

STATE OF ALABAMA DEPARTMENT OF
CONSERVATION AND NATURAL RESOURCES

ADVISORY BOARD MEETING
Liberty Park Middle School
Vestavia Hills, Alabama

March 9, 2013

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TRANSCRIPT OF PROCEEDINGS

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Proceedings taken before Tracye
Sadler Blackwell, Certified Court Reporter, ACCR
No. 294, and Commissioner for the State of Alabama
at Large, at the Liberty Park Middle School, 17035
Liberty Parkway, Vestavia Hills, Alabama, on
Saturday, March 9, 2013, commencing at
approximately 9:00 a.m.

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1 BOARD MEMBERS PRESENT:

- 2 Mr. Dan L. Moultrie, Chairman
- 3 Mr. N. Gunter Guy, Jr., Commissioner
- 4 Mr. John McMillan
- 5 Dr. Gary Lemme
- 6 Mr. Bill Hatley
- 7 Mr. Austin Ainsworth
- 8 Dr. Warren Strickland
- 9 Mr. Raymond Jones, Jr.
- 10 Mr. Grady Hartzog
- 11 Mr. Joseph Dobbs, Jr.
- 12 Mr. T.J. Bunn, Jr.
- 13 Mr. Jeff Martin

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13 INDEX

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15	CALL TO ORDER	3
16	INVOCATION	3
17	INTRODUCTION OF BOARD MEMBERS	4
18	APPROVAL OF MINUTES OF LAST MEETING	6
19	COMMISSIONER'S COMMENTS	6
20	PUBLIC HEARING	34
21	OLD BUSINESS	136
22	NEW BUSINESS	162
23	SELECTION OF DATE AND LOCATION OF MAY ADVISORY BOARD MEETING	169

1 CHAIRMAN MOULTRIE: I'd like for the March 9,
2 2013, meeting of the Conservation
3 Advisory Board to come to order. I'd
4 like to welcome everyone to Liberty Park
5 Middle School. The board is glad that
6 you're able to be here today. The
7 invocation will be given by Mr. Bill
8 "Bubba" Bussey. Mr. Bussey.

9 MR. BUSSEY: Thank you. Join with me in
10 prayer, please.

11 Heavenly Father, we thank you for
12 another beautiful day today. We thank
13 you for this place together, and we
14 thank you for the process that we're
15 about to undertake. Father, we've all
16 been blessed so much that we can't even
17 begin to thank you for all those
18 blessings. And, Father, we ask today as
19 we continue the job that you have given
20 us as the gardener that you would bring
21 us together. We have a vast group here
22 with different expertise, different
23 interests, and we ask that you put us

1 all together in one corridor that would
2 serve you and that would serve the
3 people, the hunters, the landowners in
4 the state of Alabama in the best way
5 possible. Father, we ask all of this in
6 your name. Amen.

7 CHAIRMAN MOULTRIE: Thank you, Mr. Bussey.

8 The next order of business is the
9 introduction of the board members.

10 First I'd like to introduce our
11 Commissioner of Conservation, Mr. Gunter
12 Guy. Commissioner.

13 Next I'd like to introduce our
14 Deputy Commissioner, Curtis Jones.
15 Mr. Jones.

16 Next I'd like to introduce the
17 current Alabama's Agricultural
18 Commissioner, John McMillan.
19 Commissioner.

20 We have several people in the
21 audience I'd like to recognize: Former
22 Commissioner of Conservation Barnett
23 Lawley. Mr. Lawley.

1 Former Commissioner of Conversation
2 Riley Smith. Riley.

3 And first vice-president of NRA, Jim
4 Porter. Mr. Porter.

5 Our other ex-officio member here
6 today is Dr. Gary Lemme from the Alabama
7 Extension Service. Dr. Lemme.

8 And for allowing the board to use
9 their fine facilities here,
10 superintendent of the Vestavia School
11 System, Dr. Jamie Blair, and Jack
12 Pennington.

13 Next I'd like to let the district
14 members of the board give their name and
15 which district they represent starting
16 at the end. Mr. Ainsworth.

17 MR. AINSWORTH: Austin Ainsworth, District 4.

18 MR. BUNN: T.J. Bunn, District 7.

19 MR. MARTIN: Jeff Martin, District 3.

20 MR. DOBBS: Joey Dobbs, District 6.

21 MR. HARTZOG: Grady Hartzog, District 2.

22 DR. STRICKLAND: Warren Strickland,
23 Congressional District 5.

1 MR. JONES: Raymond Jones, Congressional
2 District Number 5.

3 MR. HATLEY: Bill Hatley, District 1.

4 CHAIRMAN MOULTRIE: Very good. Thank you.
5 We're glad you're in attendance.

6 One other speaker -- and he hadn't
7 arrived earlier, but if he is here, we'd
8 like to recognize also Representative
9 Wes Long, District 27 representative.
10 Is he here yet?

11 He will be arriving.

12 The next order of business is the
13 approval of the February 9th, 2013,
14 Advisory Board minutes. Are there any
15 changes to the minutes?

16 (No response.)

17 CHAIRMAN MOULTRIE: If not, the minutes stand
18 approved as read.

19 The next order of business is the
20 Commissioner's comments. Commissioner
21 Guy.

22 COMMISSIONER GUY: If everybody will indulge
23 me one more time, I was going to do a

1 short PowerPoint on a couple of issues.

2 CHAIRMAN MOULTRIE: Yes. I think everybody
3 really liked the PowerPoint you did
4 before, and I've had a lot of people ask
5 for it. So I think that would be
6 excellent.

7 COMMISSIONER GUY: I'm going to try not to
8 make it a practice, but I think with all
9 the information or in some cases the
10 misinformation, I would like to talk
11 about a few of the issues that we have
12 already talked about to further
13 clarify. So I was going to ask the
14 members if they could go down and sit.
15 We have chairs.

16 CHAIRMAN MOULTRIE: That would be great.
17 Members, if y'all would file down,
18 please.

19 Commissioner, I forgot to
20 introduce -- and, Mr. Hartzog, you'll be
21 glad. We have with us today another
22 college student in training that would
23 like to sit with us from the University

1 of Alabama. Mr. Hartzog, I know you
2 approve.

3 Davis Blair, if you'd raise your
4 hand. He's from the University of
5 Alabama and wanted to have part college
6 credit by participating in the Advisory
7 Board meeting. He will be our
8 timekeeper today, and we'll keep a
9 strict three-minute rule.

10 So, Davis, thank you for being here
11 and participating.

12 Representative Long, we recognized
13 you just now, but we're going to
14 recognize you again. If you'd just wave
15 your hand so everybody will know who you
16 are. Thank you for your attendance
17 today. Representative Long,
18 District 27.

19 COMMISSIONER GUY: I'm going to come over here
20 and talk to you. That will be the
21 easiest way to do it.

22 (Brief interruption.)

23 COMMISSIONER GUY: All right. So while

1 they're looking for some lights to be
2 turned off, which may help you, we're
3 going to briefly -- I was just going to
4 briefly run through some of the major
5 issues for today, and I'm going to try
6 to be quick about it. There are other
7 issues, I think, on the agenda. But,
8 Julie, if you would go ahead and get the
9 first one.

10 So this is the proposed February
11 deer season shifting area in southwest
12 Alabama. It's the same map that we
13 published. I've heard from a lot of
14 different -- the department has heard
15 from a lot of different people about
16 this, and I'm going to try to tell you
17 what we've heard.

18 Number one, we've heard from quite a
19 number of people that said we like it,
20 but you didn't put it in our county or
21 our area. We want it extended further.
22 So I want to be clear on the record that
23 in that regard, for that issue, we

1 are -- as I said last time, we have to
2 have data to support what we're doing.
3 And, quite honestly, we don't have all
4 the data to support it. And if we're
5 going to do it right, which we want to
6 do, we need that data. And we have a
7 plan for next year -- really this year.
8 I'm sorry. This year we'll be doing
9 this deer field study in other counties
10 that are not included in this map.

11 And so my opinion is overwhelmingly
12 people wanted the extension, but they
13 didn't like the fact that they weren't
14 included. Lots of people -- Barbour
15 County -- well, I can just tell you,
16 just about any county south of
17 Montgomery, we got calls from people
18 that wanted it there too. And I
19 understand that. But we need to have
20 the data.

21 So the second thing that I heard
22 from, of course, is the dog deer hunters
23 because of the fact that we cut out ten

1 days. And I've heard you loud and clear
2 and I understand where you're coming
3 from. And what I've tried to explain to
4 everybody that has an interest in that
5 is that even though we took out ten days
6 for both dog deer hunters and gun
7 hunters in December, we did that because
8 we didn't feel it was appropriate for
9 the resource or the other hunters in the
10 rest of the state to give that area
11 extra days, ten extra days which we are
12 tacking onto the end of the season.
13 Those dog deer hunters that stalk hunt,
14 which I'm pretty sure I can say is a
15 pretty good majority -- not everybody --
16 will still get those ten days. They're
17 not losing ten days. But, again, I do
18 understand that we took away ten
19 dog-hunting days.

20 Now, my commitment to those people
21 that have an interest in this is simply
22 this. I hope -- you know, it may not
23 satisfy you. But if we extend the

1 season into other areas of the state
2 next year, we will be obviously
3 including more of those that are
4 affected by dog deer-hunting days. And
5 my commitment is to try to figure out
6 how we can address that so that maybe
7 you don't lose that many days or maybe
8 you lose some days but not all days.
9 But it's very complicated. It's not
10 simple. But I'm not saying that we
11 won't go back and look at that.

12 The commitment I can make to you --
13 for those that know, this board and I
14 have supported dog deer hunting. We try
15 to do everything we can to support it.
16 This was just a case of getting ten
17 days. I took -- I needed to take ten
18 days out. I felt that was the
19 appropriate thing for the resource.

20 It may turn out sometime down the
21 road that we may see that maybe this
22 extension of the season is wrong. It
23 may turn out that way. We're going to

1 use this game check to figure out how
2 many deer, in particular, bucks and
3 does, are being taken in this extended
4 season.

5 If you'll remember, we've got the
6 game check that's going to go into
7 effect next hunting season. With that
8 game check, you'll be required to report
9 the bucks you kill. You're not getting
10 extra bucks for this ten days. Same
11 three-buck limit. And we're going to
12 require you, which you should do, to
13 keep that harvest record and to report
14 it. Then we have the information to let
15 you know how many deer are being taken
16 during that extra ten days. And as a
17 department, it's our duty and
18 responsibility to evaluate that and to
19 let y'all know whether that's a good
20 thing or a bad thing.

21 When it comes to does, if you don't
22 want to shoot does, don't shoot does. I
23 know with most people, you know, it's

1 about shooting a buck in the rut. But
2 certainly you need to manage your
3 properties.

4 As you know, the public properties
5 that are managed by the department, they
6 will set what can be done within those
7 public properties and -- but this is
8 more about private owners, private
9 lands, and your ability to be able to
10 hunt into what the data shows in this
11 area as a later rut by the information
12 we have. It's not -- we're going to
13 continue to get more information in this
14 area, but the information we have
15 supports this. Sure, you've got some
16 days that are earlier. You've got some
17 days that are way later where deer --
18 the does are bred. But what we're
19 showing is that the information is that
20 the generally average date is into the
21 early part of February, the first ten
22 days.

23 So, anyway, I'm just trying to

1 explain to you that I'm not going to
2 forget about the fact that you say it.
3 And I welcome the comments today. If we
4 go into more counties, I think more than
5 anything we need to look about how we
6 decide to address dog deer hunting.

7 Next slide.

8 Oh, and one other thing. A lot of
9 questions were asked about why parts of
10 counties and not all of the counties.
11 And the department, in particular, I
12 think, Enforcement and Wildlife feel
13 that natural boundaries are easier to
14 enforce. That's all that's about, so --
15 and I believe that's true. If you think
16 about it, counties, there's no line in
17 the dirt right there. It's easier to
18 enforce natural boundaries. That's why
19 you see -- the way this thing is done,
20 you see it by natural boundaries.

21 All right. If we could go to the
22 next one.

23 So, again, this just shows you the

1 updated season and bag limits with all
2 the different dates. And, now, in
3 the -- where the season is not extended,
4 there won't be a change, but in the
5 extended part or shifted part of the
6 season, the south zone, there will be
7 these different days that we will need
8 to pay attention to.

9 Go ahead, Julie.

10 Okay. The other issue was there was
11 an area north -- the north part of
12 Alabama where there was a recommendation
13 to cut back on doe days. And after the
14 proposal at the last meeting, there were
15 some concerns about one area. And I'm
16 going to see if I can do this. That's
17 this area right there. And so that area
18 was taken out. That's the only thing
19 that was changed, except that we also
20 went to -- instead of a season with --
21 for gun hunting -- I think 23 days is
22 what was proposed for one doe a day. We
23 went back to the entire gun season with

1 just one doe a day. So we cut it from
2 two does a day back to one doe a day.

