. I still get to go a
4 little. I've got one little beagle
5 dog, and I enjoy dogs. I've had
6 dogs ever since I was a kid back
7 when we's growing up. My father
8 coon hunted and we had dogs
9 everywhere so now I don't have but
10 one little beagle.

11 But I just want to tell you of
12 one occasion. We've got a young man
13 -- boy, 17 year old, that's got a
14 spinal disorder that's been in a
15 wheelchair all of his life. On one
16 occasion this year I came down and
17 his dad had got him out of the van,
18 we were are going to make a little
19 dog drive. Well, I decided I'd just
20 pull up past'em a little bit and go
21 around this hill up here and see if
22 I could run a little deer over this
23 young man and I did. I run a little

0097

1 deer over him and he killed it. And
2 then that afternoon I run another
3 deer over a young man with a dog
4 and he killed it. That was his
5 first deer. He's about 22 year old.
6 But that's the best -- that's the
7 best day of my life deer hunting.
8 It's not about getting out there
9 and always killing a big buck or
10 something. But you have kids out
11 there enjoying it.

12 This young man, he lives over
13 in Lawrence County, but he's a
14 member of our club. He sent word
15 he'd appreciate it if y'all would
16 keep dog hunting in Colbert County.
17 He can't get out here and walk like
18 some of us can. Which I can't walk
19 too well no more, but that's the
20 reason I got one beagle. But I ask
21 you to please let us keep dogs in
22 this county. And we haven't had any
23 problem come before the commi ssi on.

0098

1 And I thank you for your time. And
2 I thank you again for coming to

3 north Al abama.

4
5 (Appl ause.)

6
7 CHAIRMAN MOULTRIE: Mr.
8 Bingham, thank you very much. We're
9 happy to be here in north Al abama.

10 Now speaking will be Mr. Jeff
11 Burleson from Houston, Al abama.

12 MR. BURLESON: Good morni ng. My
13 name is Jeff Burleson from Houston,
14 Al abama, and I do appreciate the
15 opportunity to talk on behalf of
16 dog hunting. And of course some
17 people picture us as all a bunch of
18 dumb ignorant hunters that use dogs
19 who don't know how to read signs.
20 And I apologize to our game wardens
21 which we got some good' ens. Mr.
22 Lawley, I appreciate you taking
23 time to get in touch with me about

0099

1 it. And I also apologize to our
2 landowners that have had problems
3 with dog hunters because dog
4 hunting itself is a very good
5 sport, but when you take advantage
6 of that sport and you put dogs
7 where they're not supposed to go,
8 then you have these problems that
9 all you guys have a job for now is
10 to keep a lot of us dog hunters out
11 of jail or in jail.

12 And like I said, what I want
13 to share with you, is like I say,
14 our county, Winston County, has
15 been a traditional dog hunting
16 county for years. People have been
17 raised on it. I've raised my two
18 boys up until this past year on
19 hunting beagle hounds. Got some
20 fine beagle hounds and enjoy
21 ourself with it. My family hunts;
22 everybody from mama to the kids,
23 everybody hunts. We hunt and I even

0100

1 take little children hunting
2 because I know if we don't
3 replicate our people there's gonna
4 come a time when anti-hunters will
5 have us out the door -- out the
6 door completely, so that's what
7 we're, you know, always against.

8 But the thing about it is, our
9 sheriff -- I'll give you a little
10 example. He was given the
11 encouragement to ban dog hunting
12 completely in Winston County, and I
13 don't think that was correct or
14 right. I mean, like I said, I
15 didn't know that there was any
16 problems with that, and I know I
17 called Mr. Lawley and told him, I

18 said -- I got his personal number
19 and I do again thank him for giving
20 us an opportunity. But what I would
21 like to say would be the fact that
22 if a certain amount of property
23 wants dog hunting, then we ought to

0101

1 have that. If they don't, the
2 landowners don't want it, then
3 fine. That's fine. I mean because
4 we're here to negotiate something
5 going on because it's turning into
6 a problem.
7 In our dog hunting club we've
8 three thousand nine hundred and
9 about sixteen acres, because I'm
10 secretary so I had to know what we
11 do have, that's continuous property
12 that we can hunt and we cannot
13 cross roads. We don't stand on the
14 road. Like I said, you know, we
15 don't do that. But like I said,
16 that's one thing when we heard that
17 we were going to loose, we all
18 voted and said, look, it's not
19 going to be legal this year and we
20 didn't. And that's bad. I mean
21 because the camaraderie we have of
22 papas, grandmas, aunts, and uncles
23 out there with little ones hunting,

0102

1 oh, here comes a deer, shoot the
2 deer, and enjoy it. My two boys
3 took their first deer off of a dog
4 hunt. But I also stalk hunt,
5 muzzleload hunt, and bow hunt. So I
6 mean we're -- we've kind of got a
7 big club. So whatever it takes for
8 us to negotiate a deal we'll do
9 that.

10 And also I would just like for
11 us to have a voice in this because
12 we were taken completely out, and
13 of course we are in negotiations
14 with the sheriff of Winston County
15 which is the proper avenue to do
16 this that if a landowner agrees --
17 I'm one of the landowners; I do
18 agree. How many -- I think we had
19 3,000 signatures from Winston
20 County that was for dog hunting,
21 and that's -- what I'd like would
22 be the Board to at least give us an
23 opportunity to find out, you know,

0103

1 let'em vote. That's the best way.
2 If they vote out dog hunting, I'll
3 sell my beagle. But just give us an
4 opportunity to do what we like to
5 do on our property. That's all
6 we're asking because we believe
7 that right was taken away unjustly.
8 It took money out of our Winston

9 County budget and we still had dog
10 hunting in Winston County this past
11 year. Pack dogs on 11 hunts.

12 Now, of course I am in the
13 hunting industry myself. I own a
14 company where I get to travel
15 across the United States and sell
16 our products, but this past year I
17 had a chance to hunt 11 times and I
18 had 11 dogs come from me. And guess
19 how many of 'em was hunting dogs?
20 None of 'em. Every one of 'em were
21 house dogs. So, you know, we still
22 have dog hunting in Winston County
23 whether we like to say we do or

0104

1 not. But those of us that are
2 legitimate breeders and legitimate
3 raisers that hunt --

4 We had one situation in our
5 club that the game wardens had to
6 keep coming because we had a
7 gentleman that was threatening to
8 kill somebody and, you know, the
9 dog hunters of course we'd redneck
10 up against it and want to start a
11 fussing with 'em. And I went to the
12 man, I said, "Sir, what have we
13 done to offend you? I want to know
14 because --" I said, "This is our
15 home town."

16 My tree stand -- my closest
17 tree stand is two minutes from my
18 front door. So I mean, you know, we
19 kind of take this stuff seriously.
20 And I went to the gentleman and
21 asked him, I said, "Sir, what's the
22 problem?" He said, "Well,
23 somebody's beagle dogs killed one

0105

1 of my cows." A hunting dog.

2 When they do the Discovery
3 Channel program on the deer eating
4 dog, they need to come to Winston
5 County. We got some big old moncho
6 beagles. I mean it's --

7
8 (Laughter.)
9

10 MR. BURLESON: Anyway, I'm
11 sorry. I didn't mean to get things
12 started. But the fact is I said,
13 "Sir, I disagree with you." I
14 said, "My little dog stands 13
15 inches tall and most of these other
16 men's dogs, you know, they're small
17 beagles." I said, "I don't think
18 that's the case." He said, "Well,
19 all I know is I got two cows that
20 came up missing and they were
21 killed by beagle dogs is what I
22 think." And I said, "Well, you're a
23 Christian man, I'm a Christian

0106

1 man." I said, "Can we do something
2 --" I said, "How about if we come
3 to your property line --" our dogs
4 can't read. I'll agree with you
5 there. Nobody's dogs can read. So
6 that's why I think it's the
7 intelligence of a dog owner to do
8 something about that if we begin
9 our drive at his property line
10 away. Would you believe we now have
11 that 110 acres to hunt? That's the
12 only part that we don't own inside
13 our 4,000 plus acre club that we
14 have to pay for because we've got
15 over 1000 acres of us landowners
16 who don't charge anything to hunt
17 in that club with. And so now we're
18 all a big happy family until we get
19 this ruling from you guys last year
20 that no dog hunting at all.

21 And like I said, if you'll
22 read the little program here,
23 there's a small section of Winston

0107

1 County that still has dog hunting.
2 Why do we not have the opportunity
3 to have the same right that they
4 do?

5 I thank you for your time,
6 sirs.

7
8 (Appl ause.)
9

10 COMMISSIONER LAWLEY: Do we
11 have a meeting set up with Sheriff
12 Townsend before our next May
13 meeting here?

14 MR. BURLESON: Yes, sir. That's
15 what we -- upon your request that's
16 what I did. And I was hoping he'd
17 be here today. Because like I said,
18 that's all I ask was just the
19 opportunity to hunt on my property
20 that we pay for, you know. And like
21 I said, if we can do that we'd be
22 fine.

23 And I know there's two of the

0108

1 biggest clubs that's been in
2 Winston County that I know of and
3 they're 100 percent for it. Most
4 of'em -- now, you've got a few
5 that's not. So that's not -- if we
6 can come up with a legitimate
7 agreement that we could rationalize
8 -- I mean the permit system I
9 don't really understand all that
10 yet. Of course I'm going to find
11 out. And if we do have that
12 opportunity then, like I said,
13 we'll have heaven on earth again in
14 Winston County.

15 COMMISSIONER LAWLEY: Well, you
16 get with Sheriff Townsend and if
17 you know of any way that we can
18 help you holler.

19 MR. BURLESON: Yes, sir. Thank
20 you.

21 CHAIRMAN MOULTRIE: The next
22 speaker will be Mr. Don Knight from
23 Anniston, Alabama.

0109

1 MR. KNIGHT: I'm Don Knight
2 from Anniston, Alabama, and again
3 today I've got two topics, okay.
4 First one is going to be the antler
5 restriction for Barbour County. I
6 hadn't seen anybody here for it.
7 They most know how it's going to go
8 already. But we're against it,
9 okay. We feel like all that's going
10 to do is run the land leases
11 totally out of sight in Barbour
12 County. Right now the average lease
13 in Barbour County is 10 to 12
14 dollars per acre.

15 I saw it advertised at the
16 Birmingham -- I mean the Montgomery
17 Buck Master Show. Land over there
18 around the management area \$20 an
19 acre. You're going to run the
20 average income earner in the State
21 of Alabama totally out of hunting
22 if we don't slow it down. I know we
23 can't stop it. There's supply and

0110

1 demand. We can't stop it. It's
2 going to go up. But do we need to
3 make something like a 3 point law
4 on one side in one county in the
5 state?

6 No 1: If it's a biological
7 reason that we need to go to 3
8 points, I'd like to know what that
9 biological reason is. We will
10 wholeheartedly support it with no
11 problems. If there's not a
12 biological reason for it, then I
13 don't see how we could put it in in
14 one county in the whole state even
15 for a trial period.

16 You got your management areas
17 to do that, and it'll probably
18 work. But you're going to make
19 outlaws out of youngsters. You're
20 going to make deer be left in the
21 woods. None of this needs to
22 happen. You're going to make liars
23 out of people that are not liars

0111

1 because they're going to cover
2 themselves when they come out of
3 there with deer and it's not out of
4 that county.

5 You got surrounding counties.

6 They will also suffer from the
7 increase in the land leases because
8 the people that can't afford to
9 hunt in Barbour County are going to
10 go to the next county. And that
11 demand will raise those leases
12 also.

13 What you're going to amount to
14 doing is setting up just plain
15 buy-hunts in Barbour County. And
16 you'll find that most of the people
17 is from out of the State of
18 Alabama. This is not what we need,
19 not in the State of Alabama. We
20 need to get the people inside the
21 state hunting much more. Not the
22 out-of-state people. We don't
23 object to 'em coming in hunting. We

0112

1 got plenty of resources for 'em, but
2 we do object to it when it starts
3 taking away from the residents and
4 the tax payers in the State of
5 Alabama. But I think the 3 point
6 law --

7 Another thing, we got accused
8 of a lot of bad things as dog
9 hunters. One thing that you can't
10 accuse us of is trying to come down
11 here and make you hunt like we like
12 to hunt. And that's what you're
13 doing to us in Barbour County if
14 you make me hunt by a 3 point law.
15 Now, that's one thing the dog
16 hunters don't do. We didn't come
17 down here to make anybody or ask
18 anybody to hunt with dogs. We just
19 ask to be left where we can hunt
20 with dogs. So I think this was
21 really a bad deal in Barbour
22 County. And I assure you most of
23 the people in Barbour County do not

0113

1 want this. I'm talking about the
2 average people.

3 You got, yes, wealthy
4 landowners, sure they want it;
5 they're going to get more money out
6 of it. So we just ask you to leave
7 that alone. Let the landowner and
8 the people leasing the land make
9 that decision. I think it should be
10 their rights. They know what's on
11 that land. And if they can get
12 together on it, that should be
13 their decision, not really the
14 state's.

15 CHAIRMAN MOULTRIE: All right.
16 Mr. Knight just a minute. Mr.
17 Hatley you have a question?

18 MR. HATLEY: Yeah. Mr. Knight,
19 are you speaking before us today as
20 president of the Dog Hunters

21 Associate, or are you speaking as
22 Don Knight?

23 MR. KNIGHT: I'm speaking as

0114

1 Don Knight, Vice President of the
2 00 Buck Club in Barbour County.

3 We've been hunting that land
4 -- we've got 4,000 acres down
5 there we've been hunting over 30
6 years. And it will make it real
7 hard to keep members if we go to a
8 3 point law.

9 MR. HATLEY: All right. I just
10 wanted to, you know, clarify were
11 you speaking as an individual or
12 were you speaking -- because
13 you've come before us before as
14 president.

15 MR. KNIGHT: Right.

16 MR. HATLEY: My second point
17 is, explain to me if you would,
18 maybe I don't understand and I
19 don't represent Barbour County so
20 don't get me wrong, how is this
21 going to increase the land lease in
22 that area? And you keep talking
23 about the 3 point rule.

0115

1 MR. KNIGHT: Well, what it's
2 going to do is when you start
3 saying that, you know, you've got
4 these monster bucks in that county,
5 these people are going to charge
6 you more to lease the land pure and
7 simple. If you've got bigger deer
8 -- just looking at any of the
9 states where you have to go out of
10 state and hunt; Texas, Utah, or any
11 of'em like that, you pay big money
12 to hunt those big deer, and that's
13 what they're looking for down
14 there.

15 It's going to raise those
16 prices because you're supposed to
17 have bigger deer when you go to
18 that 3 point or better. But now
19 what it will do, in my opinion, is
20 reverse that. It will hurt the deer
21 herd because there won't be does
22 being shot.

23 Now, our club this year, we

0116

1 got 4,000 acres. We killed some of
2 the largest deer killed in this
3 state. I think Dan and the
4 Commissioner can vouch for that.
5 They were on stage with one; 23
6 point, 180 something score, and
7 this is on land we been running
8 dogs on for 30, 35 years.

9 Now, if that land was to get
10 in the hands of still hunters, it
11 would probably double overnight for

12 the landowner. He happens to be a
13 family member of people that hunt
14 our club, and that's how we keep
15 our lease. But all you got to do is
16 watch the land. And if they go to a
17 trophy situation, trophy hunters
18 don't shoot does.

19 MR. HATLEY: So in essence what
20 you're saying is trophy hunters
21 don't manage their game; is that
22 what you're saying?

23 MR. KNIGHT: No, I'm not saying

0117

1 that now. They try to manage their
2 bucks, but to get that buck they
3 let that doe walk.

4 MR. HATLEY: And is that
5 management in your opinion?

6 MR. KNIGHT: No, not really.
7 But good case of it is Old Mountain
8 State Park. What did y'all --

9 MR. HATLEY: Wait a minute.

10 MR. KNIGHT: -- finally have to
11 do?

12 MR. HATLEY: We're talking
13 about -- I'm talking about Barbour
14 County --

15 MR. KNIGHT: I know. I am too.

16 MR. HATLEY: -- and management.

17 MR. KNIGHT: I know. That's
18 what we think will happen.

19 MR. HATLEY: I think we need --
20 you and I might need to discuss
21 this when the meeting's up. I think
22 it's just a misunderstanding here,
23 Don, and I think we need to get

0118

1 that cleared up. I'm sorry.

2 MR. KNIGHT: I'll be glad to
3 meet with you anytime, Mr. Hatley.

4 CHAIRMAN MOULTRIE: Any of the
5 rest of the Board have any
6 questions? Mr. Coles.

7 MR. COLES: Mr. Knight, is it
8 not a property owner's right to
9 charge whatever he can get for his
10 land?

11 MR. KNIGHT: Absolutely.

12 MR. COLES: I only know of one
13 fee hunting operation in Barbour
14 County. It's called Hawkins Ridge.
15 It's between Clayton you Eufaula.
16 Are there others that I'm not aware
17 of?

18 MR. KNIGHT: Yeah. There's one
19 in -- on 51 going up towards Union
20 Springs out of Hartselle on the
21 left there. That's the one --
22 excuse me. That's probable in
23 Russell County.

0119

1 MR. COLES: That's R. Bullock.

2 MR. KNIGHT: R. Bullock, yeah.

3 One of the two, yes, sir.
4 MR. COLES: Seamore out there
5 is --
6 MR. KNIGHT: Well, Seamore is
7 on the right. There's another one
8 up there on the left, and that's
9 probably not in Barbour County.
10 But the average people is what
11 I'm concerned for. The landowners,
12 they're going to get their fee, and
13 if we make it go higher, the
14 average hunter is not going to be
15 able to pay it.
16 MR. COLES: Wayne's not going
17 to go up on you, though, is he?
18 MR. KNIGHT: I hope not. But
19 he's the president of our club.
20 Now, I'd like to speak --
21 CHAIRMAN MOULTRIE: Mr. Knight,
22 we have one more question.
23 MR. KNIGHT: Yes, sir.

0120

1 MR. WILLIS: Maybe I didn't
2 understand it right by the way this
3 things put. These club owners is
4 supposed to get this 3 point or
5 better system. Do they put on hunts
6 and let the people from out of
7 state or from in state come and
8 hunt and shoot the deer on their
9 land that actually belongs to the
10 state? What I'm saying is if they
11 get a bigger deer, can they get
12 more than their hunts?
13 MR. KNIGHT: Sure.
14 MR. WILLIS: Is that what
15 they're doing? Is that what -- and
16 maybe I misunderstood you. Is that
17 what you're saying is going to
18 happen is they're going to get paid
19 and a few of these deer that
20 actually belong to the state if we
21 let 'em walk and get to be a 6, 8,
22 10 point?
23 MR. KNIGHT: If you get bigger

0121

1 deer down there if it happens to
2 work, which I think it will, for
3 the next five years it'll probably
4 work real good until your doe
5 population is so strong and your
6 deer overeat down there, then your
7 deer herd will turn around the
8 other way.
9 The purpose in most any
10 management area if you got more
11 deer than food, they're going to be
12 smaller.
13 At Old Mountain -- bring it up
14 again because that's a perfect
15 example, you had people in there to
16 bow hunt; what they do, they waited
17 on old bucks and didn't shoot the

18 does and finally had to pass a law
19 or make a rule that they had to
20 shoot a doe before they could kill
21 a buck. I mean you don't want that
22 in these counties all around. We
23 don't need that. We've got a great

0122

1 herd in Barbour County right now.
2 We got some of the larger deer in
3 the state. We've got -- and the way
4 you get those is by managing those
5 does or taking'em out.

6 CHAIRMAN MOULTRIE: Do you have
7 anything else to speak on?

8 MR. KNIGHT: Yes, sir. I'll be
9 speaking as Don Knight as president
10 of the Alabama Dog Hunters'
11 Association now. Had a gentleman up
12 here awhile ago speaking that
13 nobody from Lamar County and all
14 came up and spoke at the last
15 meeting. I was representing --
16 I've got to be the one.

17 He was talking about actually
18 the permit system for Lamar County
19 because I know I did. I represent
20 Lamar County. I represent each and
21 every county where dog hunting is
22 involved in the state. When some of
23 the people can't be here they ask

0123

1 us. We like to have the people from
2 that county to be here. But let me
3 just ask the whole panel: Do you
4 want everybody to come up here and
5 speak? Because we can line'em up
6 out this door, and we can be here
7 for two days. I don't think you
8 want that, and we've worked with
9 these Boards before to try to cut
10 down on our speakers for that
11 reason. And that's probably the
12 reason you didn't have as many from
13 Lamar County or any of the other
14 counties last meeting.

15 In Montgomery I could handle
16 it. I asked for the permits. That's
17 what we would like to ask for
18 again. We'll work with you any way
19 possible. It is extremely difficult
20 to work in a situation where the
21 dog hunting has been done away with
22 because they don't really need to
23 come to the table. They've got what

0124

1 they basically wanted.
2 And the other thing in Lamar
3 County or any of the rest of the
4 counties the way I understand the
5 permit system and maybe I'm
6 mistaken here, but it's the
7 landowners around the club that
8 have to approve the permit system

9 for that club. Am I mistaken here?
10 MR. COLES: No, sir, you're
11 wrong.

12 CHAIRMAN MOULTRIE: Mr. Coles.
13 MR. COLES: That's done by the
14 department.

15 MR. KNIGHT: No. I mean I know
16 it's done by the department. I'm
17 just talking about to come to you
18 with the permit system we need the
19 approval of the people -- the
20 landowners around the dog hunting
21 club itself. But we don't have to
22 have the approval of every
23 landowner in that county, do we?

0125

1 CHAIRMAN MOULTRIE:
2 Commissioner.

3 COMMISSIONER LAWLEY: The
4 counties that have the permit
5 system in South Alabama that was
6 done year before last and last
7 hunting season was the first
8 season. We as the Department of
9 Conservation did not do that, Mr.
10 Knight.

11 MR. KNIGHT: I know.

12 COMMISSIONER LAWLEY: That was
13 done by the initiative of the dog
14 owner hunting clubs working with
15 landowners. And it boils down to
16 communication, and to me that's the
17 only way that it's going to viably
18 work is concessions are going to
19 have to be made on both sides and
20 you're going to have to sit down
21 and meet calmly, not intimidate,
22 and work together. It's -- yes,
23 certainly it's important for the

0126

1 landowner that is around where any
2 hunting club is or where that dog
3 could range that the landowners
4 would be willing to accept those
5 concessions that those hunting
6 clubs are going to make, you know.
7 There's several. You've brought
8 many to me, suggestions. We don't
9 want to write those permits. We'd
10 rather the dog owners and the
11 landowners negotiate that together.
12 Therefore, we think it'll be more
13 effective if a man's looking a man
14 in an eye and they're both agreeing
15 to something. We can sit up here
16 and we can make permits all day
17 long, but they're not going to be
18 honored as much as it would be if
19 you give your word on something and
20 the other man gives his word on
21 something. So that's where we're
22 trying -- would like to lead this
23 to go is for the hunting clubs --

0127

1 yeah, we've had problems. Certainly
2 there's going to be concessions
3 that have to be made.

4 MR. KNIGHT: Sure.

5 COMMISSIONER LAWLEY: And
6 landowners are going to have to be
7 willing to make some concessions so
8 everybody can enjoy. We want
9 everybody to hunt in the legal way
10 that they choose to hunt without
11 abusing someone else. I mean that's
12 our goal. That's why we're here.
13 But we don't want to force the
14 permit. But some places where dog
15 hunting is closed because of -- I
16 mean I've come to a lot of these
17 meetings in the last 14 or 15 years
18 just like you're talking about and
19 all you do is change the date on
20 the minutes because the
21 conversation is the same.

22 MR. KNIGHT: Right.

23 COMMISSIONER LAWLEY: And we

0128

1 don't want to go through that. But
2 it boils down to people just living
3 with each other and respecting each
4 others right. And that's what we're
5 trying to encourage.

6 So, no, I cannot give you a
7 definite amount saying each
8 landowner within a 40 acres
9 surrounding a hunting club is all
10 this has to sign off on that.
11 That's not the way it'll work. I
12 mean it's going to work if it's a
13 whole county. If the whole county
14 is to be brought back under a
15 permit system, people are going to
16 have to sit down and they're going
17 to have to talk and they're going
18 to have to work out and that would
19 be the whole county. And if it's
20 hunting clubs it's going to have to
21 be the, you know, majority of that
22 area, I would say, wherever that
23 dog may roam.

0129

1 But, you know, I would like to
2 see the landowners and the dog
3 hunters get together and try to
4 work something out.

5 I mean you made an example
6 don't cast your dog before nine or
7 after three o'clock in the
8 afternoon or go to smaller dogs, go
9 to beagles, watch how you put your
10 deer out -- I mean your dogs out to
11 make sure that they --

12 Yeah, right. Don't you wish we
13 could?

14

(Laughter.)

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23

COMMISSIONER LAWLEY: They'd go the other way.

But y'all have some good suggestions. I would say you can be more help than we can in this as far as getting these groups

0130

1 together. But we're certainly here
2 to help and more than willing to
3 work with you.