3 And, again, for those people that
4 live in this area, two things I would
5 like to say and that is -- I mean, in
6 this whole area -- is that use good
7 management practices because we are
8 concerned about the does in that area,
9 number one. And, you know, so if you
10 don't have does, you know, talk to your
11 neighbors, talk to everybody and say,
12 look, let's be careful about it.

13 And then, number two, again, with
14 the game check, we hope to get some
15 really good information about the number
16 of does that we're taking. And we can
17 evaluate that and figure out whether our
18 doe harvest -- we're setting these
19 doe -- these seasons and bag limits
20 right based on does. We might have
21 to -- we may have to either further
22 reduce does or maybe we find out that
23 there's more does than we think. And so

1 we want to look -- now we can look
2 statewide at this.

3 And that's, again, the reason for
4 the game check. And so far the game
5 check has been overwhelmingly -- the
6 comments have been overwhelmingly in
7 support of that. And we hope that
8 everybody will help us work toward
9 getting that word around and to getting
10 that game check done in a very good
11 manner so that everybody knows what's
12 going on. We'll try to publicize all
13 that.

14 Go ahead, Julie.

15 Again, that's just unantlered deer
16 zone. It's just one unantlered deer per
17 day in that area.

18 Go to the next one.

19 Okay. The other thing we talked
20 about was area definition. Let me say
21 why area definition is a -- is brought
22 up and why it's a topic today. And many
23 of you know I'm a lawyer, and I'm going

1 to be short about this.

2 But there was a time when the
3 department thought that the baiting law
4 that's in the statute was a strict
5 liability statute. Just if you're out
6 there and there's feed around you, you
7 could be ticketed for it and you were
8 guilty because the feed was there
9 whether you knew or should have known
10 about it. And that's been a concern
11 among a lot of people.

12 Well, in 2000 there was a case
13 called the Phillips case, and in that
14 case it was decided that the officers
15 had to approve -- had to prove that the
16 hunter knew or should have known that
17 bait was there for the purpose of luring
18 that deer there.

19 Our officers -- our enforcement
20 officers are great at what they do, but
21 working within the framework of the law,
22 there's no clearly defined definition of
23 what the area is. It could be the size

1 of this auditorium for some officers.
2 For other officers it could be the size
3 of a parking lot or further. And that's
4 not because it's a fault with them.
5 It's because it's not defined in the
6 law. So the case said that you have to
7 prove that, and it talked about the
8 issue of the area that's in the
9 statute.

10 Go ahead.

11 Oh, go back. Can you go back?

12 So the other thing I want to mention
13 is, in looking at this issue, we looked
14 at the southeastern states. The states
15 in yellow -- or any part of the states
16 in yellow is where baiting is allowed.
17 The states in green, north Georgia,
18 Tennessee, and Mississippi, all have
19 area definitions. We have nothing.

20 So another purpose of this area
21 definition is to bring us in compliance
22 with everybody else. And it's
23 two-fold. Number one, it's so the

1 officers will know where cases should be
2 made and, number two, so the public has
3 an expectation to know where they can
4 feed or not feed a deer and be okay with
5 it.

6 Now, this proposed area
7 definition -- go to it, Julie.

8 This proposed area definition -- let
9 me be clear -- does not allow for
10 baiting. It is not a circumvention of
11 the law that says you can't bait. You
12 still can't bait. The purpose of this
13 is to give the officer and the public an
14 opportunity to do what it already
15 allows, which is feed.

16 You can feed 365 days a year in
17 Alabama. Supplemental feeding is
18 allowed. It's not prohibited by law.
19 And some people want to feed on their
20 property and want to do it -- want to do
21 it in a lawful manner, but they don't
22 know what the parameters are.

23 So we're trying to set those

1 parameters by this. We're saying that
2 as it applies to the -- the statute
3 is -- that's what I've been referring
4 to. As it applies to the hunting of
5 deer and feral swine --

6 Those are the two species that we're
7 setting an area definition for. You
8 will notice that we're not talking about
9 turkeys or any other game animals in
10 this area definition. It's deer and
11 feral swine.

12 -- there shall be a rebuttable
13 presumption that any bait or feed, as
14 defined in that code section, located
15 beyond "X" yards from the hunter and not
16 within the line of sight of the hunter,
17 is not a lure, attraction, or enticement
18 to, on, or over the area where the
19 hunter is attempting to kill or take the
20 deer or feral swine.

21 We're taking that right from the
22 statute. And the reason that the word
23 bait or feed is used there is because

1 it's used in the statute. Because
2 really what we're talking about is your
3 ability to feed.

4 So what the consideration for this
5 board is, is to adopt this proposal like
6 has been done in other states which
7 would give the hunter an opportunity to
8 feed on his property, if he so chooses,
9 as long as it's more than whatever
10 yardage is set from him and not within
11 the line of sight. So two things are
12 required: It's got to be further than
13 so many yards and it's got to be out of
14 his line of sight.

15 The other issue here is, for
16 purposes of this regulation, not within
17 the line of sight means being hidden
18 from view by natural vegetation or
19 naturally occurring terrain features.
20 And the regulation shall not apply on
21 public lands.

22 So what that means is if you try to
23 circumvent this and just go out and

1 stick the corn behind a bale of hay --
2 I'm just using that as one example --
3 that's not going to work, y'all. That's
4 baiting; okay? That's still baiting.

5 And that rebuttable presumption word
6 right there means this: These officers
7 can still make a case out against you.

8 Now, let me try to explain that a
9 little bit further. We'll go to the
10 next regulation -- next -- so we just
11 did an example of this for y'all's
12 review.

13 Here's the hunter. The distance is
14 an equal distance, whatever is decided,
15 around that hunter. Two things have got
16 to happen. We put this feeder over
17 here. And this is an example. It's got
18 to be more than the distance in this
19 circle and it's got to be out of the
20 line of sight.

21 I don't know if you can tell, but
22 those are all trees. We just used that,
23 trees, and that's what it says, natural

1 vegetation or naturally occurring
2 terrain features.

3 The idea here is it needs to be out
4 there where -- far enough beyond this --
5 beyond this and out of sight. And there
6 would be a rebuttable presumption that
7 it's not a lure for purposes of
8 baiting. That rebuttable presumption is
9 just like this. It can be overcome if
10 there's other evidence that the officer
11 thinks is present where you were really
12 just trying to circumvent feeding and
13 shoot a deer over bait. But it's his
14 burden to overcome that presumption.

15 Now, somebody asked me and I had a
16 thousand examples. And there are a
17 thousand examples, again, because we are
18 not allowing baiting. So you need to --
19 everybody should understand that. This
20 is not a circumvention of the baiting
21 statute in no way, shape, or form.

22 What needs to be understood is this
23 can be done now. It can be done now.

1 People can feed now, but they just can't
2 bait. And what we're trying to do is,
3 again, make this so people understand
4 what the parameters are.

5 Again, what I want you to understand
6 here is in this circle, the way the law
7 reads, you are presumed to know whether
8 there's feed in that circle, whatever
9 that circle comes to be. That's your
10 responsibility. The officer, by virtue
11 of this definition, will know that
12 within that -- whatever that yardage is
13 right there, you're presumed to know
14 whether there's feed there. Outside
15 that circle there's a rebuttable
16 presumption that he has to overcome.

17 And the parameter is -- it's got to
18 be -- so if you put -- it might be
19 outside the circle, but if you put it
20 right out there in plain view and just
21 try to, like I say, hide it behind a
22 bale of hay or stick it behind a piece
23 of dirt or whatever you try to do -- and

1 this is only for a very small percentage
2 of people that we catch anyway. If it's
3 outside the line but still within the
4 line of sight, that's baiting. If the
5 deer and the bait are together there and
6 you can see them, that's baiting; okay?
7 That's just what it is. That's the way
8 it is now.

9 The majority of the people we give
10 tickets to are sitting right over the
11 bait. What we're trying to do is help
12 eliminate those law-abiding folks who by
13 definition now can feed -- supplemental
14 feed on their property. And we're
15 trying to help them understand what that
16 is and give our officers the same
17 direction.

18 There has been some misinformation
19 that this is allowing baiting. I
20 would -- I would challenge anybody that
21 that's what it's doing. And the other
22 states have done the same thing. The
23 other three states that I pointed to

1 have done the same thing. And they are
2 anti-baiting states, too, but they've
3 done it. One of the states -- can you
4 go back, Julie, to that?

5 I'll share with you that Mississippi
6 has a hundred yards as their distance.
7 Tennessee has 250 yards. And north
8 Georgia has 200 yards. So there's
9 differences in opinion about that. They
10 set it at whatever they want to set it
11 at.

12 Would you go back to the other one.

13 Okay. So -- is there another one
14 after that? There's not, is there?

15 MS. PERRY: That's it.

16 COMMISSIONER GUY: Okay. So, again,
17 understand this is what the case says
18 that I'm referring to. It's basically
19 saying we're defining that area so that
20 people, again, will have that
21 expectation.

22 Can you go back to -- go back to
23 that one, please. Thank you.

1 So, again, I want you to be able to
2 see the statute and what it says. As
3 regards deer and feral swine -- I want
4 to make it clear, deer and feral swine.
5 Turkeys, anything else, the statute as
6 it now reads is applicable, which
7 basically means we're not defining the
8 area for any of those other game. And
9 other states have done the same and
10 mostly because they feel it's not
11 appropriate to define it for turkey or
12 other game, but they have felt it
13 appropriate to do it for deer and feral
14 swine.

15 This is the key language, not within
16 the line of sight and -- excuse me --
17 the distance and the line of sight. So
18 we're hoping by doing this we're
19 allowing people who wish to feed on
20 their property to do so.

21 I want to make another statement.
22 You don't have to feed on your
23 property. Nobody is requiring you to

1 feed on your property. So for those who
2 are against it, don't feed. And I say
3 that not to you guys, but just to the
4 general public. If you don't want to
5 feed on your property, you don't have
6 to. But the law does allow you to do
7 it. So what I'm trying to say is, if
8 you're against it because you don't like
9 feeding, don't feed. But the law says
10 you can feed.

11 The other thing is I was going to
12 say, too -- and I meant to say this, and
13 I mean it all respectfully. Like where
14 we extended the season in southwest
15 Alabama, there are people that say, you
16 know, I'm not all that crazy about it.
17 I even got -- I even got a letter from
18 one man's wife who, I think, threatened
19 divorce if he got to hunt ten more
20 days. My advice was don't hunt those
21 extra ten days. Seriously, I mean,
22 don't hunt those extra ten days. The
23 three-buck limit still applies. Some

1 people may have killed their three-buck
2 limit. And so, you know, if you're
3 hunting bucks, we're not giving out
4 extra tags.

5 So, you know, what I mean by that
6 is, look, use good judgment, you know,
7 with your property that you own or lease
8 or whatever you do. And if you think
9 you've put a lot of pressure on those
10 deer and you've hunted it enough, don't
11 hunt. But we're doing it for the
12 reasons I stated earlier.

13 But the same thing applies to this.
14 Nobody is telling you you have to feed.
15 Our -- our -- the information that we
16 have gotten in the department
17 overwhelmingly has supported this and
18 believes it's something good. It will
19 be debatable, I'm sure, but
20 overwhelmingly this has been supported.
21 Overwhelmingly the extension of the
22 season has been supported.

23 What I want to do is try to

1 balance -- and I will always balance
2 what's best for the resource. That's
3 the primary objective. But I want the
4 hunters in this state to have
5 satisfaction of what we're trying to
6 do. Because we depend on y'all to buy
7 licenses and support this department,
8 and without you we don't exist. And,
9 you know, it's important that we have
10 your buy-in on this.

11 And, certainly, if it turns out
12 we've done something wrong, we'll change
13 it. I mean, that's the good thing about
14 what we're doing is we have an
15 opportunity to always change it.

16 Now, on the yardage that's missing
17 right there, I'm just going to say
18 this: It's up to this board to decide.
19 But we have found that most people have
20 been in favor of a hundred yards. Not
21 everybody -- I want to be clear on
22 that. Not everybody is, but most people
23 are. And I'm sure there will be some

1 people here that will speak to it.

2 So I appreciate everybody giving me
3 this chance to do this. Like I say, I'm
4 not going to try to make this every
5 time. I know I did it last time. I
6 just wanted to make sure that when you
7 have an opportunity to comment that I
8 gave this -- that I gave this talk
9 beforehand so that you knew what we were
10 trying to do here.

11 And thank you for your time. Thank
12 you, Board Members, for your time, and
13 we can go back and resume business.

14 CHAIRMAN MOULTRIE: Thank you, Commissioner.
15 If everybody would take their seats.

16 We're going to take a recess during
17 the speaking section where we normally
18 would go all the way through the
19 speakers because of the volume of the
20 speakers. But we'll go halfway through
21 and then we'll recess. Then we'll come
22 back. And we may even take a second
23 recess during that before old business

1 and new business. But we're going to
2 start ...