4 MR. KNIGHT: And we'll work on
5 that, and we're more than glad to
6 make some concessions. We know the
7 biggest thing -- most of the time
8 when we work with the landowners we
9 find that we've got the same goals
10 in mind because we want that
11 renegade off that road out there as
12 much as they do. Because we're the
13 ones that's losing, and we want
14 those people off that road. We want
15 to support higher fines that we've
16 talked about before. We want to
17 support you at the legislative
18 level or whatever it takes to get
19 higher fines to get these people
20 off the roads. We don't want 'em out
21 there. I don't hunt that way and
22 --

23 Well, look around in here. And

0131

1 isn't it nice this morning to hear
2 some different voices? Being in
3 another part of the state and we
4 thank you for coming up here. And
5 it is good to hear some different
6 voices, and I hope you listen to
7 those voices and find out that
8 there are different opinions in the
9 north end of the state than are in
10 the south end of the state. There's
11 different problems. They can't all
12 be worked just exactly the same.
13 And we're willing to work with
14 y'all any way we can. And we just
15 thank you for the efforts to try to
16 help us to keep dog hunting going.
17 We need the people hunting.

18 CHAIRMAN MOULTRIE: The Board
19 appreciates too and let it be
20 stated in the Board notes we have
21 asked that y'all be concise and you
22 have grouped people together and
23 limited it to the speakers that you

0132

1 have and we understand that and we
2 know that and we appreciate that.
3 Very good.

4 MR. KNIGHT: Thank you.

5 CHAIRMAN MOULTRIE: Thank you.

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(Appl ause.)

CHAIRMAN MOULTRIE: We're going to have two more speakers and then we'll take a brief recess.

The next speaker will be Mr. Ronnie May from Tuscombiana, Alabama.

MR. COLES: Sheriff.

CHAIRMAN MOULTRIE: Sheriff excuse me. Sheriff May.

MR. MAY: Good morning. Mr. Lawley, it's good to see you in person finally. We've talked on the phone several times. What we want to do -- and I apologize. This isn't my real voice -- is to welcome the Board to North Alabama.

0133

I think it was a very wise decision on your part to come to North Alabama and to hear these voices because everybody has a voice. And I guess what I want to say to you is twofold. One, as Sheriff of Colbert County which encompasses 600,000 square miles we have three -- I think it's three wildlife fishery officers that we assist and back up during the course of the year. I have talked to those officers over the years and asked them to let me know as sheriff any problems in particular with dog hunters and doing hunting in general. And over the last two or three years they haven't related any problems to me whatsoever.

I've checked my documentation in my office when we receive complaints and haven't found one arrest of dog hunting. One thing I

0134

will say on behalf of the dog hunters in Colbert County is several years ago -- I think I expressed this to Mr. Moultrie, Mr. Lawley, went to talk to them, that several years an association in Colbert County started to take some proactive steps and, you know, I think it shows in the fact that we have very few complaints as far as the dog hunters in Colbert County. Some of the guys have gone to smaller dogs as you mentioned. They're not meeting on paved roads as a club any more. They've gotten off of paved roads to avoid that kind of adverse or negative appearance through serious effort, in my opinion, in a lot of ways to make sure that their dogs don't get

21 onto private property where they're
22 not wanted or asked not to be there
23 to the point that even some of the

0135

1 hunters have put tracking collars
2 on their dogs so they can keep
3 track of their dogs and follow them
4 very closely so that they don't
5 create a problem.

6 The club that I'm a part of is
7 2000 continuous acres, and is
8 probably an idea situation. We're
9 along the Tennessee River and it's
10 not very populated. So I guess as
11 far as our club that's one reason
12 we don't have a lot of problems
13 even though we comply with a lot of
14 the measures that Mr. Moultrie and
15 Mr. Lawley have indicated.

16 But as sheriff I'd like to ask
17 you as far as Colbert County is
18 concerned to leave the regulations
19 and guidelines that you had the
20 last year or two in place because
21 they seem to work for us.

22 And again, welcome to Colbert
23 County and thank you very much.

0136

1
2 (Applause.)
3 CHAIRMAN MOULTRIE: Thank you.

4 The next speaker is Rick
5 Nicholson from Elba, Alabama.

6 MR. NICHOLSON: I'm Rick
7 Nicholson from Elba in Coffee
8 County. Mr. Chairman, Mr.
9 Commissioner, Members of the Board,
10 I got three or four topics I want
11 to speak on today. It was brought
12 up at the last meeting that there
13 was a lot of destruction by
14 Hurricane Ivan. You know up around
15 Elba we have a lot of restrictions
16 'cause of the floods around.

17 The first order of business I
18 want to address is dove huntin' in
19 the South Zone. Most folks farm
20 peanuts, corn, and cattle in Coffee
21 County. We start harvesting corn in
22 late August and first of September.
23 In October the corn is rotted and

0137

1 sprouted by then.
2 Ms. Lucille Soley, a close
3 friend of mine, was on the Board
4 several years ago. She got a
5 weekend and morning of dove huntin'
6 in September, and it was a great
7 success. I ask the Board to
8 consider approving a weekend of
9 morning and afternoon of dove
10 huntin' for the South Zone.
11 Preferably the weekend after the

12 North Zone comes in.
13 The next topic, I would like
14 to ask the Board to increase limits
15 of turkeys to six. We had an
16 increase in the season of five days
17 and legalized the use of decoys. I
18 believe the population would stand
19 the increase.

20 Could I have Mr. Moody and Mr.
21 Pugh to address that?

22 COMMISSIONER LAWLEY: Mr. Pugh
23 would never be at work if we --

0138

1

2 (Laughter.)

3 COMMISSIONER LAWLEY: --

4 (inaudible.)

5 Mr. Moody, are you prepared to
6 give thoughts on the increase to
7 six in the turkey limit?

8 MR. MOODY: Well, we hadn't
9 really considered that as an
10 option. Right now we're looking at
11 a new way to evaluate turkeys. And
12 the turkey harvest has gone up
13 significantly in the past couple of
14 years on gobblers, and we're not in
15 any way wanting to see any more
16 liberalization at this time. We're
17 pretty comfortable we're harvesting
18 about all we can stand right now.

19 And, you know, I know we've
20 got an abundant turkey population
21 right now. We're very blessed and
22 it's a good thing we do. At some
23 point due to weather -- and I'm

0139

1 using this measurement by
2 landowners -- we're going to have a
3 year or two where we don't have
4 those great reproduction years and
5 that's just normal cycling, and
6 we're going to see those normal
7 fluctuations.

8 That based on the high harvest
9 we've already got, we do not
10 recommend any change at this time.

11 CHAIRMAN MOULTRIE: Okay.

12 MR. NICHOLSON: The most
13 important issue I want to discuss
14 with Coffee County and the State of
15 Alabama is dog deer huntin'. My
16 family and I own over 2,500 acres
17 of land in Coffee County. There is
18 not a locked gate on any of that
19 property. My daddy has always told
20 me that friends are sometimes worth
21 more than money.

22 I remember Hurricane Creek
23 Huntin' Club and they've been dog

0140

1 deer huntin' for 35 years. It was
2 brought up at the Advisory Board

3 meeting two years ago in Eufaula by
4 one of our conservation officers
5 that we were one of the better
6 clubs in the state. We are not
7 against still huntin', but we have
8 a problem with anti-dog hunters.

9 It's been brought up by the
10 anti-dog hunters that it runs deer
11 off their property. This is a false
12 statement. For example, in this
13 past years we killed two bucks
14 running dogs on Saturday and then
15 on Sunday the next day we killed a
16 7 point still huntin' on that same
17 place.

18 At every Advisory Board
19 meeting there is always someone at
20 the meeting that's against dog deer
21 huntin' with a petition. We would
22 like to put the petition issue to
23 sleep in Coffee County and all

0141
1 other counties in the state. We
2 would like to continue dog deer
3 huntin' in Coffee County as it is
4 today.

5 And another issue that I want
6 to talk about is the killing of
7 dogs in the state. It was told that
8 some of our conservation officers
9 said it is not their job to
10 retrieve a dead dog. I want to know
11 if this is correct.

12 One of the joint dog huntin'
13 clubs several years ago had two
14 dogs that were killed. The
15 conservation officer said it wasn't
16 their job to retrieve dead dogs.
17 There needs to be more convicted on
18 killing huntin' dogs and yard dogs.
19 We want to know why the
20 Conservation Department doesn't
21 have any rules when it comes to
22 killing dogs. It has happened in
23 our area several times in the last

0142
1 few years.

2 So could I get Mr. Andress to
3 speak on that? -- what we need to
4 do?

5 MR. ANDRESS: Well, is your
6 question why is it not -- is your
7 question why we don't have a
8 conservation law dealing with it,
9 because you know, that's a matter
10 for the Board.

11 But we do investigate dog
12 killings. Although, killing of a
13 dog strictly speaking is not
14 necessarily a conservation matter.
15 It doesn't necessarily have
16 anything to do with hunting itself
17 and doesn't necessarily violate a

18 hunting law. But we do investigate
19 those things and be glad to do it
20 and cooperate with the sheriff's
21 department on whatever violation
22 that constitutes, you know, cruelty
23 to animals or whatever criminal

0143

1 offense that constitutes. Be glad
2 to help out with that.

3 CHAIRMAN MOULTRIE: Mr. Knight,
4 do you have a comment on that real
5 quick?

6 MR. KNIGHT: Yeah. I've been
7 involved with some of these dog
8 shootings. Matter of fact, we had a
9 couple shot this year, and in most
10 cases we get the deputy sheriffs
11 out there because it's a state law
12 that makes it a Class C felony for
13 shooting a dog.

14 Now, we have asked several
15 times to have that put in the book,
16 and I would like to ask again that
17 we get that put in the package that
18 goes out with hunting license on
19 that state law. But it's a Class C
20 felony if you prove it. But we've
21 had very much success with the
22 deputy sheriffs and the game
23 wardens have worked together, but

0144

1 since it's a state law the deputy
2 sheriffs seem to be the ones you go
3 to.

4 CHAIRMAN MOULTRIE: Thank you,
5 Mr. Knight.

6 MR. NICHOLSON: In our area a
7 couple years ago we had some
8 poisoned over there. We had the
9 Conservation Department right on
10 top of the matter right then. But
11 it was a ex-police chief and a
12 ex-deputy sheriff of the county,
13 probably was, 'cause they was
14 jealous that we leased land next to
15 him and didn't lease his. So we
16 had'em right on top, but they
17 didn't convict'em, you know. He, I
18 reckon, lied out of it or
19 somethi ng.

20

21

(Laughter.)

22

23

MR. NICHOLSON: But we had a

0145

1 meeting on the problem. We lucky we
2 didn't lose any of the dogs in that
3 situation 'cause we was right on
4 top of it and had tracking collars
5 and we got Peroxide and poured
6 down'em where they could, you know,
7 vomit up the stuff. We lucky we
8 didn't lose none of'em. We didn't

9 make a case, you know. We couldn' t.
10 The conservation officer told
11 us in the county that if they
12 coulda found out where he got the
13 dead chickens from they could
14 quarantine the chicken house and
15 then the fellow whose chicken
16 houses would start talking who gave
17 him the dead chickens and put Simic
18 on' em.

19 CHAIRMAN MOULTRIE: Any other
20 questions?

21 MR. NICHOLSON: No. Thank you.

22 CHAIRMAN MOULTRIE: Thank you
23 very much for your time.

0146

1

2

(Appl ause.)

3

4 CHAIRMAN MOULTRIE: We will
5 take a brief recess. It's
6 approximately eleven o'clock.
7 Please be back promptly at 11:15.

8

9

(Brief recess was taken.)

10

11 CHAIRMAN MOULTRIE: We'll come
12 to order. The next order of
13 business is the proposed
14 regulations. The first is Marine
15 Resources.

16 Commissioner, who will speak
17 to that?

18

19 MR. JENKINS: At this time we
20 actually have a five fish -- we
21 actually have a five fish aggregate
22 within our grouper. The feds have
23 moved theirs to where at this point
in time they have a two fish -- no

0147

1

2 more than two of the aggregate
3 should be red. We originally had
4 thought that we would ask and move
5 to that, but the council met in
6 Birmingham this week. It sounds
7 like Thursday that they're going to
8 make another change to the --
9 probably the aggregate. May go to
10 two or three in the aggregate for
11 grouper and maybe down to one red.

12 What we would like to ask is
13 we just be allowed that whatever
14 the feds do, whatever they move it,
15 it'll probably be in effect in
16 June, that we just be able to move
17 our regulation to the same thing as
18 theirs is.

18

MR. SELF: Mr. Chairman?

19

CHAIRMAN MOULTRIE: Yes.

20

21 MR. SELF: I make a motion that
22 we allow them to hold off on this
23 regulation until they figure out
what the feds are going to do, and

0148

1 at that time be able to impose
2 their regulation to be in line with
3 the federal guidelines.

4 CHAIRMAN MOULTRIE: Is there a
5 second?

6 MR. COLES: Second.

7 CHAIRMAN MOULTRIE: The motion
8 is to postpone the regulation until
9 we find out what the feds are going
10 to do; is that correct?

11 MR. JENKINS: Yes, sir.

12 COMMISSIONER MOULTRIE: Any
13 discussion? Mr. Self.

14 MR. SELF: But allow them to
15 bring us in line with the fed
16 regulations at such time when
17 they're set.

18 COMMISSIONER LAWLEY: Make our
19 regs match the feds?

20 MR. SELF: Right.

21 CHAIRMAN MOULTRIE: So we
22 match. Any other discussion? The
23 motion is to delay it till we see

0149

1 if we're going to be brought in to
2 match the feds. All those in favor?
3 All opposed? Motion carries.

4 J. T., anything else?

5 MR. JENKINS: No, sir.

6 CHAIRMAN MOULTRIE: Thank you.
7 The next is Wildlife and Freshwater
8 Fisheries. Again, this is old
9 business that was brought up at the
10 last meeting. And, Corky, if you're
11 going to go through and read these.
12 And I think at the start of it
13 because there's new system of stuff
14 being brought up that has to be
15 brought up at the meeting prior, I
16 don't know if you have a prediction
17 on this or not, if you're just
18 going to go down through it and
19 read it and then we'll discuss it
20 from there. Corky.

21 MR. PUGH: The first agenda
22 item is Game Breeder Regulation.

23 This is something that we would

0150

1 need in order to effectively
2 regulate game breeders if the
3 moratorium on game breeders license
4 is lifted. I'll be happy to answer
5 any questions any of you have about
6 these regs.

7 COMMISSIONER LAWLEY: Let me
8 make a comment about that. It's not
9 quite that simple. The legislature
10 is lifting the moratorium on game
11 breeders. There's a bill on Game
12 Breeders in the legislature and
13 then one on canned hunts which is
14 -- they're companion bills. And

15 this is the regulation that is
16 spelled out in that piece of
17 legislation for the Advisory Board
18 to create a regulation, to
19 implement those positions and
20 that's what this is. It would not
21 be effective unless those statutes
22 passed the House of
23 Representatives. Is that correct?

0151

1 MR. PUGH: It, I think, would
2 be a regulation. But the bill
3 that's in the legislature would
4 give some teeth to this regulation.

5 COMMISSIONER LAWLEY: Yeah, it
6 would be, but it's written for
7 that, and it would not become a
8 regulation until I sign it which
9 would not be till after this
10 session, so we would have a control
11 on whether it is or whether it is
12 not.

13 CHAIRMAN MOULTRIE: Any other
14 questions? Is there a motion?

15 DR. MAY: I'll make a motion.

16 CHAIRMAN MOULTRIE: The motion
17 has been made. Is there a second?

18 MR. LYNCH: Second.

19 CHAIRMAN MOULTRIE: Reread the
20 motion.

21 COMMISSIONER LAWLEY: Game
22 Breeder Regulation, that we approve
23 it.

0152

1 CHAIRMAN MOULTRIE: The motion
2 is that we approve the Game Breeder
3 Regulation. Any discussion?

4 DR. MAY: I don't have any.

5 CHAIRMAN MOULTRIE: Any other
6 discussion? All those in favor? All
7 oppose? Motion carries. Mr. Pugh.

8 MR. PUGH: Thank you. The
9 second item that is a regulation
10 that's proposed regarding Hunting
11 or Discharging a Firearm Near a
12 Dwelling. The approach to this is
13 to put in place some reasonable
14 provision that protects the
15 property rights of homeowners and
16 hopefully will serve long term to
17 preserve lawful ethical hunting.

18 CHAIRMAN MOULTRIE: Mr. Harbin.

19 MR. HARBIN: I have a question
20 on that, Mr. Pugh. It's been
21 brought up that it's not the
22 distance but it's the feeders being
23 put out on the public waters to the

0153

1 high water lines. Can that not be
2 stopped during the hunting season
3 like it is in deer season, if these
4 people are going to feed these
5 ducks, put it up on their private

6 property?
7 CHAIRMAN MOULTRIE: Is this the
8 same issue, Mr. Pugh?
9 MR. PUGH: It may be related.
10 As far as what's driving this
11 regulation is conflict between
12 waterfowl hunting and property
13 owners on some of the reservoirs in
14 the state. I think what Mr. Harbin
15 is talking about is some of the
16 property owners feed ducks. I'm not
17 sure that we have the authority to
18 keep them from doing that if they
19 want to in their yard. It's illegal
20 for them or anybody else to hunt
21 over that feed.
22 COMMISSIONER LAWLEY: Corky, I
23 think what he's referring to is

0154
1 around Horton's Bend on Henry Neely
2 where some of the residents are
3 coming out on an island and putting
4 a feeder so the duck hunters
5 weren't allowed to hunt period, not
6 even in really close proximity. Am
7 I right?

8 MR. HARBIN: Yes, sir. That's
9 part of it. Part of it's just
10 hanging down in the water below the
11 high water level and the ducks are
12 gathering in this area right next
13 to the feeders and the duck hunters
14 are shooting where the feeders are.
15 Can these feeders not be moved and
16 not hunted over?

17 COMMISSIONER LAWLEY: That
18 would really be a little bit
19 different issue than what we're
20 talking about. What this bill says
21 is you can't discharge a firearm
22 within a hundred yards of a
23 dwelling inhabited or uninhabited

0155
1 without the permission of that
2 landowner. Now, without permission
3 is very important.

4 MR. HARBIN: I'm still saying
5 -- what I'm hearing is the duck
6 hunters are saying these people
7 that are moving on the river are
8 putting their duck feeders out on a
9 pier and the ducks are
10 congregating, so when they shoot
11 they're within a dwelling -- close
12 to a dwelling and they're getting
13 in trouble with it. They want to
14 know if these feeders can be moved
15 back above the high water line
16 where the legal property line is?

17 MR. PUGH: I think that's a
18 separate issue that if the Board
19 wanted to address it you could do
20 that. If it's in public waters, I

21 think that the Board probably has
22 the authority to regulate that in
23 that way. But it's a separate issue

0156

1 from what this proposed regulation
2 does.

3 MR. HARBIN: How is it
4 different from the regular state
5 law of shooting into an occupied or
6 unoccupied dwelling or vehicle or
7 -- on the code of -- 13-A Code in
8 the Code of Alabama? How is this
9 different? You're still shooting
10 toward a house if you're duck
11 hunting. That's a dwelling.

12 MR. PUGH: I may want Chief
13 Address to address that, but --

14 MR. ANDRESS: Well, this is not
15 actually shooting into a dwelling.
16 This is just shooting near one or
17 having projectiles fall upon one.
18 This is a little different from
19 intentionally shooting into a
20 dwelling or a house. I'm not sure
21 if that answers your question or
22 not.

23 MR. HARBIN: I'm just saying

0157

1 that the duck hunters are a bit
2 concerned that on the water if they
3 shoot at a duck and the pellets hit
4 those houses, then they can be
5 charged under this, right?

6 MR. ANDRESS: That would be
7 correct, yes, sir.

8 MR. HARBIN: Well, if the ducks
9 are congregating, they're going to
10 hunt close to where the game is. If
11 these feeders are on public
12 waterways, shouldn't they -- isn't
13 that supplemental feeding? Is that
14 feeding and baiting game hens?
15 Isn't that under the same thing
16 that you're still shooting toward a
17 dwelling and under the bait if you
18 got duck feeders hanging off in the
19 water?

20 MR. ANDRESS: We don't have a
21 regulation that addresses
22 supplemental feeding. However,
23 we've not held any duck hunters

0158

1 responsible for what some other
2 landowner may have done such as,
3 you know, putting out feed around
4 his docks or something, not held
5 them responsible for that because
6 they have no control over that.

7 MR. HARBIN: I believe Captain
8 Bain was involved in that meeting.
9 He probably maybe can explain it
10 better than I can. But that's one
11 of the issues that came up, the

12 duck hunters. Not the distance.
13 MR. ANDRESS: I think I
14 understand what you're talking
15 about. That you have some property
16 owners that are putting out feed
17 which is attractive to waterfowl.
18 And then of course that's where the
19 waterfowl is, and that's where
20 they, you know, of course like to
21 hunt near where the waterfowl is.
22 But this regulation would just
23 -- would tell them they couldn't

0159
1 hunt within a hundred yards of
2 someone's dwelling where they live,
3 and if they did -- and anywhere
4 else that they hunted they would
5 have to shoot in the other
6 direction. They could still hunt
7 over there, just outside a hundred
8 yards and they would have to direct
9 their fire in such a way that it
10 did not strike or the shot did not
11 rain upon their houses.

12 MR. HARBIN: They understand
13 that part, but they're just saying
14 that if they're going to duck hunt
15 on the river and a house is built
16 in their duck hunting area, if they
17 shoot them pellets, they're going
18 to go a hundred yards. I mean if
19 you're up there they're going to
20 sprinkle the house and then he's
21 charged with it. Their biggest
22 concern is that the ducks are being
23 fed on the public waterways.

0160
1 CHAIRMAN MOULTRIE: Mr.
2 Andress, you want to look into this
3 and give Mr. Harbin a little report
4 back at the May meeting?

5 MR. ANDRESS: Yeah. I think
6 that'd be a good idea. This is a
7 pretty complicated issue.

8 COMMISSIONER LAWLEY: This
9 regulation wasn't written just --

10 MR. HARBIN: I understand --

11 COMMISSIONER LAWLEY: -- for
12 (inaudible) --

13 MR. HARBIN: -- that, but it's
14 going to put 'em under it, isn't it?

15 COMMISSIONER LAWLEY: I mean
16 this was written, yeah, because of
17 them and also because of
18 Guntersville.

19 MR. HARBIN: Yes, sir, I know
20 that.

21 COMMISSIONER LAWLEY: In
22 Guntersville for the loading docks
23 and barges up there.

0161
1 MR. HATLEY: Mr. Chairman, I
2 move we adopt it?

3 CHAIRMAN MOULTRIE: There's a
4 move to accept the proposed
5 regulation. Is there a second?
6 DR. SMITH: Second.
7 MR. JOHNSON: Second.
8 CHAIRMAN MOULTRIE: Mr. Hatley,
9 do you have any discussion?
10 MR. HATLEY: Negative.
11 CHAIRMAN MOULTRIE: Mr. Self,
12 any other discussion?
13 MR. SELF: I'm sorry?
14 CHAIRMAN MOULTRIE: It's moved
15 to -- the motion is to move to
16 accept the Hunter Discharging
17 Firearms Near Dwelling for proposed
18 regulation. All those in favor?
19 All opposed? Motion carries.
20 No. 4. Three, excuse me.
21 MR. PUGH: This is a proposed
22 regulation that would actually just
23 amend an existing regulation on

0162

1 banning or restriction on
2 importation or possession of
3 certain animals. We'd like to see
4 bison struck from that reg. There's
5 a legitimate agricultural operation
6 in the state involving bison, and
7 those animals come under the
8 Department of Agriculture's
9 jurisdiction for health monitoring.
10 Also we recommend that semen
11 be struck from the reg on Section
12 8.

13 CHAIRMAN MOULTRIE: Any
14 questions from the Board? Is there
15 a motion to accept?

16 MR. HATLEY: Yeah, I so move.
17 CHAIRMAN MOULTRIE: Is there a
18 second?

19 MR. JOHNSON: Second.
20 CHAIRMAN MOULTRIE: There's a
21 second. The motion is again to
22 accept the Item 4, remove items
23 bison and sperm from Importation

0163

1 Regulation. Any discussion?
2 DR. SMITH: Yeah. I want to ask
3 a question. Is the semen specific
4 to the bison or all species?

5 MR. ANDRESS: All species.
6 DR. SMITH: All species, okay.
7 CHAIRMAN MOULTRIE: Any other
8 discussion? Again, the motion is to
9 accept the proposed regulation of
10 Item 4, the removing of bison and
11 sperm from Importation Regulation.
12 All those in favor? All opposed?
13 Motion carries.

14 Corky, No. 5.
15 UNKNOWN SPEAKER: No. 4.
16 MR. PUGH: I'd point out that
17 the remainder of these items, at

18 least 5 through 9, are discussion
19 items that we captured during the
20 last meeting. They're not
21 necessarily items that the
22 department is asking for action one
23 way or the other on.

0164

1 No. 10 of course is Season and
2 Bag Limits which are our
3 recommendations.

4 The No. 5 item that was talked
5 about at the last meeting there was
6 a proposal from someone about
7 Crossbows for Turkey and Drawlocks.

8 MR. SELF: Corky, you missed

9 No. 4.

10 MR. PUGH: I'm sorry.

11 CHAIRMAN MOULTRIE: Corky, the
12 numbers are different on my sheet
13 than y'all's, so I'm just going to
14 let you go down your list and we'll
15 take each one separate.