3 All right. The next order of
4 business is the public hearing. When
5 your name is called, please go to the
6 microphone and give your name and
7 subject you wish to speak on. I'll
8 remind you that you may only speak at
9 the time you are called and any
10 interference will not be tolerated. And
11 because of the volume of speakers, it
12 will be strictly limited to three
13 minutes.

14 The first speaker on the first
15 subject -- we're going to break it down
16 by subjects -- is the supplemental
17 feeding issue people signed up for, and
18 the first speaker is Mr. Jim Porter.

19 MR. PORTER: Mr. Chairman, Mr. Commissioner,
20 Members of the Board. I see my good
21 friend and friends of the Lawley family
22 over here, Barnett, who did such a great
23 job as commissioner, Mr. Smith and

1 others. I appreciate the opportunity.

2 The purpose of my speaking here
3 today is involving the regulation that
4 was just discussed by Commissioner Guy.
5 My concern doesn't go to the merits of
6 the regulation. My concern goes to the
7 fact that the National Rifle
8 Association -- which I'm the first
9 vice-president. My dad was the
10 president. We have 76,000 members just
11 in this state. We've got five million
12 members across the country. We are
13 involved in a preeminent status in
14 dealing with conservation and hunting
15 issues at a federal level and in -- in
16 each national -- each state
17 legislature.

18 We have probably one of the best
19 wildlife departments and resources
20 available. I myself have been involved
21 on hunting issues in this state. I was
22 very much involved in the
23 reimplementation of the Forever Wild.

1 On behalf of the department, I was asked
2 to speak to the legislature on the
3 pending legislation on behalf of the
4 rank-and-file hunters in this state.
5 I've been asked to speak by the
6 department at committee level in dealing
7 with the baiting bill that had
8 perennially come up the last four or
9 five years in the legislature, which go
10 nowhere, and the ones that are pending
11 this year will go nowhere. The National
12 Rifle Association is on record as being
13 supportive of our anti-baiting statute
14 we have in this state.

15 The National Rifle Association is on
16 record from the standpoint of this
17 board -- when we passed -- when I served
18 on the board a couple of years ago, we
19 passed a resolution that resolved that
20 this board, on behalf of the people of
21 this state, the hunters, support the
22 principles of fair chase and support the
23 baiting statute that's on the books.

1 The problem that I had with this
2 particular matter is not merits but
3 process. For the first time today --

4 MR. BLAIR: That's time.

5 CHAIRMAN MOULTRIE: If you would sum it up,
6 please, Mr. Porter.

7 MR. PORTER: Yes. The problem that I have is
8 that no one has discussed this drastic
9 change in policy with me or my
10 organization. Commissioner Guy said the
11 most important thing is a buy-in. We
12 are a major stakeholder. We represent
13 the overwhelming majority of
14 rank-and-file hunters in this state. We
15 have not -- it hadn't been discussed
16 with us. It hadn't been presented to
17 us.

18 All I ask is that this matter be
19 laid on the table and give us an
20 opportunity to provide our expertise, to
21 provide the -- very possibly the good
22 will and the support of the hunting
23 public in this state. And that's the

1 purpose of my remarks here today.

2 CHAIRMAN MOULTRIE: Thank you, Mr. Porter.

3 MR. PORTER: Thank you, Mr. Chairman.

4 CHAIRMAN MOULTRIE: The second speaker will be
5 Tim Gothard.

6 MR. GOTHARD: Mr. Chairman, Commissioner,
7 Members of the Board, good morning to
8 you. Tim Gothard, executive director of
9 the Alabama Wildlife Federation. And
10 first let me say this. Commissioner, I
11 do really like the presentations that
12 you give at the beginning of the
13 meeting, and I hope that that's
14 something that will continue.

15 I just want to come and speak today
16 to the area definition that has been
17 mentioned in that topic matter. The
18 Wildlife Federation has been against
19 baiting throughout its history, and in
20 2001 we formalized that. Since that
21 time there have been numerous occasions
22 where legislation has been introduced
23 that, to us, we felt will exacerbate

1 baiting in this state. Our organization
2 has not been opposed to supplemental
3 feeding under the right circumstances,
4 especially if it doesn't constitute
5 baiting.

6 I will agree that clarity is a good
7 thing. I will just say this: When I
8 look at the statute, there's a lot of
9 words there. And, Commissioner, I'm not
10 a lawyer and don't claim to be. I can
11 look at the words and say, well, I see
12 what I think is trying to be done, but I
13 don't have great confidence and I have
14 concern about how that may play out on
15 the ground. And if it does play out on
16 the ground, then intentionally or
17 unintentionally -- and certainly,
18 Commissioner, I respect your comment
19 that baiting is not driving you to do
20 this. And I agree with that 100
21 percent. But I do have concerns about
22 how that's going to play out on the
23 ground.

1 I won't stand here telling you I
2 have all the answers, but I would like
3 to ask and recommend if this issue could
4 be carried over so that we could huddle
5 up in a room and see. Maybe the outcome
6 of this is that finally the light bulb
7 goes off in my head and I say, well, you
8 know, what he described, that's -- that
9 is good, a good thing.

10 But I don't claim to have the right
11 answers. We do have concerns. And I
12 would welcome the opportunity to gather
13 around the table with parties interested
14 in this and delve into that education
15 some more, Commissioner, that you tried
16 to do right here and see if there is
17 something that we all could be on the
18 same sheet of music. Thank you very
19 much.

20 CHAIRMAN MOULTRIE: Thank you. The next
21 speaker is Riley Smith.

22 MR. SMITH: Thank you, Mr. Chairman,
23 Commissioner, Board. I appreciate the

1 opportunity to talk with you today.

2 I see some things in the proposal
3 that appear attractive. I think about
4 other things that Tim alluded to that
5 might not work on the ground. Nothing
6 is perfect though. You try as hard as
7 you can to come up with something. And
8 I've been on the other side of the
9 table, and it's tough sometimes.

10 What I'm mainly concerned about is
11 the fact that nobody in south Alabama --
12 and I use nobody kind of loosely
13 there -- knows about this. I don't know
14 if the media overshadowed the dog
15 proposal and this never came out or
16 not. I found out about it on Tuesday.
17 I called Sandy Stimpson Tuesday
18 morning. He thought I was crazy.

19 We lease -- our family -- we lease
20 to 56 hunting clubs. We also donate
21 18,000 acres to the state of Alabama for
22 public hunting. I started calling some
23 of our hunting clubs. I stopped at 16.

1 None of the people that I talked to in
2 these hunting clubs were aware of this
3 proposal. To my knowledge -- and we
4 don't have a very good paper anymore.
5 But to my knowledge it's not been in the
6 Mobile paper. I have seen nothing on it
7 in the news. I've seen no announcement
8 of it.

9 I think what you're trying to do is
10 admirable. I think it needs doing. But
11 I'm concerned that it hasn't been put
12 out in front of the public. I know
13 you've met the criteria -- and the
14 criteria wasn't there when I was
15 commissioner -- that, you know, you
16 would talk about it and then you would
17 vote on it the next meeting. But
18 outside of the meeting room, I don't
19 think the public -- and if it's like
20 that way in southwest Alabama -- unless
21 Mike or somebody in one of the other
22 papers has written some things up here,
23 it may be that way across the entire

1 state.

2 I, too, would ask respectfully that
3 you table this matter, that you invite
4 the various organizations -- I'm
5 president of the Natural Wild Turkey
6 Federation Foundation. I spoke to
7 Dr. James Earl Kennamer three or four
8 times this week, and he asked me to come
9 down here and represent them as well.

10 You talk about buy-in. I don't
11 think you've got a lot of buy-in, not in
12 southwest Alabama anyway, because nobody
13 knows about it. You talk about wanting
14 to do the right thing. The right thing
15 is to make the public aware of this.

16 Again, I think you've got something.

17 MR. BLAIR: That's time.

18 CHAIRMAN MOULTRIE: If you'll sum it, please,
19 Riley.

20 MR. SMITH: Again, I would just simply ask
21 that you table the motion today, get the
22 groups engaged, and there may be some
23 other ideas out there that will make

1 this a better regulation. And I would
2 request that. Thank you.

3 CHAIRMAN MOULTRIE: Thank you. The next
4 speaker is Wayne Harrell.

5 MR. HARRELL: My name is Wayne Harrell. I
6 manage some property in Boligee,
7 Alabama, a hunting club down there. I
8 would like to address this issue on the
9 proposed baiting in four areas.

10 The first one will be ethics.
11 Ethically I think baiting is just
12 wrong. I think it takes away from the
13 aspect of hunting and paying the dues
14 and doing the work that it takes. I
15 don't believe that we ought to bait in
16 any manner. I'm totally opposed to it,
17 and we don't do it on our property, I
18 can tell you.

19 People that do bait, when February
20 comes, they've gone home. They tend not
21 to plant the food plots like the rest of
22 us do. They don't do anything to
23 improve the habitat, and I think it

1 damages the resource.

2 Some surrounding states, as Gunter
3 Guy put up there, do. And I've hunted
4 in northwest Florida several times. And
5 when they first started baiting, I went
6 down there, and you could watch deer in
7 the woods walk around the food they had
8 put in front of them and they'd come in
9 there. I went down there again this
10 year on my friend's land, and he told me
11 that since they have started baiting --
12 this is northwest Florida, around
13 Defuniak Springs -- that since they
14 started baiting and shooting deer, now
15 they never see a deer over bait.
16 They've become nocturnal over corn just
17 like they do over a food plot. Because
18 if you just constantly pound them,
19 they're not coming in there. Get up the
20 next morning and all the corn is gone.
21 So they come in there at night.

22 The other thing that bothers me a
23 lot about this issue, if you define a

1 200-yard area as what's legal to run a
2 feeder or dump corn on the ground or
3 whatever, I don't know if any of you
4 have done the math, but high school
5 geometry will tell you a 200-hundred
6 yard circle is 26 acres of land. And we
7 have 4100 acres at our club, The Oaks,
8 in Boligee. If ten feeders showed up on
9 our land, that's 260 acres that my
10 members can't hunt and they're paying
11 dues on it anyway. Well, that's another
12 reason I'm opposed to it. I just think
13 it's too much of a loss of land that
14 would be legal to hunt on otherwise.

15 And I really do question the legal
16 part of this. Since the law says you
17 cannot bait -- and I understand,
18 Mr. Guy, that there has been a case.
19 I'm not an attorney. But I really think
20 the law does state that you can't bait.

21 But one thing I'd like to say is I'd
22 like to see more of us just regular guys
23 represented other than just people that

1 are buying their way into the trophy
2 world. So I'd just like to take that
3 time to say that and thank y'all for
4 letting me have this opportunity to
5 express my thoughts.

6 CHAIRMAN MOULTRIE: If you'll hold your
7 applause until the end, please.

8 The next speaker will be
9 Representative Long.

10 MR. LONG: Chairman and the Board, thanks for
11 having me. I want to thank y'all for
12 addressing the issue. I'm here to speak
13 on the supplemental feeding and the
14 distance. My area is Marshall County.
15 I've been in the State House the last
16 two years. I've carried a piece of
17 legislation that looked at this issue
18 based on the Mississippi law.

19 I think the board is the right body
20 to address it. I'm a hunter and a
21 fisherman, and all these things in the
22 legislature are tough to deal with, as
23 you know. I think this is the correct

1 forum, and I appreciate y'all addressing
2 it today.

3 The other thing I wanted to talk
4 about is in our area in north Alabama
5 there's a lot of mountainous -- a lot of
6 different demographics. And to put a
7 defined yardage in, I think, helps
8 clarify it to people. Because you're
9 hunting in different elevations and
10 different types of lands than you are in
11 south Alabama, and I think that's an
12 important point to think about.

13 I'd also like to put a good plug in
14 to all the hunters here about no sales
15 tax of ammunition that I sponsored in
16 the House. Thank y'all for addressing
17 this issue.

18 CHAIRMAN MOULTRIE: Thank you, Representative
19 Long.

20 The next speaker is former
21 Commissioner Barnett Lawley.

22 MR. LAWLEY: Thank you, Mr. Chairman. Again,
23 I want to acknowledge Commissioner

1 Smith, Mr. Porter, and Tim Gothard.

2 I am in favor of the regulation
3 that's before y'all today. One is
4 consistency, consistency for the
5 hunter. To carry this on -- let me give
6 you just a quick history.

7 Ten years ago Corky Pugh and Allan
8 Andress and a judge that used to live in
9 Barbour County and I met. They promised
10 him at that time that we would define
11 area as regarding baiting, and that was
12 ten years ago. It's been studied by
13 Tim's group. It's been studied by
14 anybody -- it's been up before almost
15 every Advisory Board that I can remember
16 on the eight years that I was here.