16 MR. PUGH: Okay.

17 COMMISSIONER LAWLEY: I think
18 we were working with Quail Limits
19 where Restoration Efforts --

20 MR. PUGH: Right. During the
21 last meeting there were some folks
22 at the meeting from some of the
23 quail organizations advocating that

0165

1 harvest limits be placed on quail
2 where there were restoration
3 efforts underway.

4 MR. HATLEY: Your

5 recommendation?

6 MR. PUGH: I'd like to ask our
7 wildlife chief, Gary Moody, to
8 address that.

9 MR. MOODY: I believe your
10 first note at the last meeting was
11 opposed to QU, and they're part of
12 a study that we're working with the
13 Forest Service and our agency right
14 now to do some quail restoration
15 work, also some red-cockaded
16 woodpecker work on the Shoal Creek
17 ranger district, and also just
18 started coming on Oakmulgee with
19 the Forest Service. Both of those
20 areas are within a wildlife
21 management area; one at Oakmulgee
22 and one at Choccolocco.

23 Our staff is meeting --

0166

1 matter of fact, met yesterday with
2 the Forest Service biologist to see
3 if they want to recommend anything
4 that would reduce the harvest on
5 quail. If they do that, we will
6 address it during our wildlife
7 management area seasons and you
8 will see it in the packet when we

9 send it to you for the wildlife
10 management area. This does not need
11 any action at this time.

12 CHAIRMAN MOULTRIE: Any other
13 discussion? Is there a motion?

14 MR. HATLEY: Didn't need one,
15 did we?

16 MR. WILLIS: No, don't need
17 one.

18 CHAIRMAN MOULTRIE: Okay. Do
19 you want to go to the next topic
20 then, Mr. Pugh?

21 MR. PUGH: Yes, sir. The next
22 item was -- topic that was brought
23 up at the last meeting by someone

0167
1 going to the Crossbows for Turkey
2 and Drawlocks.

3 CHAIRMAN MOULTRIE: Any
4 discussion?

5 MR. HARBIN: Yes, sir. What
6 does the drawlock part got to do
7 with it other than it was brought
8 up? Do you need to use a drawlock?

9 CHAIRMAN MOULTRIE: Mr. Pugh,
10 would you like to discuss this
11 topic, please, sir?

12 MR. PUGH: I'd have to refer
13 back to the minutes of the last
14 meeting to --

15 COMMISSIONER LAWLEY: It wasn't
16 by the Board, I don't think,
17 George. It was by someone in the
18 audience.

19 MR. HARBIN: I believe Mr.
20 Knight made the request. The guy
21 from Pell City, not Mr. Knight.

22 MR. HATLEY: You're not making
23 any type of recommendation?

0168
1 MR. PUGH: No recommendation
2 from y'all.

3 MR. HATLEY: Therefore, I move
4 we move on to the next item.

5 MR. LYNCH: Second.

6 CHAIRMAN MOULTRIE: There's a
7 motion to move on this topic. Any
8 discussion? All those in favor? All
9 oppose?

10 Next topic, Mr. Pugh?

11 MR. PUGH: Eurasian Dove as
12 Game Bird. I'd like Mr. Moody to
13 address that briefly.

14 MR. MOODY: We talked about
15 this a little bit in February, but
16 just as a quick background, the
17 Eurasian dove came out of region of
18 (inaudible) and it escaped, and it
19 stayed in Florida for a long time
20 on the costal regions. And it was
21 thought for a good while it was not
22 going to expand to any range
23 beyond. Didn't feel like it might

0169

1 be capable of doing that. But we've
2 since found out that's not the case
3 and it's covered Florida and now a
4 good part of Alabama. It has an
5 unusual way of extended its range.
6 It's the gradual creeping range
7 that we see and then also you get
8 groups of these birds that pick up
9 and move hundreds of miles and sit
10 down and start a new population.

11 Fish and Wildlife Service
12 recently took all protection off of
13 this species. They recognize it as
14 an invasive species. We also
15 recognize it as an invasive
16 species, and we do not recommend
17 any protection be afforded at this
18 time.

19 CHAIRMAN MOULTRIE: Any other
20 discussion on it from the Board?

21 MR. COLES: In other words,
22 you're asking that no limits be
23 placed on this bird?

0170

1 COMMISSIONER LAWLEY: No season
2 or limit.

3 MR. COLES: Nothing be placed.

4 CHAIRMAN MOULTRIE: No action.

5 MR. SELF: I move we move on to
6 the next item.

7 CHAIRMAN MOULTRIE: Motion to
8 move on.

9 Mr. Pugh, next topic.

10 MR. PUGH: Mandatory Quality
11 Deer Management for Barbour County.

12 CHAIRMAN MOULTRIE: Is there
13 any discussion on this? Or have
14 y'all come to a recommendation? Or
15 who has discussion on it?

16 MR. WILLIS: I have a question.

17 CHAIRMAN MOULTRIE: Go ahead,
18 Mr. Willis.

19 MR. WILLIS: It was pointed out
20 by somebody who spoke that the
21 people that presented this
22 proposal, nobody spoke for it
23 today.

0171

1 CHAIRMAN MOULTRIE: Pick up a
2 mike, Mr. Willis, please.

3 MR. WILLIS: Nobody spoke for
4 it today. And I just would like to
5 know if there was a copy of the
6 proposal that was presented on
7 February the 12th. If it is, I'd
8 like for them to read it again to
9 see what we're going to be voting
10 on here.

11 MR. COLES: I have a motion.

12 CHAIRMAN MOULTRIE: Mr. Coles.

13 MR. COLES: There's been
14 considerable work since the

15 proposal was presented, I believe
16 it was February 12. A lot of
17 concern was geared toward the youth
18 hunter in that a lot of people were
19 saying, you know, we're limiting
20 the youth to one day for a free
21 kill of any antlered buck or any
22 antlered deer. So the proposal and
23 the motion is: That all antlered

0172

1 deer harvested by licensed hunters,
2 and the word "license" is the key
3 word there, in Barbour County shall
4 have at least 3 points on one side.
5 This Quality Deer Management
6 Program will be in effect for a
7 period of not less than five years.
8 The Wildlife Section of the
9 Department of Conservation and
10 Natural Resources will prepare and
11 present to this Board a written
12 report after the third, fourth, and
13 fifth year of this program from a
14 hunter satisfaction survey. That's
15 the motion.

16 MR. JOHNSON: Second the
17 motion.

18 CHAIRMAN MOULTRIE: A motion
19 has been made and seconded. The
20 motion is that in Barbour County
21 all antlered deer harvested by
22 licensed hunters in Barbour County
23 shall have at least 3 points on one

0173

1 side. The QDM program will be in
2 effect for a period of not less
3 than five years. The Wildlife
4 Section will prepare and present to
5 this Board a written report after
6 the third, fourth, and fifth year
7 of this program from a hunter
8 satisfaction survey.

9 Mr. Coles, do you have any
10 discussion?

11 MR. COLES: Nothing in this
12 proposal indicates or says anything
13 about doe harvest. Doe harvest is
14 still left up to the individual.
15 This proposal has the endorsement
16 of the state senator and state
17 representative that represent
18 Barbour County. There's only one
19 state senator and one state
20 representative. It also has the
21 endorsement of the county
22 commission, unanimous endorsement
23 of the county commission, the

0174

1 Barbour County Chamber of Commerce,
2 the unanimous endorsement of the
3 mayors and city councils of the
4 cities of Eufaula, of Clayton,
5 Clio, and Louisville; it also has

6 the endorsement of the Alabama
7 Wildlife Federation. And this thing
8 just did not come about overnight.
9 There was a lot of thought and
10 study into it. There's a lot of
11 credibility into the success story
12 at the Barbour County Management
13 Area which has been under this
14 bill, I think it's what? -- six,
15 seven years? And it's -- that is a
16 success story in itself. This would
17 not affect any other county in the
18 State of Alabama. So let's see if
19 someone has a question.

20 CHAIRMAN MOULTRIE: Dr. Smith.
21 DR. SMITH: Chairman, I'd like
22 to hear from either Mr. Pugh or Mr.
23 Moody about any thoughts that the

0175
1 department might have on this.
2 CHAIRMAN MOULTRIE: Mr. Pugh,
3 Mr. Moody.
4 MR. PUGH: I would like Gary to
5 speak to this, but before he does,
6 I think that the Board should think
7 long and hard about delegating
8 decisions about wildlife management
9 or hunting issues to county
10 commissions, local elected
11 officials, chamber of commerce,
12 folks like that. Not a good
13 direction to go in. We certainly
14 value their input, but before we
15 undertake to do something like
16 this, if it's the direction that
17 the Board chooses to go, we need to
18 hear from our biologists about what
19 the science says specific to
20 Barbour County, and we need to do
21 some public scoping of our own in
22 Barbour County like we did when we
23 set up the QDM on management areas.

0176
1 Gary.
2 MR. MOODY: Our concern comes
3 from basically not having any data
4 -- any county-wide data. We don't
5 have anything to base any
6 recommendation on other than what
7 we're doing at the management area,
8 and there we've got 40 years worth
9 of data to look at and review and
10 we can tell you scientifically
11 whether something has happened
12 positive or not. We do not have any
13 data from the county prior to now
14 so we wouldn't have anything to go
15 back on. There's no provision to
16 collect data or to analyze data for
17 hunters to report their harvests to
18 gather the data we need. That has
19 not been discussed with hunters in
20 Barbour County. We've had no

21 involvement. It would be pretty
22 extensive and would require some
23 inconvenience on the part of the

0177

1 hunters to provide that if we
2 wanted to do that.

3 The report, as I'm
4 understanding it, that has been
5 requested by the Wildlife Section
6 would not be based on biology but
7 would be based just strictly on a
8 hunter attitude survey.

9 Now, we support the tenets of
10 QDM. We have no problem with that.
11 We think that's the right way to
12 manage, but we also believe that
13 like the Quality Deer Management
14 Association says it should be a
15 voluntary program that the people
16 (inaudible.) And a lot of property
17 in Barbour County is already being
18 managed that way. All landowners
19 are already managing their property
20 with voluntary restraints.

21 So what gains we would see, I
22 don't know, because we don't know
23 what we've got to start with there.

0178

1 So that is basically our position.

2 COMMISSIONER LAWLEY: Mr.
3 Moody, let me ask a question. What
4 negative would you see of all the
5 years you've had to study in the
6 Wildlife Management Area in Barbour
7 County?

8 MR. MOODY: I don't know that
9 there would be any. I couldn't say,
10 Commissioner.

11 COMMISSIONER LAWLEY: Well,
12 now, you got private land that's
13 doing this, and now you got the
14 people in the county that aren't
15 able to own large tracts of land
16 that would like to try for the
17 whole county. Maybe they could
18 benefit. I just want to hear the
19 downside. I mean I'd kind of like
20 to let hunter -- if we don't hurt
21 the resource, I'd like to let the
22 hunter make the decision.

23 MR. MOODY: That's basically

0179

1 what we're doing now, let the
2 hunter make a decision. And they
3 can make that choice on their
4 property to do what they want to do
5 and we subscribe to that.

6 COMMISSIONER LAWLEY: Now, Mr.
7 Moody, you know that won't work if
8 he's hunting -- if he hadn't got
9 but 40 or 50 acres. I mean he may
10 do that. He may even say 8 points,
11 and that deer crosses the line and

12 somebody shoots that spike, you're
13 taking a buck out of the
14 population.

15 MR. MOODY: In reality somebody
16 that's only got 40 acres is not
17 going to be able to contribute to
18 deer management much in any way. I
19 mean that's just the reality of it.

20 COMMISSIONER LAWLEY: If he
21 shoots a spike on that 40 acres he
22 can contribute. If he's taking does
23 -- I mean bucks out. I mean I

0180

1 understand what you're saying. I
2 mean we're always studying, and I
3 admire what y'all have done in
4 Wildlife Management Areas. It's a
5 great study. It's been very
6 successful. We're looking at a
7 county that -- you know, I know
8 Corky said we don't want county
9 commissioners and elected officials
10 of the county making decisions, and
11 I don't disagree with that
12 statement whatsoever. But I also
13 think that what they say represents
14 the populous of that county or they
15 wouldn't be there next election.

16 MR. MOODY: Our concern is just
17 the biology of it. Not the social
18 aspects of it.

19 COMMISSIONER LAWLEY: That was
20 my question.

21 MR. MOODY: We don't have the
22 data to make any analysis that we
23 can tell you at the end of the

0181

1 three years or five years or any
2 other time period whether it is a
3 success or not.