17 I think it does -- the reason I'm
18 for it, if you plant your property and
19 you try to create habitat for deer for
20 12 months out of the year and then you
21 quit any supplemental feeding during the
22 deer season to be legal, it's the
23 illegal hunters that are doing the

1 baiting that's drawing the deer off of
2 your land. And an outlaw is going to be
3 an outlaw. I mean, they're just --
4 they're going to find a way to do it.
5 And what we're doing is penalizing the
6 good people that are trying to manage
7 their land and maintain their land by
8 using the outlaw as an example and
9 saying that everybody is. Everybody is
10 not.

11 But let me tell you, this kicking
12 the can down the road and then put it
13 off and do it and do it and do it. Like
14 I said, it's my tenth year being aware
15 of it, and it's been studied and
16 restudied. And, you know, the best way
17 to get a study on this is to pass this.
18 It's a regulation, y'all. You can -- or
19 Gunter can do it himself. If something
20 goes wrong, you can quit it. You can
21 change it. It's something you can
22 balance.

23 But if you want a really good study,

1 let's pass it and look and see what it
2 does. And I think that you'll find that
3 most of the hunters -- I know the
4 hunters in south Alabama were
5 definitely -- in the survey that was
6 done overwhelmingly came back in support
7 of this hundred-yard rule. And I'm sure
8 a bunch of those are NRA members, too,
9 actually myself.

10 But, Gunter, I've talked on most of
11 the points that I really wanted to bring
12 up. But I think it would be really,
13 really effective on the poaching aspects
14 of it as you could -- you're allowed to
15 put feed on your property to keep your
16 deer with you and maintain the habitat
17 you've spent your time and money on.

18 So, Dan, that's really -- I could
19 talk on, but I would be reiterating what
20 has already been said. But I think it's
21 a good reg.

22 CHAIRMAN MOULTRIE: Thank you, Commissioner.

23 The next speaker is Rob Grubb.

1 MR. GRUBB: Thank you, Mr. Chairman. Ladies
2 and gentlemen of the board, I appreciate
3 the opportunity to speak to you guys
4 this morning. My name is Rob Grubb.
5 I'm a resident of Birmingham, and I have
6 a farm in Lowndes County, Alabama, in
7 the central part of the state. My
8 purpose for being here today -- and I
9 want to start with just a simple story.

10 About four weeks ago at the
11 conclusion of our hunting season in
12 January, I invited a state biologist, my
13 next-door neighbor actually, to come
14 over and do a site visit, a farm tour.
15 My objective of this farm tour was
16 pretty straightforward. I've been
17 managing a piece of property that we own
18 for about nine years, and I wanted to
19 see what steps we could take to actually
20 improve the overall farm operation, from
21 feeding, to habitat, et cetera.

22 After about a three-hour visit, the
23 biologist made several recommendations

1 to me. I will skip over a number of
2 them and start with one and that was
3 that the supplemental feeding that we
4 are doing currently, he said I would
5 enhance it; I would do it more.

6 Now, he wasn't advising me
7 necessarily in the month of January,
8 December, November, October, et cetera,
9 in the middle of the hunting season, but
10 he was advising me, in fact, that
11 there's a benefit to supplemental
12 feeding. So this expert is giving me
13 advice on my private farm that I'd like
14 to take advantage of.

15 Well, if you look around the
16 states -- and it was already mentioned
17 in the presentation before. If you look
18 around the other states that border us
19 and around the country, you can clearly
20 see that there's many people who have --
21 experts, if you will, who have decided
22 that the idea of feeding -- supplemental
23 feeding year around makes a lot of

1 sense.

2 As a landowner, my challenge is
3 this: I am not going to breach the
4 law. The people who hunt with me on my
5 property is not going to breach the
6 law. I'm not even going in the gray
7 area because it's not worth it to me.

8 So as a landowner, the struggle I
9 have is this -- this particular
10 regulation -- this supplemental feeding
11 regulation I struggle with because I'm
12 not really exactly sure what the line in
13 the sand is, and I'm not going to breach
14 that.

15 So, inevitably, the piece of
16 information valuable to me from this
17 meeting with my biologist was that we
18 need to supplemental feed. It will help
19 enhance the value of our herd -- not the
20 value of our herd, but the strength and
21 the health of our herd. We'd like to do
22 it full-time, though, year around.
23 States neighboring us around the country

1 agree with that. So for me, as a
2 landowner -- and I'm not involved in all
3 the legislative issues to the "nth"
4 degree. I am a simple landowner, and I
5 am here representing that piece or that
6 part of the state.

7 So for me, my request is to give me
8 the opportunity to follow the advice of
9 the expert who walked onto my farm,
10 suggested that supplemental feeding will
11 help me and help me build a better -- a
12 better wildlife habitat for all the
13 animals that live and cross over my
14 property. Allow me to do that in such a
15 way that I know that I'm not going to be
16 guilty of any gray area of any law or
17 any issue with the state.

18 So today my recommendation and
19 request is that you guys -- thank you
20 for the opportunity to speak, first of
21 all. But, secondly, I just ask that you
22 take very close consideration. The
23 baiting comment has been made. But as

1 it was articulated in the beginning,
2 we're not talking about baiting. I'm
3 not talking about hunting over bait.
4 I'm literally talking about putting food
5 sources on my property year around --

6 MR. BLAIR: That's time.

7 MR. GRUBB: -- to allow my animals to be as
8 healthy as they possibly can.

9 So I am not supporting the baiting.
10 I am simply supporting the idea of
11 full-time year-around supplemental
12 feeding. Thank you for your
13 consideration.

14 CHAIRMAN MOULTRIE: Thank you.

15 The next speaker will be Steve Guy.

16 MR. GUY: Commissioner Guy, Chairman Moultrie,
17 and Members of the Board, my name is
18 Steve Guy, and I'm here today
19 representing the Alabama Deer
20 Association whose members include the
21 hunting lodges, whitetail deer breeders,
22 and high-fence landowners throughout
23 Alabama.

1 As Commissioner Guy has indicated, I
2 believe there will be a motion here
3 today to define the phrase on or over
4 the area as it applies to hunting deer
5 and baiting regulations. The Alabama
6 Deer Association wholeheartedly supports
7 your efforts to clarify this law. We
8 would further encourage you to support a
9 definition that allows a deer hunter to
10 be legally hunting deer if they are
11 beyond 100 yards and out of the line of
12 sight of an active supplemental feeding
13 site. This change will give both
14 hunters and enforcement officers a clear
15 and concise definition of the law. This
16 change would also mirror the updates
17 that have recently been made to baiting
18 laws in our sister states of Tennessee,
19 Georgia, and Mississippi.

20 Based on our review of other
21 southeastern states, we've also seen no
22 evidence of detrimental effects to other
23 wildlife, such as turkeys, as a result

1 of supplemental feeding deer programs in
2 those states. Thank you very much for
3 your time.

4 CHAIRMAN MOULTRIE: Thank you, Mr. Guy.

5 The next speaker will be Terry
6 Kennedy.

7 MR. KENNEDY: Thank you, Mr. Chairman.

8 Commissioner Guy, I really want to
9 thank you for your time in explaining
10 what y'all are proposing to do this
11 morning. I think you did a really good
12 job of explaining why there's a need to
13 define this area.

14 I think a friend of mine gave the
15 example that our law enforcement
16 officers don't ask us to drive at a safe
17 speed. They have a particular speed
18 limit they want us to drive by. So I
19 think we need to have this defined area
20 to give our law enforcement officers an
21 opportunity to know exactly what's the
22 law and to give the hunters the ability
23 to do this supplemental feeding.

1 I've been hunting for over 35
2 years. I'm from Limestone County. My
3 farm did not have a deer when I started
4 hunting. I had to travel to south
5 Alabama to hunt. I am -- I think our
6 resource is extremely important. I am
7 in no way advocating baiting
8 whatsoever. I do think, though, that we
9 need to be able to supplemental feed
10 these deer throughout the year,
11 including the hunting season, as long as
12 it's done properly and ethically.

13 As you mentioned before, there's so
14 many other states around us that's
15 already doing this. I think we compete
16 with not only the hunters of our state,
17 but we compete with hunters throughout
18 the country to hunt here.

19 I think the hundred-yard
20 recommendation by several is in
21 agreement with me. I think that out of
22 line of sight would give everybody a
23 defined position. It would be a

1 situation where they would know that
2 they were legal and that they wouldn't
3 be fearful of supplemental feeding and
4 that they could do that to improve their
5 herd. I appreciate your time.

6 CHAIRMAN MOULTRIE: Thank you, Mr. Kennedy.

7 The next speaker will be Trey
8 Montgomery.

9 MR. MONTGOMERY: Dan, Commissioner, Advisory
10 Board Members, thank you for this time.
11 And the resources that you have for
12 making the state of Alabama a better
13 place to hunt and fish starts right
14 here.

15 I'm a fifth-generation landowner.
16 My family farm, about 25 to 30 years ago
17 we started managing wildlife as an
18 income. If wildlife was not part of the
19 farm, I wouldn't be on the farm. My
20 goal in life was to raise my three
21 children on the farm and keep the family
22 farm together. We've been able to do
23 that through hunting and fishing. 15

1 years ago we started a commercial
2 hunting and fishing operation. It's
3 been somewhat successful.

4 Defining this bill is something I
5 encourage you to do. I'm going to give
6 you an example. I'm in the hunting and
7 fishing business, but I can have a
8 property owner right next to me that's
9 putting out corn or bait. And if I have
10 a hunter in there and I'm not aware of
11 that and my enforcement officer comes in
12 and he arrests my hunter, it's -- he can
13 shut down my operation for ten days in
14 the month of January. Ten days is a
15 third of January. I'd be out of
16 business.

17 So the true landowners in this
18 country are the true conservationists in
19 this country. I make my living hunting
20 and fishing. I want to protect the
21 resources to the best of my ability and
22 be a good steward of the land. If I
23 want to feed on my land or supplemental

1 feed, I feel like I have that right.

2 We've got enough bureaucratic laws
3 on the books that's bogging us down.
4 I've got friends in the NRA and the
5 Turkey Federation and the Alabama
6 Wildlife Commission. This is something
7 that I would like to see addressed, and
8 I'm in support of this. Thank you for
9 your time and everybody have a good safe
10 trip home.

11 CHAIRMAN MOULTRIE: Thank you, sir.

12 The next speaker is Chip Stacey.

13 MR. STACEY: I'm Chip Stacey. My family -- we
14 run a -- we're a private landowner and
15 have run a hunting club around 35
16 years. We have collected data for over
17 28 years, and we have substantially
18 managed our herd over the years. And
19 I'm in for defining the area for
20 supplemental feeding. I think it's a
21 good management tool for increasing our
22 herd health and helping to improve the
23 herd -- quality of the herd.

1 I know over the years that records
2 have been kept in our district office.
3 I have voluntarily gave those records to
4 them. My records speak for theirselves.
5 When we started an extensive feeding
6 program in the off-season, we have
7 definitely seen the increase in our deer
8 herd, the health. And we've also
9 collected data the last six years that
10 has went into the study for the
11 extension of the season in the south,
12 and I hope to continue to work with the
13 state with that. And I'm in support of
14 it. And thank you for all y'all have
15 done.

16 CHAIRMAN MOULTRIE: Thank you, Mr. Stacey.

17 Our final speaker on supplemental
18 feeding is Rick Oates. Mr. Oates.

19 MR. OATES: Thank you, Mr. Chairman,
20 Commissioner, Board Members. I'm Rick
21 Oates representing ALFA, the Farmers
22 Federation. We appreciate this
23 opportunity to comment on these proposed

1 regulations related to supplemental
2 feeding. We fully support this effort
3 to give landowners and hunters a clear
4 definition to work under so that they
5 know they're operating within the
6 guidelines established by this board and
7 the laws of the State of Alabama. Many
8 landowners feel -- are afraid that they
9 will be cited for violating the law
10 because there is no clear definition.
11 This regulation will help alleviate
12 those concerns.

13 We know that this is a biologically
14 sound management tool. It can be used
15 to improve our deer herd, and we think
16 it will help enhance and strengthen our
17 herds.

18 Regarding the distance the
19 Commissioner left up to the board to
20 decide, we would like to recommend and
21 support a hundred yards. We feel that
22 that will help especially small
23 landowners who may only have 40 or 50

1 acres that may be -- with a smaller
2 acreage like that, it may be difficult
3 for those landowners to get what they
4 need, get situated so they can have a
5 distance 200 yards or greater. So it
6 may be difficult for them. So we
7 support that hundred yards and would
8 certainly ask y'all to consider that.

9 We also feel it's important and it
10 brings it in line with other states so
11 that all the southern states are working
12 from the same set of regulations and the
13 same basic set of rules. And, again, we
14 appreciate y'all's time and
15 consideration on this issue.

16 CHAIRMAN MOULTRIE: Thank you, Mr. Oates.

17 All right. The next speaker on
18 marine resources, Mr. Avery Bates.

19 MR. BATES: My name is Avery Bates,
20 vice-president of Organized Seafood
21 Association. Been before this board
22 many times.

23 I also want to thank Commissioner

1 McMillan and Commissioner Guy for the
2 Seafood Summit we just had. Great
3 participation and millions of dollars --
4 well, actually, billions of dollars that
5 goes to this state through Sysco and
6 others. There were so many there that
7 benefited from this summit. But we want
8 to thank y'all for participating and
9 financing that. I think Chris
10 Blankenship is in Boston now pushing our
11 seafood.

12 But I heard something that was real
13 concerning at a public meeting with our
14 new commissioner, Jerry Carl, about the
15 deepening of the ship channel up to
16 eight feet. That could be very
17 detrimental to some of our marine life,
18 in some of the areas that we're having
19 problems with oyster creel. It can
20 bring more saltwater into the bay. So
21 we need to plan in the future any
22 mitigation that might be done with
23 either the clam or oyster beds in Mobile

1 Bay to move that resource way ahead so
2 that we can increase our oysters and
3 good bottoms so that marine life that
4 flourishes around these reefs we've got
5 reproduce.

6 We also had a great Seafood Bash,
7 one of the best bashes we ever had, in
8 Montgomery a few weeks ago. We fed our
9 representatives. They ate good oysters
10 and fish and just -- even the Governor
11 was bragging. And even in this summit
12 we had, the Governor said we had some of
13 the best seafood in the whole Gulf
14 Coast. He wasn't lying.

15 But let's make sure that our
16 seafoods are healthy. We thank the
17 Commissioner for backing our reef
18 building program that's coming up. We
19 still do not have a member sitting on
20 the board for the seafood capital of
21 Alabama for the last two years. It's
22 been vacant. I want y'all to know any
23 regulations that might come through

1 that's detrimental to our gillnet
2 fishermen, whether it be -- because they
3 produce food. There's one place called
4 Sysco that has 5,700 restaurants that
5 he's supplying with seafood. We have so
6 many -- like Wentzell's. They use our
7 products.

8 We want to make sure any regulation
9 that's put before you that would hurt
10 these having access to our seafoods,
11 whether it's caught by hook and line,
12 gillnet, or whatever -- let's improve
13 our acreage. Let's improve the quality
14 of our waters. And this is of grave
15 concern, this project in Mobile Bay,
16 because of the reefs, the mother reefs
17 that's at the Bay. And if we can move
18 some of this stock, if it's got to be
19 done, let's move it in the right
20 location so we can have sustainability
21 of jobs, improved acreage and production
22 that will help the recreational
23 fishermen and the commercial fishermen.

1 And, also, boat ramps in Mobile
2 County. We only have really four that
3 commercial fishermen and recreational
4 fishermen use. This is important for
5 our working waterfronts.

6 MR. BLAIR: That's time.

7 CHAIRMAN MOULTRIE: Sum it up, please.

8 MR. BATES: Okay. That's a major disaster in
9 Mobile County for launching boats. So
10 if y'all would, Commissioner, you need
11 to work with Chris Blankenship to get
12 more access to the water for both user
13 groups. Thank you very much.

14 COMMISSIONER GUY: Mr. Chairman?

15 CHAIRMAN MOULTRIE: Yes.

16 COMMISSIONER GUY: Can I just say something?

17 CHAIRMAN MOULTRIE: Yes.

18 COMMISSIONER GUY: I want Mr. Bates to know
19 that he's got 11 people on this board to
20 represent the Organized Seafood
21 Association and its interest.

22 But I do want to -- I want to
23 commend Avery and the Organized Seafood

1 Association of Alabama for all they do.
2 They -- since this oil spill, they have
3 been working and working and working and
4 working to promote Alabama seafood and
5 what it means to the Gulf. And I can't
6 thank Avery enough for what their group
7 does, and I just want to publicly
8 acknowledge that. Thank you.

9 MR. BATES: Thank you.

10 Mr. Moultrie?

11 CHAIRMAN MOULTRIE: Yes.

12 MR. BATES: We're having a cookout with Pat
13 Dye, one of your favorite people -- he
14 is a famous Auburn man -- on the 5th of
15 April. Come eat some good seafoods.

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

18 All right. The next set of speakers
19 is going to be under miscellaneous, and
20 one of our long-time speakers, Ms. Sybil
21 Deschaines. Mr. Deschaines.

22 If somebody would help her down,
23 please.

1 MS. DESCHAINES: That's the longest walk.

2 CHAIRMAN MOULTRIE: Please speak into the
3 microphone, Ms. Deschaines, because we
4 all want to hear what you've got to say.

5 MS. DESCHAINES: I guess it pays to have gray
6 hair because look at all the help I got
7 coming down those steps.

8 It's been a couple of years since
9 I've been here. I only know two or
10 three of the members on the board now.
11 I don't know any of the new appointees
12 to the department. And I just wanted to
13 recognize some faces and to say welcome
14 to the new members and hello to the
15 older members that I've worked with a
16 number of years. Thank you.

17 CHAIRMAN MOULTRIE: Thank you,
18 Ms. Deschaines.

19 The next speaker is Tammi Hudson.

20 MS. HUDSON: Good morning, Commissioner,
21 Chairman, and Board. I'm back again to
22 talk about the disabled hunting area. I
23 once again thank you for having those.

1 I understand we're going to have a
2 new one in Clarke County, and I'm real
3 excited about that. I don't know about
4 other areas, but I'm excited about
5 that.

6 I wanted to make sure that I clarify
7 what I talked to you about in February.
8 Our verbiage right now says that when
9 you are using one of these disabled
10 hunting areas you are only allowed to
11 harvest deer. That's all. So one of
12 my -- one of the things I'm asking is
13 that verbiage be changed so that you can
14 kill whatever game is in season where
15 you're at with whatever weapon is
16 approved at that area.

17 We have an area that we can only use
18 bows at. So, obviously, I would also
19 talk to you about a spring turkey hunt
20 at these areas. Obviously, if you can't
21 use a crossbow to kill a turkey, you
22 wouldn't turkey-hunt on that area. Does
23 that make sense? I felt like maybe I

1 didn't clarify what I was saying
2 before.

3 I also understand and want you to
4 know that I understand that shooting can
5 only be done from the shooting houses.
6 So I'm not asking for that to be changed
7 in any way. I'm telling you that every
8 single disabled area I have hunted at
9 over the past two years there has been
10 plenty of gobblers. And that's why I'm
11 asking for the right to go there during
12 spring turkey season and kill a few of
13 them, because I can't kill them the
14 normal way.

15 But there's some in Monroe County
16 that I'm telling you, you can set your
17 clock by when those gobblers is going to
18 come out. And they walk right in front
19 of you. So I'd like the opportunity to
20 harvest some of them.

21 So I wanted to make sure that those
22 things were clear. I understand that
23 you can only do it from the shooting

1 house, and I'm only asking to harvest
2 what is in season with whatever weapon
3 is approved for that area.

4 Also, while I'm here, I am just
5 going to say that I am against the
6 extension. Every area I've hunted this
7 past year has -- the deer has been in
8 rut during January.

9 Also, the other thing that I was
10 concerned about that was said at the
11 last meeting was that y'all are going to
12 discuss a proposal for a minimum acreage
13 for dog hunting. I am for dog hunting.
14 And, you know, I feel like we have so
15 many regulations now that if we now go
16 ahead and regulate that, it's just going
17 to be difficult. Because we've got --
18 at Scotch Wildlife Management Area --
19 and I'm not sure of the exact number of
20 acres there, but it's somewhere --

21 MR. BLAIR: That's time.

22 CHAIRMAN MOULTRIE: If you would sum it up,
23 please, Ms. Hudson.

1 MS. HUDSON: Yes, sir.

2 My thing is it doesn't really matter
3 how many acres you've got. Those dogs
4 still don't know boundary lines and you
5 still have to be good neighbors with
6 your neighboring landowners. That's
7 all. Thank you.

8 CHAIRMAN MOULTRIE: The next speaker is Bob
9 Slocum.

10 MR. SLOCUM: Mr. Chairman, Commissioner,
11 Members, I'd like to speak to you this
12 morning about the muzzleloader season
13 and maybe having it extended from the
14 present five days which runs Monday
15 through Friday. The average hunter,
16 maybe 90, 95 percent, have to work
17 during the week. This does not give
18 them even a weekend to exercise their
19 muzzleloader hunting.

20 Also, just to bring us more in line
21 with the archery hunters, who last year
22 had 32 days prior to the gun season
23 opening for hunting, we would like to

1 have 14 days for the muzzleloader. And
2 I think this would also increase the
3 interest in muzzleloader hunting which
4 would involve people buying
5 muzzleloaders and supplies. Not many
6 people will go out and spend the money
7 for a five-day season.

8 That's about all I have. I just
9 would like to respectfully request that
10 you consider extending the season for
11 us. Thank you very much.

12 CHAIRMAN MOULTRIE: Thank you, Mr. Slocum.

13 The next topic area is legal
14 arms/any species. The first speaker is
15 David Shiflett.

16 MR. SHIFLETT: Good morning, Members of the
17 Board. My name is David Shiflett.

18 CHAIRMAN MOULTRIE: Pull that microphone up,
19 please, Mr. Shiflett, and speak into
20 it. Thank you.

21 MR. SHIFLETT: Yes, sir. I am local here in
22 Jefferson County. I hunt a lease
23 long-term in Perry County. And I want

1 to kind of discuss our pig problems.

2 We all know that it is an ongoing
3 concern. We are spending as a state
4 billions of dollars in attempting to
5 reestablish longleaf pine, which
6 apparently the feral swine think is
7 catnip for them.

8 Accordingly, I would like to ask
9 that -- excuse me -- that the rules be
10 modified to allow attached light sources
11 and night vision for feral swine
12 hunting.

13 Additionally, I would like the board
14 to consider to allow the usage of Judas
15 collars or other electronic tracking
16 devices in an effort to take this
17 population back.

18 The last thing I would like to bring
19 up is that currently in somewhere
20 between 25 and 28 of the 40 states that
21 allow -- of the 40 states that allow
22 suppressors, they allow it in hunting.
23 Mississippi has not passed a law that

1 allows it. I think it is time to
2 consider it as civilization or neighbors
3 move into our hunting areas. I think
4 it's a courtesy. I think it allows the
5 next generation to avoid hearing loss.
6 And I would just like to bring it up and
7 have it considered.

8 CHAIRMAN MOULTRIE: Thank you, Mr. Shiflett.

9 MR. HARTZOG: Mr. Chairman?

10 CHAIRMAN MOULTRIE: Yes, Mr. Hartzog.

11 MR. HARTZOG: I'm hard of hearing. You said
12 something about electronic and I --

13 MR. SHIFLETT: I would just like to ask that
14 the board consider the allowance of
15 tracking collars or Judas collars
16 specifically with regard to feral swine.

17 CHAIRMAN MOULTRIE: Define what a Judas collar
18 is.

19 MR. HARTZOG: Yeah.

20 MR. SHIFLETT: It's just basically a locator
21 collar.

22 CHAIRMAN MOULTRIE: Okay.

23 MR. SHIFLETT: If any of you hunt with bird

1 dogs, it works off the same thing.

2 CHAIRMAN MOULTRIE: It's a beeper collar?

3 MR. SHIFLETT: Well, it's actually a GPS
4 collar.

5 CHAIRMAN MOULTRIE: Okay.

6 MR. HARTZOG: What are you attaching it to?

7 MR. SHIFLETT: Essentially what you would do
8 is you would trap a young feral swine --

9 CHAIRMAN MOULTRIE: Speak into the microphone,
10 please.

11 MR. SHIFLETT: You will trap a young feral
12 swine, put the collar on it and release
13 it and allow it to take you back to the
14 entire --

15 MR. HARTZOG: Okay. I got you. I'm sorry.

16 CHAIRMAN MOULTRIE: I have a question to ask
17 Director Sykes.

18 Is it a legal practice in the state
19 to track these swine and release it with
20 an electronic collar on it, or do we
21 need to look at that?

22 I hate to catch you off guard, but
23 when he said that, I want to clear it up

1 right now for the board.

2 MR. DODD: I can't say that it's illegal to
3 trap and release it on the property.
4 There is some verbiage that has to do
5 with electronics. But this type
6 activity would certainly be allowed
7 through a depredation permit. We're all
8 for getting rid of the pigs, so we can
9 make it happen.

10 CHAIRMAN MOULTRIE: Yes. Very good.
11 Excellent. That's good to know. Thank
12 you.

13 Okay. The next speaker under
14 bowhunting is Brad Sullivan.

15 Yes.

16 MR. DODD: Point of clarification.

17 CHAIRMAN MOULTRIE: Yes. You want to pay
18 attention here.

19 MR. DODD: You're welcome to release hogs you
20 trap on your property -- you can release
21 them back onto that property. You
22 cannot legally transport them off the
23 property.