4 And I know that when the group
5 came before us in February they
6 compared it to Dooley County in
7 Georgia and held that up as the
8 example, but in Dooley County
9 there's a -- there was a
10 county-wide assessment of that and
11 there are reporting -- data
12 reporting requirements that the
13 hunters are required to report data
14 and so forth and we don't have that
15 here. And it would -- it would --
16 if that's what the hunters want to
17 do that's fine, but it would
18 inconvenience them. It would change
19 the way they hunt now. It would
20 change the way they hunt their
21 deer. And if that's what we're
22 going to do, we need to meet with
23 them and work with them so they

0182

1 know what's going to be expected of
2 them if we're going to do any data

3 collecti on.
4 COMMISSIONER LAWLEY: Well, I
5 think they'd be willing to work
6 with you on that. I mean obviously
7 you've got a successful program to
8 choose from.
9 MR. MOODY: Yeah. But all I'm
10 saying right now is that if a
11 hunter kills a deer in Barbour
12 County or any other county in
13 Alabama, they do what they want to
14 with it, hang it in their cooler or
15 they do whatever. This would -- to
16 do what we need to do to get the
17 data would require checking
18 stations across the county and
19 people taking their deer somewhere
20 and having it weighed and jaw bones
21 pulled. And, you know, if that's
22 what they want to do and they're
23 willing to do that, we can get some

0183

1 decent data that we could use as
2 advice. But, you know, that would
3 -- but, you know, that's a major
4 change in the way they handle their
5 harvest right now and --

6 COMMISSIONER LAWLEY: Don't you
7 do that on the management area?

8 MR. MOODY: Absolutely.

9 COMMISSIONER LAWLEY: And
10 you've been doing it for quite a
11 few years?

12 MR. MOODY: Absolutely.

13 COMMISSIONER LAWLEY: That
14 represents 11,000 acres in a
15 county?

16 MR. MOODY: Roughly 20,000
17 acres. I mean it's a big tract of
18 land, yeah.

19 COMMISSIONER LAWLEY: Well, it
20 is. I mean but I'm just saying that
21 is a geographical area that's the
22 same as what we're talking about
23 with Barbour County, and, you know,

0184

1 we should have enough data is what
2 I'm saying. And, you know, I don't
3 vote on this. In fact, I probably
4 need to be quiet. But I think if
5 the hunters -- if the hunter is not
6 hurting the resources and we have
7 room to improve the resource, we
8 need to listen to him.

9 CHAIRMAN MOULTRIE: Mr. Lynch.

10 MR. LYNCH: On the management
11 areas in the state that have some
12 type of restriction, they have a
13 restriction on the management
14 areas, how is the use of those
15 management areas ranked to the
16 areas that don't have restrictions
17 as far as popularity?

18 MR. MOODY: All of 'em will --
19 the popularity has gone down the
20 first year or two it started and
21 then it started coming back up, and
22 then you expect it's going to be
23 down. And we have seen a shift in

0185

1 some of the people that use the
2 management areas. Some of the ones
3 used to go up there now go to
4 others, and then we've got some new
5 people coming in because this is
6 what they want to do. So I mean
7 it's -- it has been an increase but
8 hasn't been a tremendous -- sort of
9 a -- about the same, I guess,
10 overall.

11 MR. LYNCH: Out-of-state
12 hunters, have you seen a trend in
13 that, of them coming more?

14 MR. MOODY: Apparently not.
15 Talking to the guys back here that
16 had more contact on a day-to-day
17 basis with Barbour and they're
18 apparently not there. And I'm not
19 aware of any particular thing.

20 MR. COLES: Chairman?

21 CHAIRMAN MOULTRIE: Yes.

22 MR. COLES: I'm going to refer
23 here to a article that was in the

0186

1 Alabama Federation by Mr. Bill Gray
2 who is a wildlife biologist with
3 the Alabama Division of Wildlife
4 and Freshwater Fisheries. And the
5 article's entitled "Barbour
6 Wildlife Management Area, a Quality
7 Deer Management Study." And it
8 gives the number of days total
9 harvest, number of man days per
10 harvest, on down. There's several
11 different categories here, and it
12 compares it from a period of 1994
13 to 1999 and also from 1999 to 2004
14 which is the years that we've been
15 under the Management Program.

16 To give you an example average
17 man days per two and a half year
18 old buck, prior to The Quality Deer
19 Management Program that was 132
20 days, now it's 65.3 days. Average
21 man days per three and a half year
22 old buck was 553; prior to the
23 Quality Deer Management Program and

0187

1 now it's at 138. There's no doubt
2 by these figures here and I have no
3 reason to doubt these figures that,
4 you know, it has been a success
5 story there. So if the people in
6 Barbour County want to have the
7 same success story, they are the
8 ones that buy the license and pay

9 the fees to generate and make this
10 engine run. Why can we not give
11 what the people in Barbour County
12 want?

13 CHAIRMAN MOULTRIE: Any other
14 discussion from the Board? Yes, Mr.
15 Lynch.

16 MR. LYNCH: The doe kill on the
17 management area during this time
18 frame, did it drop when you went to
19 the buck restrictions?

20 MR. MOODY: No, sir.

21 MR. LYNCH: It stayed the same?

22 MR. MOODY: Yes, sir. About a 6
23 percent increase over all.

0188

1 CHAIRMAN MOULTRIE: Any other
2 discussion?

3 DR. SMITH: Mr. Chairman, I'd
4 like to hear from Mr. Pugh again,
5 please.

6 CHAIRMAN MOULTRIE: Mr. Pugh.

7 MR. PUGH: If the Board chooses
8 to go in this direction, I strongly
9 recommend before you make a final
10 decision on doing this that you
11 allow us to do scoping in Barbour
12 County with the public and get the
13 input of the hunters in that
14 county.

15 MR. COLES: How long will that
16 take, Mr. Pugh?

17 MR. LYNCH: Can that be done by
18 May?

19 MR. PUGH: We can do everything
20 we can by May.

21 CHAIRMAN MOULTRIE: Is there
22 any other discussion? The motion
23 is: That all antlered deer

0189

1 harvested by licensed hunters in
2 Barbour County should have at least
3 3 points on one side. The QDM
4 Program will be in effect for a
5 period of not less than five years.
6 The Wildlife Section will prepare
7 and present to this Board a written
8 report after the third, fourth, and
9 fifth year of this program from a
10 hunter satisfaction survey. All
11 those in favor? All oppose? Motion
12 fails.

13 Mr. Pugh.

14 MR. PUGH: The next item is --

15 MR. LYNCH: I got a follow-up.

16 CHAIRMAN MOULTRIE: Hold on
17 just a minute. All right. Go ahead.

18 MR. LYNCH: Could we ask that
19 y'all try to come back with the
20 report you said, you know, could do
21 for our May meeting so we could
22 revisit this issue?

23 CHAIRMAN MOULTRIE: That'd be

0190

1 great. Mr. Pugh, can y'all do that?
2 MR. LYNCH: And if you can't
3 finish by then just let us know why
4 you can't and when you think you
5 could finish if that's pinning you
6 down on your time frame too much.
7 MR. MOODY: We can do that.
8 CHAIRMAN MOULTRIE: That'd be
9 great. Let the record show too that
10 there was five against and four
11 for. Go ahead, Mr. Pugh.
12 MR. PUGH: Next item,
13 Additional Enforcement Provision
14 for Dog Deer Permit System.
15 CHAIRMAN MOULTRIE: Any
16 discussion by the Board on this
17 topic? Where did that come from
18 last time? Do you remember, Mr.
19 Pugh?
20 MR. PUGH: If I'm remembering
21 right it was a citizen addressing
22 essentially asking that there be
23 more teeth in the system.

0191

1 DR. SMITH: You don't have --
2 MR. PUGH: Chief Address may
3 have some more -- (inaudible.)
4 CHAIRMAN MOULTRIE: Do y'all
5 have a recommendation on that?
6 MR. ANDRESS: If you would, I
7 might refer you to that summary of
8 Dog Deer Hunting Permit plan y'all
9 referred to earlier in the meeting,
10 and that gives you a -- that may
11 give you a brief overview of how
12 the permit system was implemented
13 and how it progressed this past
14 hunting season. And it also lists
15 in there the actions that were
16 taken against some of the clubs
17 where you had some significant
18 problems. And I might add that
19 those actions -- since the
20 complaints and violations did not
21 accumulate till the last of the
22 season those actions were not
23 implemented this hunting season but

0192

1 will be implemented for future
2 permits for the coming hunting
3 season. And I'll refer you to that
4 report and ask if you've got any
5 questions about that.
6 MR. COLES: I have a motion.
7 CHAIRMAN MOULTRIE: Mr. Coles.
8 MR. COLES: Last year when we
9 implemented the permit system in
10 Covington, Geneva, and Henry
11 Counties, in speaking with members
12 of the Enforcement Division,
13 landowners and dog owners, this was
14 a first time effort on everybody's

15 part. Nobody had any experience in
16 it. Some of the problems that arose
17 we had no forewarning of it or no
18 inclination that it in fact come
19 about.

20 But my motion is: To add to
21 the requirements of the permit
22 system in Covington County, Geneva
23 County, and Henry County that all

0193

1 lands were dog deer hunting is
2 allowed will be permitted.

3 CHAIRMAN MOULTRIE: Is there a
4 second?

5 MR. JOHNSON: Second.

6 CHAIRMAN MOULTRIE: There's a
7 second. The motion is: That we add
8 to the requirements of the permit
9 systems in Covington County, Geneva
10 County, and Henry County that all
11 lands were dog deer hunting is
12 allowed will be permitted. Any
13 discussion? Mr. Coles.

14 MR. COLES: Yes. Thank you, Mr.
15 Chairman. The problem arose in
16 these counties where you had a
17 continuous acre -- acreage
18 requirement. You may know a member
19 of a club that let's assume and
20 just for discussion purposes let's
21 say that he owned 60 acres and it
22 was not contiguous to what the
23 permit system allowed him to have,

0194

1 that it's off to the side, it's 2
2 or 3 miles or three-quarters of a
3 mile away or whatever. Well, in
4 lieu of part of his club membership
5 he throws that 60 acres into the
6 club, into their club land. And
7 under the permit system we had last
8 year individual landowners could
9 hunt on their own land without a
10 permit and they could allow guests.
11 Well, this individual would say,
12 all right, let's go over and hunt
13 my 60 acres over here and y'all
14 sign this paper and y'all are all
15 my guests. Well, what that did is
16 just circumvented the system.

17 We got the situation in Henry
18 County where there is a corporation
19 that owns the land. It's a brother
20 and a sister. One says she's the
21 controlling interest of it. The
22 brother said he is. I don't think
23 it's the Enforcement Division or

0195

1 this Board's place to be involved
2 in legal matters of that matter. So
3 they chose not go under the permit
4 system. They said they were hunting
5 on their own land. Simply, this

6 would only effect these three
7 counties of one group that has --
8 it's a father and three sons that
9 hunt on their own land and they
10 don't have any problems with it.
11 They've got 440 acres of the
12 individual that hunt on their own
13 land.

14 CHAIRMAN MOULTRIE: Any other
15 discussion on this motion? The
16 motion is: Add to the requirements
17 of the permit system in Covington
18 County, Geneva County, and Henry
19 County that all lands where dog
20 deer hunting is allowed will be
21 permitted. All those in favor raise
22 your hand? All opposed? Motion
23 carries.

0196

1 MR. COLES: I have another
2 motion, Mr. Chairman.

3 CHAIRMAN MOULTRIE: Mr. Coles,
4 go ahead.

5 MR. COLES: It appears that the
6 job or responsibilities of the
7 Conservation Advisory Board member
8 from District 2 is to be an
9 arbitrator and mediator. That seems
10 to be what I've been doing the last
11 two or three years. After attending
12 a meeting with the Dale County
13 Landowners Association and after
14 attending a joint meeting with the
15 Dale County Landowners Association
16 and the dog deer hunters of
17 northeast Dale County nothing was
18 offered or suggested how the dog
19 deer hunters could resolve the
20 problems of deer -- of hunting
21 dogs trespassing on the property of
22 others. Due to the unwillingness
23 and uncooperative nature of the dog

0197

1 deer hunters present and until a
2 workable solution can be agreed
3 upon by the landowners and dog deer
4 hunters such as a permit system or
5 other means, I'd like to make the
6 following motion.

7 The motion is: That the area
8 of Dale County east of Judy Creek
9 from the Barbour County line to
10 where it intersects Dale County
11 Road 36 and that area north of Dale
12 County Road 36 to the Alabama
13 Highway 27 and the area north of
14 Alabama Highway 27 to the Henry
15 County line be restricted to stalk
16 hunting only for the purposes of
17 deer hunting.

18 CHAIRMAN MOULTRIE: Is there a
19 second?

20 MR. JOHNSON: Second.

21 CHAIRMAN MOULTRIE: There's a
22 second. The motion is: That the
23 area in Dale County east of Judy

0198

1 Creek from the Barbour County line
2 to where it intersects Dale County
3 Road 36 and that area north of Dale
4 County Road 36 to Alabama Highway
5 27 and the area north of Alabama
6 Highway 27 to the Henry County line
7 be restricted to stalk hunting only
8 for the purposes of deer hunting.
9 Any discussion? Mr. Coles.