1 CHAIRMAN MOULTRIE: Right. And you can't
2 bring in new hogs and release; is that
3 correct?

4 MR. SYKES: That's correct.

5 CHAIRMAN MOULTRIE: Very good. Thank you.

6 Okay, Mr. Sullivan.

7 MR. SULLIVAN: My name is Brad Sullivan from
8 Northport. I was just wondering -- I
9 know we got some wildlife management
10 areas that have archery on the areas.
11 And I hunt Oakmulgee some, and I noticed
12 that it's almost 45,000 acres that has
13 no archery on the area.

14 And the reason I ask, I know we want
15 our management areas and all public land
16 to be multiuse, but I've run into some
17 situations down there where there's been
18 some squirrel-treeing competitions over
19 the vast area of the management area,
20 and we all know once that happens it's
21 no longer multiuse. It's treeing
22 squirrels.

23 But, you know, they -- everybody has

1 got -- you know, got their own right to
2 hunt and do that kind of stuff. But
3 I was just wondering if we could set
4 aside maybe -- it's such a vast area --
5 if we could set aside some areas that
6 are archery only. I know like we're
7 doing the game check now like some of
8 the other states. People up north, for
9 instance, do that. They've actually got
10 some resident-only areas in some of
11 their management areas that are that way
12 and archery only also. And I just
13 wanted to approach the board about that
14 and see what y'all thought and maybe
15 something could happen. I don't know.

16 CHAIRMAN MOULTRIE: Where do you live?

17 MR. SULLIVAN: I live in Northport.

18 CHAIRMAN MOULTRIE: Okay. That would be in --

19 MR. SULLIVAN: Tuscaloosa County.

20 CHAIRMAN MOULTRIE: -- Mr. Bunn's --

21 MR. BUNN: Well, it's actually in 6.

22 CHAIRMAN MOULTRIE: Mr. Dobbs, if you could
23 look into that, please, sir.

1 MR. SULLIVAN: The land I'm talking about is
2 south of -- it's in Hale and Tuscaloosa
3 and --

4 CHAIRMAN MOULTRIE: Mr. Dobbs will be your
5 representative, so that would be great.
6 Very good.

7 The next speaker under turtle
8 harvest is Missy Harbin.

9 MS. HARBIN: Hello. My name is Missy Harbin.
10 And I own Refuge Turtle Farm located in
11 Scottsboro, Alabama, in Jackson County.
12 My husband spoke with you guys at the
13 meeting in February. I just wanted to
14 tell you a little bit about us and what
15 we're asking of you today. I'm going to
16 read because I get a little nervous when
17 I'm public-speaking.

18 So we are a small farm. We have
19 three breeding ponds where we harvest
20 eggs and incubate them. We also have
21 one grow-out pond that we started last
22 year when you guys changed the
23 regulations on turtle harvest. We

1 started this grow-out pond so that we
2 could start raising up turtles for our
3 breeding purposes. That process can
4 take at least five years, sometimes
5 maybe more, depending on the maturity of
6 the turtle.

7 I'm asking you today to allow turtle
8 farmers to select so many turtles each
9 year to give us breeding stock. I'm not
10 asking for you to open it up to
11 everyone, only turtle farmers that have
12 been completing and turning in the
13 required documents to the state office.
14 Permits could be given out on a
15 case-by-case basis. The state could
16 also charge a fee for the permits each
17 year. We've discussed this several
18 times with Mark Sasser, and he seems to
19 be willing to work with us if he can get
20 the approval from the board.

21 I just want to thank you today for
22 allowing me to speak and considering my
23 recommendation. Thank you.

1 CHAIRMAN MOULTRIE: Thank you, Ms. Harbin.

2 MR. HARTZOG: One question, Ms. Harbin.

3 CHAIRMAN MOULTRIE: We have a question,
4 Ms. Harbin.

5 MR. HARTZOG: I hate to be the only one that
6 keeps asking questions.

7 How many turtles would it take
8 for -- first of all, how many commercial
9 turtle farms do we have in the state of
10 Alabama?

11 MS. HARBIN: How many commercial turtle farms
12 do we have in the state of Alabama?

13 I'm not accurate on that number. I
14 know of at least four.

15 MR. HARTZOG: And how many turtles would you
16 need to take to replenish your breeding
17 stock?

18 MS. HARBIN: I think my husband asked for
19 about 300 last -- at the last meeting.
20 And that's only, you know, for the first
21 couple of years till we can start
22 getting our own turtles to breed.
23 Because right now we just started that

1 program last year. So it's going to
2 take us at least another five years to
3 get those turtles to a breeding size.

4 So we're only asking for you to
5 allow us time to catch some turtles to
6 replace our breeding stock that dies off
7 from, you know, natural causes or
8 whatever. Because turtles are just like
9 any other animal. They're going to die
10 off.

11 Anything else?

12 CHAIRMAN MOULTRIE: Mr. Dobbs.

13 MR. DOBBS: May I ask, how many turtles can
14 you harvest currently per day?

15 MS. HARBIN: Currently per day you can't
16 harvest any according to the
17 regulation. Before we could harvest ten
18 turtles per day per permit.

19 MR. DOBBS: You can't harvest any turtles for
20 commercial purposes?

21 MS. HARBIN: Right.

22 MR. DOBBS: But as an individual you can
23 harvest how many?

1 MS. HARBIN: I believe the way the regulation
2 is wrote up is that you can take two
3 turtles, but you can't use it for
4 propagation or anything like that. You
5 can only use it for personal use.

6 MR. DOBBS: So you can't take those two
7 turtles back to your farm and turn them
8 loose in your pond?

9 MS. HARBIN: That's the way I understand the
10 rule.

11 CHAIRMAN MOULTRIE: Do you want to clarify it?

12 MR. DODD: I think she stated it very well.

13 CHAIRMAN MOULTRIE: Very good.

14 MS. HARBIN: Is that it?

15 CHAIRMAN MOULTRIE: Thank you very much. Are
16 there any other questions from the
17 board?

18 (No response.)

19 CHAIRMAN MOULTRIE: Okay. We're going to take
20 a brief 15-minute recess and be back
21 promptly in 15 minutes.

22 (A brief recess was taken.)

23 CHAIRMAN MOULTRIE: Okay. We'll start with

1 the against February extension. Let me
2 put some glasses on so I can see. Our
3 first speaker will be Paul Farmer.

4 MR. FARMER: Commissioner, Board, I'm Paul
5 Farmer from Chilton County, Alabama.
6 I'm an avid rabbit hunter. And by
7 giving two weeks into February for an
8 extended deer season, that's when all of
9 us rabbit hunters really get to use our
10 dogs is that one month out of the year.

11 We have October to rabbit hunt in,
12 but as y'all all know, it's going to be
13 hot. Fleas and ticks and mosquitoes eat
14 you up the whole time you're trying to
15 hunt. So we really don't have but just
16 one good month of hunting. Because then
17 the dog -- I mean, the deer hunters
18 allow us to come on their property and
19 run rabbits. And by extending this into
20 ten days into February, that's ten days
21 that -- we have fed these dogs for 325
22 days a year just to get to hunt what
23 little bit of chance we get. I don't

1 know about where y'all are from, but the
2 deer-hunting clubs where we're at, they
3 don't want you on their property during
4 deer season at all and frown at you if
5 you even call and ask them.

6 So we've got a little bit of time in
7 October to hunt and then the month of
8 February to do our real hunting. And by
9 letting them have ten days into
10 February, it's just going to mess us up
11 tremendously. And we wish y'all would
12 really think about this.

13 Think about us small game hunters.
14 I mean, it ain't all about deer. It
15 ain't all about these people out here
16 spending money to deer hunt. I spend
17 just as much money on my beagles and my
18 tracking collars and my shock collars
19 and my gas as those guys who deer hunt.
20 And I'd really appreciate y'all thinking
21 about us small hunters and giving us the
22 opportunity to have our month of
23 February to keep hunting. Thank you.

1 CHAIRMAN MOULTRIE: Thank you, sir.

2 The next speaker is Roger McElroy.

3 MR. McELROY: Thank you, Mr. Chairman,
4 Commissioner, and Advisory Board. I
5 would echo what the --

6 CHAIRMAN MOULTRIE: Speak into the microphone,
7 please, Mr. McElroy.

8 MR. McELROY: I echo what the previous
9 gentleman said. As a small game hunter,
10 that's been my tradition from day one.
11 And instead of extending the deer
12 season, I would suggest that they back
13 the deer season back to January 15th.
14 And I've talked to adjacent states, the
15 state of Mississippi and Georgia, and
16 theirs pretty well ends January 15th in
17 both states except southeast
18 Mississippi.

19 So that would certainly give us, the
20 small game hunters, more opportunities
21 to hunt small game in Alabama if they
22 would do that. And why not? I mean,
23 officials in Mississippi said that

1 the -- they've never -- they would never
2 change it from the 15th and extend it
3 because of the deer changes that undergo
4 around the 15th of the month.

5 So -- and, also, I wonder how many
6 small game enthusiasts we have on this
7 board. Seems like we are -- you know,
8 we are certainly the minority today.

9 But, anyway, I've talked to -- I
10 only knew about this meeting about a
11 week ago. And I've talked to many
12 members of the Alabama section of the
13 American Treeing Feist Association and
14 also the Quail Forever organization, and
15 they are opposed to any extension of the
16 deer season beyond the 31st. And they,
17 too, would agree with me if I had time
18 to contact them -- some I had -- of
19 backing it up like Georgia and
20 Mississippi to January 15th for gun deer
21 season.

22 Also, I would mention the Yates
23 Wildlife Management Area. They gun deer

1 hunt there two weeks out of every month,
2 and that's a dangerous situation over
3 there for the simple reason it's a small
4 wildlife area and residential homes are
5 all around that area. And shooting
6 these high-powered rifles poses a big
7 threat just waiting to happen over
8 there. And that's another concern I
9 have with that area. It seems like open
10 season on gun deer season over there,
11 and it forces me, the small game hunter,
12 in a hole.

13 Also, I would encourage the
14 Conservation Department to do more on
15 the wildlife management areas as far as
16 the quail situation. In the past I've
17 found quail, particularly in Lowndes
18 County, that the hogs and the pines have
19 overrun that place. And so I haven't
20 even been there in the last couple of
21 years.

22 So, again, I appreciate the
23 opportunity to speak --

1 MR. BLAIR: That's time.

2 MR. McELROY: -- to this forum, and I hope my
3 consideration on backing this gun deer
4 season up to January 15th is
5 considered. Thank you.

6 CHAIRMAN MOULTRIE: Mr. McElroy, I think you
7 spoke to all Auburn fans as being small
8 game enthusiasts. That's about all we
9 had last year. Hopefully we'll be a
10 little bigger game enthusiasts this
11 year. We understand where you're coming
12 from. Thank you so much.

13 The next speaker is Jerry Temple.

14 MR. TEMPLE: Mr. Chairman, Commissioner, thank
15 you for letting me have the opportunity
16 to talk to you this morning.

17 This data that we are getting from
18 the Conservation Department and all
19 about this extending the season, I
20 understand that a lot of it is coming
21 from these management areas and maybe
22 some of the plantations in the area.
23 But I don't know that we're getting all

1 the data that we need.

2 I was over in Wilcox County for the
3 big roundup the other day on the hogs,
4 and everybody we talked to over there
5 said that they harvest mature bucks
6 during the regular season as it is. I
7 know where I live we don't have any
8 problems with our rut. There are plenty
9 of mature bucks that are killed every
10 year during the time span that we've had
11 for the last hundred years. You know,
12 if I'm being force-fed it, I'll have to
13 swallow it today. I don't really do a
14 whole lot of hunting over there except
15 on management area hunts, but I'm not
16 for cutting out any type of hunting for
17 anybody.

18 And I know good and well, looking
19 across the board up there, Dr. Warren
20 Strickland, I'm sure the Commissioner --
21 Dan, I know that you've been involved
22 with hunting all your life. We have got
23 a level of intelligence here that can

1 come up with an alternative method to
2 satisfy everybody. If you're trying to
3 get these people over here in this area
4 to be able to hunt into February because
5 that's when their rut happens, so be it.
6 Let them do it. But don't take anything
7 away from nobody else. I don't think
8 that's fair. And if it works out like
9 the Commissioner said, maybe next year
10 we can do it different, you know, if we
11 find out that it doesn't work the other
12 way. But I'm sure there's an
13 alternative way. We've got way too much
14 intelligence in this room to just rule
15 out everything; okay?

16 Another thing I want to talk about
17 is these dogs that are being shot in the
18 woods. Now, we had an incident down in
19 Clarke County this year where a man lost
20 three or four dogs. I'm sure some of
21 you seen it on the Internet. Now,
22 folks, I'm going to tell you, this is
23 going to cause problems.

1 I talked to a fellow in Wilcox
2 County the other day that said he had
3 got out of dog hunting 25 years ago.
4 Him and his father was hunting with a
5 group of people, and he witnessed a
6 fellow shoot four of his dogs. And
7 before he even thought about what he had
8 done, he had near about beat this man to
9 death with his bare hands. His father
10 tried to stop him. Him, a young fellow
11 and had worked with them dogs for years
12 and years, he almost killed him with his
13 bare hands. He don't dog hunt anymore.
14 He don't even own a Chihuahua. The
15 judge told him if he was involved in
16 anything else like that he would put him
17 away.

18 So I really wish you would think
19 about it and look at it. It's a serious
20 situation. I know that I saw -- Allan
21 Andress six or eight years ago was on
22 TV. They was fighting --

23 MR. BLAIR: That's time.

1 CHAIRMAN MOULTRIE: Sum it up, please.

2 MR. TEMPLE: They were fighting to try to find
3 out who shot some people's dogs that
4 were just out of their yard. So really
5 I think we need to take a look at that.
6 Thank you for letting me talk.

7 CHAIRMAN MOULTRIE: Thank you.

8 The next speaker in the category
9 against February extension/dog deer
10 hunting is Kevin Mock.

11 MR. MOCK: My name is Kevin Mock from Florala,
12 Alabama, Covington County. I would like
13 to thank Commissioner Guy and the
14 Advisory Board for the opportunity to
15 express my opinion on the proposed
16 changes to the season dates for gun deer
17 season.

18 Commissioner Guy, you said that
19 there's no loss of days for the hunters
20 in the state of Alabama. Here are the
21 numbers. In 2012 the dog season in
22 Alabama was 60 days. Under your
23 proposal for 2013 we will have 44 days.

1 That's over a 25-percent reduction in
2 our season one year to the next. Have
3 70 days for stalk hunting.

4 And to hear you say that dog hunters
5 will hunt even if dog season is not
6 tells me you do not have an
7 understanding of the traditions of the
8 sport of dog hunting. Dog hunting for
9 the majority of the dog hunters that are
10 represented here today is not about
11 harvesting the biggest deer or hunting
12 in the rut as you have said in your
13 previous statement.

14 It's about fellowship among hunters
15 and friends that have the same -- that
16 have the same passions that we do for
17 dog hunting. It's about watching the
18 kids jump out of the truck to catch a
19 dog after the race is over, or it's
20 about the people gathering up and
21 talking about how the big one got away
22 or why we didn't kill this one or that
23 one. It's about raising our kids up the

1 way we were brought up.

2 I've got two boys ages three and
3 seven. I've tried to get those two boys
4 involved in the outdoors, and the only
5 way that I'm able to do that at this
6 point is through dog hunting. You can't
7 get them to go sit in a blind. You
8 can't get them to go sit and be quiet
9 and do any type of other hunting. But
10 you can take them to a -- dog hunting.
11 They've got other friends in the club.
12 Every time we stop they're out playing
13 with their friends or talking to them on
14 the CB radio, vice versa. Get to the
15 house and they're riding around with a
16 mic -- CB mic on their bicycle, their
17 plastic guns -- guns across their
18 handlebars playing hunting club at the
19 house.

20 Would we hunt into February if this
21 was passed? Maybe. Is that what we
22 prefer to do? Absolutely not. We would
23 prefer to keep our ten days that you're

1 trying to take from us. We're not
2 opposed for the season to go into
3 February for the stalk hunters if that's
4 what is determined is best from this
5 board, but we are opposed to removing
6 any amount of dog -- any amount of days
7 from the dog hunter.

8 MR. BLAIR: That's time.

9 CHAIRMAN MOULTRIE: If you'll sum it up,
10 please.

11 MR. MOCK: I would just ask for consideration
12 from the board to come up with a -- to
13 come up with a proposal that does not --
14 that does not take days away from the
15 dog hunters. When you start taking away
16 25 percent, you start losing memberships
17 and you start losing your leases and you
18 have trouble filling those spots and
19 those leases you start losing. Thank
20 you for your time.

21 CHAIRMAN MOULTRIE: The next speaker is --

22 COMMISSIONER GUY: The only point I wanted to
23 make -- and I brought this up last

1 time -- is he referenced the number of
2 days. Everybody is losing days because
3 of the calendar this year. So just so
4 we're clear on that, it's -- there is a
5 calendar event every year where the
6 season changes and because of the
7 calendar everybody's losing days. So
8 just a point of clarification.

9 CHAIRMAN MOULTRIE: Thank you for the
10 clarification.

11 COMMISSIONER GUY: Total number of days,
12 everybody is losing days this year.

13 CHAIRMAN MOULTRIE: Thank you, Mr. Mock.

14 The next speaker will be Amos
15 Fowler.

16 And if the gallery will hold their
17 applause until the end of the session,
18 please.

19 MR. FOWLER: My name is Amos Fowler. And
20 thank you, Commissioner Guy and Members
21 of the Board.

22 My name is Amos Fowler. I represent
23 Bear Head Hunting Club. We are about 55

1 members strong down in Choctaw County.
2 Also, two other clubs asked me if I
3 would speak on their behalf, Mount Zion,
4 which has 15 members, and South Choctaw,
5 who is threatening to just delete their
6 club out -- and they've been in business
7 for about 30 years -- because they're
8 having membership problems if they lose
9 ten days.

10 Our club, we had a big meeting on
11 this and discussed it. Our problem was
12 we're not really against any changes you
13 guys might want to make as far as
14 extending the season if that's what we
15 think. I mean, we lost 10 days or 15
16 days years ago, you may remember, when
17 we used to could dog hunt through the
18 29th. And we seem to have got along
19 fine with the situation the way it has
20 been.

21 Our biggest concern is -- like this
22 gentleman just said, I'm a product of
23 dog hunting. My dad left when I was

1 small. Had a neighbor that fox hunted
2 and deer hunted with dogs. My brother
3 and I probably would have never been
4 hunting. And this old fellow used to
5 put us in his truck and take us. Well,
6 I have done the same thing.

7 A lot of these men over here have
8 hunted with us at Bear Head. We put
9 tremendous effort there bringing kids
10 each week. We invite as many children.
11 They don't have to pay guest fees. They
12 don't do anything. I have kids. I've
13 taken them to the stand. I still hunt
14 every once in a while.

15 Mr. Guy, you said most guys will
16 stalk hunt. Most dog hunters, they
17 don't stalk hunt. If you're going to
18 fool with a dog, that's mostly -- that's
19 what they enjoy doing.

20 But I take kids to deer stands.
21 They get bored to death and want to
22 leave. But I can load my truck up full
23 of kids and go out there and turn dogs

1 loose and they'll hang with me all day
2 running dogs, going through the woods.
3 I drive a lot in my truck because we
4 have a lot of thicket. And I've got
5 eight or ten kids a lot of times going
6 in there with us.

7 We're not opposed to anything that
8 you guys want to do as far as if you
9 want to extend the season. We certainly
10 don't want to hurt small game hunters.
11 We allow them there. Our problem is
12 it's tough enough -- we spend \$56,000
13 just on leases alone. It's tough enough
14 to get 55 members and be able to
15 generate those funds. I spend
16 personally about \$300 a month because
17 there's three of us that have dogs. And
18 we raise dogs. We keep them in a
19 kennel.

20 At our club I don't believe we've
21 had any complaints through the board.
22 Most of our guys, we are required that
23 we put a tracking system -- I actually

1 have two tracking systems, and most of
2 our guys do -- to prevent our dogs from
3 going on other folks' land. I will
4 actually pull off of a deer hunt and go
5 try to cut dogs off -- and we set guys
6 up that do that -- to prevent disturbing
7 other folks that have still lands and
8 larger clubs around us.

9 I just appreciate you giving us the
10 opportunity to be here today. And,
11 really, think about it seriously. It's
12 been a thing of tradition in the past
13 for dog hunting. I have no problem with
14 extending the season. I'd just like to
15 see us not lose the days. It's tough
16 enough on the amount of money we spend
17 between the vets and the dog part people
18 that we keep in business. Thank you.

19 CHAIRMAN MOULTRIE: Thank you. The next
20 speaker is Susan Morrow.

21 Please hold your applause until the
22 end.

23 MS. MORROW: Good morning, Chairman, Members

1 of the Board. I'm Susan Morrow from
2 Mobile, Alabama.

3 We have 37 management areas in the
4 state. We have four that we are allowed
5 to dog deer hunt. Two years ago y'all
6 gave us more days on those areas, and I
7 thank y'all -- each and every one of
8 y'all for it. And now I have also asked
9 for y'all to open up more management
10 areas for us dog hunters.

11 And, also, I asked you at the last
12 meeting to look in, since we have such a
13 hog problem in Alabama, allowing the
14 guys and the women and kids that hog
15 hunt with dogs to come into the
16 management areas and do it. You have
17 special seasons set for them. But it's
18 really hard to walk up on a hog. So I
19 wish that y'all would look into that for
20 the hog hunters.

21 And as far as extending the season,
22 we are not for it. I understand that
23 Commissioner Guy feels like that the dog

1 hunters will just be losing a tool, that
2 all of us will continue to hunt. I
3 stalk hunt and dog hunt, but I do not
4 stalk hunt as much as I dog hunt. My
5 love is dog hunting.

6 And a lot of our hunters, they will
7 not hunt. If we keep losing days, they
8 are going to stop hunting, and they will
9 stop buying hunting licenses. Leases
10 are going to go up. We're going to have
11 out-of-staters coming in and leasing our
12 land and killing our bucks. We're not
13 going to be able to afford the leases,
14 the everyday people. We're going to sit
15 in our living rooms and watch them kill
16 our Alabama deer on TV. I hope not
17 because that wouldn't make me happy at
18 all.

19 And I understand that regardless of
20 what any of us say here today that this
21 is going to happen anyway, that
22 Commissioner Guy can do it, that even if
23 the board opposes it, it's going to

1 happen. We're not happy about it.

2 I understand there was a petition,
3 Extendingtheseason.com, and they had
4 12,000 signatures for it. Well, anybody
5 can get on a computer and put all those
6 signatures on there. But as far as the
7 meetings in the last two years since
8 this has come up about extending the
9 season, I've only seen three or four
10 people come before the board and ask to
11 extend the deer season. And it seems
12 like every time we dog hunters come up
13 here we are begging and asking for y'all
14 not to take away from us. And we're
15 constantly asking not to lose days and
16 not to --

17 MR. BLAIR: That's time.

18 MS. MORROW: -- take away from the --

19 CHAIRMAN MOULTRIE: If you will sum it up,
20 please, Ms. Morrow.

21 MS. MORROW: Well, to sum it up, I'll try to
22 be really quick here.

23 Basically we are against it and we

1 wish that y'all would relook at this and
2 table this to the May meeting and move
3 the meeting down towards the area where
4 the season will shift to allow everybody
5 there to have their three minutes to
6 speak in this state that wants to speak
7 against this. At least allow our people
8 to do that. If it ain't broke, don't
9 fix it. Thank you.

10 CHAIRMAN MOULTRIE: All right. The next
11 speaker is Don Knight.

12 MR. KNIGHT: I am Don Knight. I live in
13 Anniston. I hunt in Barbour County.
14 I'm the state president of the Alabama
15 Dog Hunters Association. Had a nice
16 little speech for today but it's been
17 kind of shot out of the water.

18 I hope all of you got the film I
19 sent you. I hope you got to look at it
20 and see how the kids that have enjoyed
21 dog hunting so much react.

22 Commissioner, I'd like to answer one
23 of your questions -- or maybe not a

1 question -- one of your statements. And
2 it's already been approached. But you
3 said people will continue to hunt
4 whether they dog hunt or not. Let me
5 give you an example on our hunting
6 land.

7 We got -- normally on a weekend
8 we'll have 40 to 60 people there hunting
9 with our dogs. The last two weeks of
10 the season when they stalk hunt, we may
11 have five people in those woods and
12 that's it. Because I know because I go
13 down there to try to keep the poachers
14 out. So we might have five. The rest
15 of them are home. That cuts out a lot
16 of money.

17 And now that you're talking about
18 cutting back ten days of the southwest
19 corner down there, why is what we can't
20 understand. We keep hearing resources.
21 If its resources, which I assume means
22 the deer, why would you extend the
23 season if we got any problem with any

1 sort of resources that would cut the dog
2 hunters back ten days. That doesn't
3 seem to be one and one be two.
4 Something is wrong there.