10 MR. COLES: These two groups
11 are talking. They are meeting
12 together. The meeting that I
13 attended lasted about an hour and a
14 half. Possibly about an hour and
15 ten minutes of it was consumed with
16 the dog deer hunters lambasting the
17 landowners. But they are still
18 talking, and this is not a
19 permanent solution. If they come
20 together with some kind of
21 agreement I would be the first one
22 to come back and ask this Board to
23 lift this restriction.

0199

1 CHAIRMAN MOULTRIE: Any other
2 discussion from the Board? Dr.
3 Smith.

4 DR. SMITH: Louis, you didn't
5 include any of that last part of
6 your comment into the motion
7 itself. You did in some of the
8 previous introductory statement.
9 But would you be willing to amend
10 your motion to include "Till a
11 workable solution could be agreed
12 upon by the parties involved"?

13 MR. COLES: Yes, sir. I'll
14 amend my motion to add the words
15 "Until a workable solution between
16 the landowners and dog deer hunters
17 can be arrived at."

18 DR. SMITH: Thank you.

19 CHAIRMAN MOULTRIE: What is the
20 amendment?

21 MR. COLES: To add "Until a
22 workable solution can be agreed on
23 by the landowners and dog deer

0200

1 hunters," period.

2 CHAIRMAN MOULTRIE: So in
3 addition to the motion the
4 amendment would be that we would
5 add at the end of purposes of dog
6 deer hunting "Until a workable
7 solution can be agreed upon by the
8 landowners and dog deer hunters
9 such as the permit system?

10 MR. COLES: No. Period after
11 hunters.

12 CHAIRMAN MOULTRIE: Okay. Until
13 a workable solution can be agreed
14 on by the landowners and dog deer
15 hunters, period; is that correct?

16 MR. COLES: Yes.

17 CHAIRMAN MOULTRIE: Any other
18 discussion? The motion is: That the
19 area in Dale County east of Judy
20 Creek from the Barbour County line
21 to where it intersects Dale County
22 Road 36 and at the area of Dale
23 County Road 36 to Alabama Highway

0201

1 27 the area north of Alabama
2 Highway 27 to the Henry County line
3 be restricted to stalk hunting only
4 for the purposes of deer hunting
5 until a workable solution can be
6 agreed on by the landowners and dog
7 deer hunters. All those in favor?
8 All opposed? Motion carries.

9 MR. COLES: Mr. Chairman, I
10 have one more motion and then I'll
11 be quiet.

12 CHAIRMAN MOULTRIE: Mr. Coles.

13 MR. COLES: In Coffee County
14 for the hunting season of 2004 to
15 2005 deer hunting season there were
16 21 complaints related to dog deer
17 hunting. Fifteen of those
18 complaints were about one club.
19 Seven of those complaints were
20 verified. Eight complaints were not
21 -- I beg your pardon. Seven were
22 not verified and eight were
23 verified. After meeting with the

0202

1 leader of this club there was no
2 suggestions offered on behalf of
3 the club to correct the problem in
4 the future. His attitude was that
5 they could not control their dogs
6 or where they go. This club is the
7 only dog hunting club in this area
8 and the gentleman who was in charge
9 of the club said, "We'd rather go
10 with none in Geneva County anyway."

11 So my motion is: I therefore
12 would like to make a motion that
13 that area from Enterprise City
14 limits south of US Highway 84 to
15 the Covington County line be
16 restricted to stalk hunting only
17 for the purposes of deer hunting.

18 That's the end of my motions,
19 but a statement I'd like -- this
20 would also include that area south
21 of Alabama 134 and east of Coffee
22 County Road 460 that was restricted
23 in 2003. It's within that same

0203

1 area.

2 CHAIRMAN MOULTRIE: Is there a

3 second?
4 MR. HARBIN: I second it.
5 MR. JOHNSON: Second.
6 CHAIRMAN MOULTRIE: There's a
7 second. And the motion -- Mr.
8 Coles, please go through this and
9 make sure I say what you just said.
10 The motion is: That the area from
11 the Enterprise City limits south of
12 US Highway 84 to the Covington
13 County line be restricted to stalk
14 hunting only for the purpose of
15 deer hunting?
16 MR. COLES: That's correct.
17 CHAIRMAN MOULTRIE: Any
18 discussion?
19 DR. SMITH: Is Geneva in your
20 district too?
21 MR. COLES: Yes, sir.
22 DR. SMITH: You just moved it
23 over?

0204

1 MR. COLES: Well, there's a
2 permit system in Geneva and
3 Covington.
4 CHAIRMAN MOULTRIE: Any other
5 discussion by the Board? The
6 motion is: That the area from the
7 Enterprise City limits south of US
8 Highway 84 to the Covington County
9 line be restricted to stalk hunting
10 only for the purpose of deer
11 hunting. All those in favor? All
12 opposed? Motion carries.
13 MR. HATLEY: Mr. Chairman, I'd
14 like to make a motion.
15 CHAIRMAN MOULTRIE: Mr. Hatley.
16 MR. HATLEY: Mr. Chairman, in
17 light of what has been discussed in
18 other counties, Mr. Self and I are
19 prepared to offer a joint motion on
20 behalf of the landowners in two of
21 our counties. We represent those
22 counties being Choctaw County and
23 Washington County. In light of

0205

1 numerous conversations and visits
2 and numerous letters I offer the
3 following motion: That that area in
4 Chilton County -- Choctaw County
5 south of Highway 84 from the
6 Mississippi line to the Clark
7 County line and that area in
8 Washington County north of County
9 Road 34 from the Mississippi line
10 to the Clark County line be
11 restricted to stalk hunting only
12 for the purpose of deer hunting
13 until such time as a permitting
14 system or any workable solution can
15 be instituted for this area.
16 CHAIRMAN MOULTRIE: Can I have
17 a copy of the motion, please, sir?

18 The motion is: That the area in
19 Choctaw County south of US Highway
20 84 from the Mississippi line to the
21 Clark County line and that area in
22 Washington County north of the
23 county road -- north of County Road

0206

1 34 from the Mississippi state line
2 to the Clark County line be
3 restricted to stalk hunting only
4 for the purpose of deer hunting
5 until such a time that a permitting
6 system or a workable solution can
7 be instituted for this area. Is
8 there a second?

9 MR. HARBIN: Second.

10 CHAIRMAN MOULTRIE: There's a
11 second. Any discussion? Mr. Hatley.

12 MR. HATLEY: None other than
13 what I've already said.

14 CHAIRMAN MOULTRIE: Any other
15 discussion? The motion is: That the
16 area in Choctaw County south of US
17 Highway 84 from the Mississippi
18 line to the Clark County line and
19 that area of Washington County
20 north of County Road 34 from the
21 Mississippi state line to the Clark
22 County line be restricted to stalk
23 hunting only for the purpose of

0207

1 deer hunting until such time as a
2 permitting system or any workable
3 solution can be instituted for this
4 area. All those in favor? All
5 opposed? Motion carries.

6 Is there any other discussion
7 of the dog deer permit system?

8 Mr. Pugh, next item, please.

9 MR. PUGH: I believe y'all
10 dealt with all of No. 9 on this
11 agenda; Dog Deer Closures.

12 CHAIRMAN MOULTRIE: Could you
13 repeat that?

14 MR. PUGH: The Board may have
15 dealt with all of 9.

16 The next item, the last item
17 is Seasons and Bag Limits. You have
18 before you the recommendation of
19 the professional staff that were
20 provided at the meeting of February
21 12th. And we would ask that you
22 consider adopting those seasons and
23 limits recommendations.

0208

1 CHAIRMAN MOULTRIE: Is there a
2 motion?

3 DR. SMITH: Second.

4 CHAIRMAN MOULTRIE: The
5 motion's been made and seconded.
6 The motion is: That we adopt the
7 Season and Bag Limits
8 recommendation for Wildlife and

9 Freshwater Fisheries. Mr. Pugh.
10 MR. HARDERS: Just to bring it
11 to your attention that in our
12 recommendations we asked that the
13 Board set the dove season. We
14 provided some alternative dates
15 last meeting but --

16 MR. SELF: Mr. Chairman?

17 CHAIRMAN MOULTRIE: Yes. Mr.
18 Self.

19 MR. SELF: After a great deal
20 of study and conversation and
21 policing the public in both Mobile
22 and Baldwin Counties by myself and
23 Mr. Hatley, we have reached a

0209
1 conclusion that the prior years
2 season and bag limits are
3 acceptable. And there has been a
4 question come up, though, about the
5 biological impact of opening the
6 season earlier.

7 CHAIRMAN MOULTRIE: Which
8 season, Mr. Self?

9 MR. SELF: The dove season.

10 MR. HATLEY: South zone.

11 MR. SELF: And there's been
12 some valid questions posed, valid
13 in my mind at least, that a study
14 needs to be conducted to determine
15 if opening the dove season in the
16 south zone back in September has
17 detrimental effects on the fledge
18 of doves.

19 We have -- we have some
20 volunteers from Mobile who have
21 agreed to fund a study to be
22 conducted through Auburn
23 University, specifically a Dr.

0210
1 Mariotchi (phonetic), and I
2 understand we may have some
3 matching funds for that.

4 COMMISSIONER LAWLEY: Ralph
5 Merroke (phonetic), Mr. Self.

6
7 (Laughter.)

8
9 COMMISSIONER LAWLEY:

10 (Inaudible.)

11 CHAIRMAN MOULTRIE: Go ahead,
12 Mr. Self.

13 MR. SELF: Excuse me, sir, for
14 mispronouncing your name.

15 I want to recommend that you
16 conduct this study and make a
17 determination if there is any valid
18 reason for not opening the dove
19 season south zone early in
20 September rather than in October so
21 the dates would be the same as last
22 year.

23 MR. LYNCH: Give him a

0211

1 microphone.

2 MR. HATLEY: He doesn't need a
3 microphone.

4 CHAIRMAN: Mr. Self, if you
5 would, pick up the microphone,
6 please.

7 MR. HATLEY: I have a motion
8 when he gets through.

9 MR. SELF: So dates would be
10 the same as last year, and that
11 would be October the 8th through
12 November the 6th, November the 24th
13 through November the 27th, and
14 December the 10th through January
15 14th.

16 MR. HATLEY: He made a motion.

17 CHAIRMAN MOULTRIE: Could you
18 repeat that, Mr. Self?

19 MR. SELF: I make a motion that
20 the dove season in the south zone
21 go from October the 8th to November
22 the 6th, November the 24th through
23 November the 27, December the 10th

0212

1 through January 14th, and that the
2 bag limits would be the same as
3 they were last year.

4 CHAIRMAN MOULTRIE: Do you have
5 a copy of that written motion?

6 COMMISSIONER LAWLEY: That
7 season's the same also.

8 MR. SELF: It's season and bag
9 limits the same as last year.

10 CHAIRMAN MOULTRIE: Season and
11 bag limits same as last year then?

12 DR. SMITH: Is that just the
13 south zone?

14 CHAIRMAN MOULTRIE: Restate the
15 motion, please, Mr. Self and let's
16 clarify. I want to make sure
17 everybody knows what they're voting
18 on.

19 MR. SELF: The motion is: That
20 the seasons and bag limits for dove
21 in the south zone be the same as
22 last year.

23 MR. LYNCH: And the north zone

0213

1 the same as last year.

2 CHAIRMAN MOULTRIE: Do you
3 accept that in your motion?

4 MR. SELF: Yes. And the north
5 zone the same as last year.

6 DR. MAY: I want to make a
7 suggestion on the north zone.

8 CHAIRMAN MOULTRIE: Okay. Hold
9 on. We've got a motion on the
10 table. We've got a motion that has
11 been made that we accept the north
12 and south zones be the same
13 guidelines as last year; is that
14 correct, Mr. Self?

15 MR. SELF: That's correct.
16 MR. JOHNSON: Second.
17 CHAIRMAN MOULTRIE: Any
18 discussion, Mr. Self?
19 MR. HATLEY: What date --
20 CHAIRMAN MOULTRIE: Mr. Hatley
21 --
22 MR. HATLEY: -- of the --
23 CHAIRMAN MOULTRIE: Mr. Hatley,

0214

1 Mr. Self has the floor. Mr. Self
2 has the first right for a
3 discussion.
4 MR. HATLEY: I beg your pardon.
5 CHAIRMAN MOULTRIE: Go ahead.
6 MR. SELF: I pass to Mr.
7 Hatley.
8 CHAIRMAN MOULTRIE: Mr. Hatley.
9 MR. HATLEY: What day of the
10 week is that? -- The 8th, guys?
11 CHAIRMAN MOULTRIE: Dates of
12 what?
13 MR. HATLEY: Dove season.
14 CHAIRMAN MOULTRIE: September,
15 Mr. Hatley?
16 MR. HATLEY: October 8th.
17 COMMISSIONER LAWLEY: It is a
18 Saturday?
19 CHAIRMAN MOULTRIE: It's
20 Saturday. Dr. May.
21 DR. MAY: I was wanting to make
22 sure. I want the 3-way split season
23 as we mentioned, but the north zone

0215

1 will be a 60-day season which will
2 have a 12-day bag limit. And I'd
3 like for us to start on September
4 the 10th and go through October
5 1st.
6 COMMISSIONER LAWLEY: I believe
7 that's 15 days -- 15 bag limit on
8 the 60 day.
9 DR. MAY: Right. 15 day on the
10 60 day.
11 CHAIRMAN MOULTRIE: And that's
12 different dates than last year.
13 DR. MAY: Different dates from
14 last year. We're moving it forward
15 one day is actually what's
16 happening in order for it to start
17 on Saturday.
18 CHAIRMAN MOULTRIE: Do you have
19 those dates, Mr. Self, that you can
20 put in your motion now? And do you
21 accept the dates?
22 MR. SELF: For the north zone
23 it would be September 10th to

0216

1 October the 1st, October 29th to
2 November the 19th, December 17th to
3 January the 1st.
4 CHAIRMAN MOULTRIE: You accept
5 that in your motion?

6 MR. SELF: Yes.
7 CHAIRMAN MOULTRIE: Okay. Any
8 other discussion on accepting the
9 Wildlife and Freshwater Fisheries
10 season and bag limits with these
11 dove dates?
12 MR. PUGH: Read the last one.
13 CHAIRMAN MOULTRIE: Yeah. We're
14 going to go through it one more
15 time. Okay.
16 The motion is: That we accept
17 the Wildlife and Freshwater
18 Fisheries season and bag limits
19 recommendations with the following
20 dove dates, give them to me, that
21 the north zone dove season remain
22 at 60-day, 3-way split season with
23 the following hunting dates;

0217
1 September 10th to October 1st, 22
2 days; October 29th to November
3 19th, 22 days; December 17th to
4 January 1st, 16 days.
5 That the south zone -- where
6 is it on here, Mr. Self?
7 MR. HATLEY: Up in the
8 right-hand corner.
9 CHAIRMAN MOULTRIE: Is that it
10 right there? -- these three dates?
11 MR. SELF: Right.
12 CHAIRMAN MOULTRIE: That the
13 south zone be October 8th to
14 November 6th, November 24th to
15 November 27th, and December 10th to
16 January 14th. All those in favor?
17 All opposed? Motion carries.
18 The next order of business
19 will be any new business or actions
20 to be considered at the May
21 meeting.
22 MR. HATLEY: I've got one, Mr.
23 Chairman.

0218
1 CHAIRMAN MOULTRIE:
2 (Inaudible.)
3 MR. HATLEY: (Inaudible.)
4 CHAIRMAN MOULTRIE: That was
5 part of the motion.
6 COMMISSIONER LAWLEY: He
7 included season and bag limits.
8 CHAIRMAN MOULTRIE: Okay.
9 Again, the next order of business
10 is new business or actions to be
11 considered at the May meeting. Any
12 discussion?
13 MR. HATLEY: I have, Mr.
14 Chairman.
15 CHAIRMAN MOULTRIE: Mr. Hatley.
16 MR. HATLEY: Mr. Chairman,
17 based on what we've heard today in
18 testimony and in evidence
19 presented, I would like for the
20 department to consider on stocking

21 private fish ponds by using
22 wildlife fisheries -- or freshwater
23 fisheries money and consider using

0219

1 our hatchery funds or our hatchery
2 assets for stocking purposes in
3 public waters only.

4 MR. SELF: Only?

5 MR. HATLEY: Only. That's just
6 a motion for consideration.

7 MR. SELF: Well, we're going to
8 discuss it.

9 CHAIRMAN MOULTRIE: Do you want
10 to repeat the motion? Is this a
11 formal motion, Mr. Hatley?

12 MR. HATLEY: Yes, sir. I'd like
13 for us to -- the staff to consider
14 for the purpose of stocking private
15 ponds Wildlife and Freshwater
16 Fisheries funds and for hatcheries
17 consider hatchery funds, consider
18 using all those assets strictly for
19 public waters only.

20 CHAIRMAN MOULTRIE: Is there a
21 second?

22 DR. SMITH: Do we need to
23 procure a motion?

0220

1 MR. HATLEY: This is not a
2 motion. It's something to bring up
3 and consider.

4 CHAIRMAN MOULTRIE: So it's not
5 a formal motion?

6 MR. HATLEY: Right.

7 CHAIRMAN MOULTRIE: Okay. Any
8 other discussions of new business
9 or items to discuss at the May
10 meeting for consideration?

11 DR. SMITH: Mr. Chairman, I
12 think there's a comment from the
13 department?

14 CHAIRMAN MOULTRIE: Yes. Mr.
15 Pugh.

16 MR. PUGH: I'd like to ask our
17 fisheries chief, Stan Cook to
18 briefly speak to that. And we will
19 prepare a full report for the Board
20 on that issue prior to the next
21 meeting and get it to you. But,
22 Stan, if you would speak to that.

23 CHAIRMAN MOULTRIE: Mr. Cook.

0221

1 MR. COOK: The Private Waters
2 Program that I believe was referred
3 to earlier. It is an old and
4 established program and primarily
5 provides technical assistance to
6 private pond owners in the State of
7 Alabama to more or less advise them
8 on how to get started on the right
9 foot to have productive and
10 sustained fishing within the
11 private pond. That's an accepted

12 systems just like we would --
13 (inaudible) -- someone wanting to
14 manage their deer herd on their
15 property.

16 The difference usually boils
17 down to when we talk to people
18 about this is the fact that the
19 state does provide fish for a fee
20 to the private pond owners. It is
21 not the cost of this production.
22 There are no funds associated with
23 this. It's just paid for with the

0222

1 fees associated with the pond
2 owners, what they pay for is the
3 fish and also some supplemental
4 funds that come from the oil and
5 gas money.

6 It was reported earlier that
7 we stocked over a million fish in
8 this program. That's not correct.
9 We stocked 50,000 fish last year in
10 the program compared to about
11 370,000 large mouth bass, and we're
12 talking about large mouth bass in
13 the public waters.

14 There is a program being
15 reviewed by federal aid and their
16 recommendation was it was an
17 appropriate program for us to be
18 involved in.

19 If we -- we'll be happy to
20 prepare some sort of written
21 statement for y'all to review. Let
22 you review it and see whether or
23 not you think that program is

0223

1 something you think is worthy to
2 keep --

3 CHAIRMAN MOULTRIE: I think the
4 Board would like to see that. Mr.
5 Cook, what is the costs associated
6 with -- do you know of the state
7 stocking these private --
8 essentially private ponds? What is
9 the cost involved?

10 MR. COOK: I believe the last
11 cost figure was about two years ago
12 and it was around \$200,000.

13 CHAIRMAN MOULTRIE: Per year?

14 MR. COOK: For us to raise
15 those fish for private ponds.

16 CHAIRMAN MOULTRIE: And does
17 that include the labor and other
18 stocking efforts in that cost
19 figure? Do you know?

20 MR. COOK: It includes all
21 labor related to raising those fish
22 and having them distributed to the
23 pond owners.

0224

1 CHAIRMAN MOULTRIE: But not to
2 go and stock them? Not to actually

3 put them in the pond? What I'm
4 saying is, if you could provide the
5 Board -- if you're going to provide
6 us a report, give us some inclusive
7 report so the Board can review that
8 and have those figures in front of
9 them, please.

10 MR. COOK: Sure.

11 CHAIRMAN MOULTRIE: That'd be
12 great. Any other discussion on
13 that? Mr. Pugh.

14 MR. PUGH: One thing to
15 consider here and this is
16 critically important on this issue,
17 we monitor the fish population in
18 all reservoirs in the state on an
19 ongoing basis. That's what our
20 fishery biologists are out there
21 doing. And stocking fish,
22 particularly large mouth bass, is
23 not an answer where you've got a

0225

1 reproducing population of fish in
2 these reservoirs.

3 Stan, do you got anything
4 you'd like to add to that?

5 MR. COOK: Yeah. The
6 misconception on stocking public
7 waters with large mouth bass is if
8 you stock public waters you
9 increase the abundance of bass in
10 public waters. That does not hold
11 up unless there has been some event
12 that has caused a catastrophe
13 within that particular population.

14 The public waters stocking
15 program that we have, the large
16 amount of bass has to do with
17 trying to establish genetic
18 influences of prior large mouth
19 into the existing negative
20 population.

21 If you can imagine a glass of
22 water was full which would
23 represent the standing crop of

0226

1 large mouth bass in a body of water
2 and you're trying to influence that
3 population of bass genetically,
4 pour a Coke into that glass and
5 you'll see the influence of that
6 Coke going into the glass. And
7 that's the same representation of
8 genetic material going into that
9 population. The amount of liquid in
10 that glass does not change. And
11 that's really what our program is
12 geared to do.

13 To effectively change the
14 abundance of large mouth bass in a
15 population you would need to
16 probably stock 6 inch or larger
17 large mouth Bass after the first

18 year of growth. And that is a very
19 difficult thing to do with hatchery
20 raised fish. It's hard to raise
21 those and take them to a subadult
22 size.

23 CHAIRMAN MOULTRIE: Mr. Hatley,

0227

1 any other clarification?

2 MR. HATLEY: No. But I
3 appreciate that. And you're going
4 to write us some type of position
5 paper on it?

6 MR. COOK: Sure will.

7 MR. HATLEY: Thank you very
8 much.

9 CHAIRMAN MOULTRIE: That'd be
10 great. Anything else under that
11 topic?

12 The next order of business is
13 the announcement and date of the
14 location of the next Advisory Board
15 meeting.

16 UNKNOWN SPEAKER: Mr. Chairman,
17 I think Mr. Willis has something.

18 CHAIRMAN MOULTRIE: All right.
19 Sorry, Mr. Willis. Go ahead. I
20 didn't see you. Go ahead.

21 MR. WILLIS: I want to speak on
22 behalf of the district that Colbert
23 County is in, we've had several

0228

1 people come here today and speak.
2 And I really appreciate the crowd
3 since it's my district.

4 CHAIRMAN MOULTRIE: Go ahead.

5 MR. WILLIS: Due to the fact
6 that I went to the commission and
7 got all of'em's signatures, Sheriff
8 May, talked to him, invited him to
9 the meeting, he came and spoke,
10 connected with several of the large
11 landowners in Colbert County, I
12 would just like to say I recommend
13 to the Board that we leave all
14 hunting and fishing laws in the
15 state that we've passed a while ago
16 we leave including everything, all
17 the deer hunting, the turkey
18 hunting, we want to leave it as it
19 is in Colbert County.

20 CHAIRMAN MOULTRIE: And it
21 would be unless it's changed.
22 Commissioner, is that right?

23 COMMISSIONER LAWLEY: (No

0229

1 audible response.)

2 CHAIRMAN MOULTRIE: Is this a
3 motion, Mr. Willis, or just a
4 statement for consideration?

5 MR. WILLIS: Well, it's just --
6 nobody's proposed this in any way
7 today.

8 CHAIRMAN MOULTRIE: Okay.

9 MR. WILLIS: So I mean --
10 CHAIRMAN MOULTRIE: Very good.
11 The Board follows that?
12 MR. HATLEY: Yes.
13 CHAIRMAN MOULTRIE: Very good.
14 Thank you, Mr. Willis.
15 The next order of business is
16 the announcement of the date and
17 location of the next Advisory Board
18 meeting. The date should be May
19 21st, 2005. The location will be
20 determined and announced as
21 availability allows.
22 We certainly enjoyed coming up
23 to north Alabama. We promised we'd

0230

1 move this meeting around, and we
2 will continue to move it around. I
3 know that the members of the press
4 had asked us also, and I hope
5 you're happy with our
6 consideration.
7 Since there's no further
8 business, the meeting stands
9 adjourned.

(Concl usi on.)

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1 C E R T I F I C A T E
2 STATE OF ALABAMA)
3
4 FRANKLIN COUNTY)
5 I hereby certify that the
6 above and foregoing deposition was
7 taken down by me in stenotype, and
8 the questions and answers thereto
9 were reduced to computer print
10 under my supervision, and that the
11 foregoing represents a true and
12 correct transcript of the
13 deposition given by said witness
14 upon said hearing.
15 I further certify that I am
16 neither of counsel nor of kin to
17 the parties to the action, nor am I
18 anywise interested in the result of
19 said cause.

20

21

22

23

DIANNA C. STEPP,
Commi ssi oner