5 I sent all of you a letter showing
6 the dates of the deer being --
7 conception dates, and that didn't show
8 anything that needed to go into
9 February. And don't get me wrong. I'm
10 like the rest of these people. I'm
11 asking our dog-hunting clubs to work
12 with our rabbit hunters and get them
13 more time on our land so they can hunt.
14 But if you want to extend the season,
15 that's fine if our biologists say that.
16 If the people down there say so and our
17 biologists say no, it shouldn't be
18 done. But I don't think our biologists
19 are saying there's something wrong with
20 the deer down there and that we
21 shouldn't be able to dog hunt.

22 You know, dogs are a tool like Susan
23 said, I think. And you're taking that

1 tool away from us and the way we like to
2 hunt and the method that we like to
3 hunt. You know, tree stands are a tool
4 of still hunters and stalk hunters.
5 More people are hurt in those tree
6 stands every year than anything else.
7 Nobody is down here trying to take away
8 their tool. I'm not either. Because
9 I've got tree stands; okay?

10 MR. BLAIR: That's time.

11 CHAIRMAN MOULTRIE: Sum it up, please,
12 Mr. Knight.

13 MR. KNIGHT: But I want you to understand that
14 the dog deer hunters losing their days
15 will get out of hunting. We're trying
16 to increase the population of hunting,
17 and it seems like somebody is always
18 trying to decrease it to please somebody
19 else. Help us out, fellows. We need
20 those ten days to keep our method of
21 hunting going. Thank you.

22 CHAIRMAN MOULTRIE: The next speaker is Bobby
23 Pack.

1 MR. PACK: Thank you, sir. Board Members --

2 CHAIRMAN MOULTRIE: Speak into the microphone,
3 please, Mr. Pack.

4 MR. PACK: I'm sorry. Thank you for letting
5 me speak.

6 Dog hunting is like a family thing.
7 Like I say, I know some of you older men
8 remember your daddies and your grandpas
9 telling you about the days they'd go
10 hunting and they'd come home -- my dad
11 was from Huntsville, Alabama. He would
12 tell me stories about there wasn't no
13 deer in Huntsville. If they found a
14 deer track, they would go to all the
15 neighbors and get them to come and see
16 the deer track. If they had a dog that
17 would take it, then they would hunt him
18 all day till they killed him.

19 Well, that's exactly what they want
20 to do now is kill all the deer out it
21 sounds like. They want to extend the
22 season longer so you kill your mature
23 bucks, and that's not what dog hunters

1 are about. We're about tradition,
2 family-oriented. We teach our kids
3 respect for one another, respect for the
4 animal. Just like they were saying
5 today, a man -- a guy killed a dog in
6 his yard; they want to put him in
7 prison. They kill them in the woods;
8 they say nothing about it. They had to
9 beg a game warden and a police officer
10 to come down there to even find this dog
11 and prosecute anybody and to our
12 knowledge has not been prosecuted yet.

13 And people talking about a dog is a
14 tool. A dog is not a tool. They assume
15 it is, but it's not. To some people
16 it's a pet. For some it's friends. For
17 others it's hunting, hunting partners.
18 And for kids it's a loved one.

19 If the proposal goes through, like
20 the man was saying before me, that's a
21 tool -- the stalk hunters have tools.
22 They have tree stands, the
23 side-by-sides, the four-wheelers. And

1 all that should be taken -- till the end
2 of the season should be taken away from
3 them too.

4 And with regard to the ten days --
5 if this proposal goes through, those ten
6 days December the 2nd through December
7 12th, then the only people who will be
8 hunting will be outlaws. You'll be
9 making people who are usually honest
10 people that have been hunting their
11 whole life that are used to hunting the
12 whole time -- they're going to
13 consider -- these older people --
14 they'll consider themselves to be able to
15 keep on hunting. They're going to hunt
16 them ten days.

17 I was in enforcement for a while.
18 I'm a public servant now still. But
19 these people -- these game wardens are
20 understaffed as they are. Those ten
21 days they're going to be answering more
22 calls than they would on an entire
23 season on a regular hunting season.

1 There will be more people doing things
2 they shouldn't be doing, even stalk
3 hunters.

4 I talk to a hundred people a day.
5 I have a thousand -- I'm a mailman now.
6 I have a thousand stops on my route. I
7 talk to people of all races, creeds, and
8 color and stalk hunters, rabbit hunters,
9 everything. 90 percent of all deer
10 hunters with dogs are part of the honest
11 people. They trespass just to get their
12 dogs and all. Stalk hunters will tell
13 you they will put out corn. They will,
14 you know, climb a tree where they ain't
15 supposed to be climbing a tree on a land
16 line. I mean, 80 percent of those --
17 and that's just a random number.

18 In closing, all I can say is if you
19 put the shoe on the other foot and take
20 ten days out of stalk season, back it to
21 the 15th like one of the gentlemen said,
22 you would have all kind of stalk hunters
23 coming out and be complaining about

1 discrimination too. Thank you.

2 CHAIRMAN MOULTRIE: Thank you.

3 The next speaker is Dennis Russell.

4 MR. RUSSELL: Good morning, gentlemen. I'm
5 not totally against the extension of
6 deer season. And there's a few things
7 you need to look at when you talk about
8 this.

9 First off, the major thing I think
10 you're hurting, you're hurting our kids
11 and our youth. Because there's not
12 enough days in the outdoors to start
13 with. We got 20,000 acres. Another
14 gentleman just talked about -- we rent
15 it for dog hunting. We don't rent it
16 for nothing else. We rent it for dog
17 hunting. Once dog season goes out,
18 we're not down there. We got our own
19 private leases we go to because it's
20 smaller acreage. We rent those big
21 blocks of land because we can dog hunt.

22 We got 60 to 70 kids in our club.
23 That's 60 to 70 kids you're fixing to

1 take out of the outdoors in those ten
2 days. That's not right. That -- I
3 don't know how you look at it, but it's
4 not right. When you take a kid from the
5 outdoors, it's just not right.

6 Second off, the leases are so high,
7 we're fixing to have a problem leasing
8 our land. The economics that you're
9 going to create by this is going to put
10 small businesses in a financial strain
11 because we're not going to be there
12 buying gas. We're not going to be there
13 buying food. It costs us 130-something
14 thousand dollars a year to rent that
15 land to dog hunt. 99 percent of those
16 people that's in my lease is the working
17 man that works five days a week. He
18 only gets to hunt the weekends. But if
19 you go figure that out, that's a lot
20 just to hunt a few weekends a year.
21 Well, if you go ahead and you cut ten
22 days out, that's going to be that many
23 more days he's not going to get to

1 hunt.

2 So I just ask you to look at all
3 aspects of this. Because we are a
4 dog-hunting club. I don't want to see
5 the dog hunters lose anything. Don't
6 want to see any hunter lose anything.
7 But if we're going to give to the
8 stalk-hunting side, let's look at the
9 dog hunters as well. Thank you,
10 gentlemen.

11 CHAIRMAN MOULTRIE: Thank you.

12 The next speaker is Donald Nelson.

13 MR. NELSON: Good morning, gentlemen. My name
14 is Don Nelson. I am an avid Alabama fan
15 before you start your watch there. So
16 take that into consideration a little
17 bit. I do have brothers that went to
18 Auburn. I am a South Alabama graduate.
19 But I do want to thank you for the
20 opportunity this morning. I'll try to
21 be brief.

22 I want to thank Mr. Hatley and some
23 of the representatives who came down to

1 a meeting we had in Mobile. It took a
2 lot of courage. He listened. And
3 really that's what you have to do as a
4 board member. You have a hard decision,
5 hard choices. I'm a mayor. I have a
6 council. We have to do the same type
7 thing. But the point I want to make is
8 we try to get out and I have to listen
9 to my constituents. And I hope that
10 you'll listen to your constituents this
11 morning here as we wrestle with this
12 hard decision.

13 Now, one thing I took out of the
14 last meeting in Montgomery was -- and I
15 listened to each one of the district
16 reps say that this was the best year,
17 they had the least amount of conflict
18 between stalk and dog hunting in their
19 areas this year. And I believe I'd be
20 correct in what I heard when y'all said
21 that. And that's what we strive for, to
22 be good neighbors, to do it the right
23 way. Of course, you know and I know,

1 you always have a few bad folks that do
2 it different ways in any organization.

3 There was an article that come out
4 about that meeting we had. We had it
5 packed to the rafters. We had -- it was
6 a tornado watch and they still came
7 out. People stood in the rain because
8 they were concerned and I understand
9 why. You heard all the reasons,
10 economics, families hunt, it's a great
11 opportunity to gather. But there was
12 also a comment made talking about --
13 it's like we have to look at this thing
14 as the glass half full. Well, if I did
15 this thing here, you would say that's a
16 hook 'em horns thing there. There's
17 four quarters of deer-hunting season for
18 the dog people. If you take one out --
19 and that's in essence what you're doing
20 -- we only have 75 percent. So please
21 consider that.

22 And, once again, I've only known of
23 one time -- the board can always reverse

1 itself, but I only know of one time that
2 I can recall where we actually -- we
3 lost days in January and a year later we
4 got those days back. It's a hard thing
5 to do once you've crossed that line. So
6 please consider that once you do it.

7 I've had the chance the last several
8 days to look at some of the reports
9 coming out, and I would like to read
10 one -- of course, it talks about
11 extending it, the rut season. But one
12 thing on your December 2011 report that
13 kind of concerns me a little bit -- and
14 I'll talk about the other report we just
15 got. It talked about the conception
16 date and said the majority, 77 percent,
17 of the conception dates were within the
18 current hunting season structure while
19 22 percent of these dates were from
20 February 1st or later.

21 Now, gentlemen, I spent 30 years in
22 the Marine Corps.

23 MR. BLAIR: That's time.

1 MR. NELSON: Okay.

2 CHAIRMAN MOULTRIE: If you'll go ahead and sum
3 it up.

4 MR. NELSON: Okay. I would ask that you
5 consider that. I would ask that you
6 table this to the next meeting, get more
7 data. This report -- there's some
8 differences in the reports on the
9 reporting areas and the numbers. It
10 doesn't quite jive up. So I'd ask that
11 y'all consider that.

12 And the last thing I'll share with
13 you, this thing about the bond between
14 dogs. And I got this yesterday from The
15 Call News in Mobile County. And the
16 headline reads, My Hero, a Dog Saves
17 Homeowner From Mount Vernon Fire. The
18 gentleman's name was Mr. Douglas Byrd, a
19 big fox hunter. His dogs alerted him.
20 There is a definite bond. Just like I
21 have a four-year-old grandson. He loves
22 to go with my dogs. He wouldn't get in
23 a shooting house with me. Thank you,

1 gentlemen, for your time.

2 CHAIRMAN MOULTRIE: Thank you, Mayor.

3 The next speaker is Jim Dye.

4 MR. DYE: Good morning. My name is Jim Dye
5 from Leeds, Alabama. I hunt in Greene
6 County. But I am here to talk about the
7 extension and what it's going to do
8 taking away from deer dog hunting as far
9 as losing the ten days.

10 You know, like I said -- it's been
11 said before. It's just not right that
12 stalk hunters are going to gain ten
13 days, because no matter what happens, if
14 you live in those counties where the
15 extension is going to be and they're
16 going to shut down in December, those
17 guys are going to go to a different part
18 of the state, hunt there, and then come
19 back. You can still hunt ten more days,
20 which is great. Dog hunters don't get
21 any opportunity. I mean, you know,
22 they're going to lose their ten days
23 even though they can go somewhere else.

1 They're leasing property that they can't
2 hunt.

3 Secondly, the rabbit hunters in
4 February, that's their prime time.
5 That's when they do get to get out and
6 hunt these lands that they can't really
7 hunt during deer season because of
8 obvious conflicts. So they're losing
9 out in those areas, and if it goes
10 statewide, you know, the rabbit hunters
11 are really going to lose out. So I just
12 encourage some thought there. And if
13 you are going to extend it, extend dog
14 season from the 15th to the 25th of
15 January. Just add some days in there
16 for the dog hunters to give them a
17 chance. Thank you.

18 CHAIRMAN MOULTRIE: Thank you. The next
19 speaker is Leslie Sikes.

20 MR. SIKES: My name is Leslie Sikes. I'm from
21 Silas, Alabama, which is in Choctaw
22 County. And I believe that's
23 District 7, which would be your

1 district, Mr. Bunn.

2 I'm a member of Willow Road Hunting
3 Club. We have about 4500 acres in the
4 southern part of Choctaw County. We
5 strongly oppose this proposed bill. We
6 just don't -- we just don't think it's
7 right for the dog hunters to lose ten
8 days. You know, we -- it's just -- it's
9 no different us going dog hunting and
10 somebody going stalk hunting. We just
11 don't believe we should lose those
12 days.

13 I also hunt with Hebron Hunting
14 Club, which is in the northwest corner
15 of Choctaw County, and they've been
16 under permit system for the past four
17 years. And it's my understanding that
18 Captain Blalock and Enforcement Officer
19 Dodd recommended for Choctaw County to
20 be off the permit system. There's been
21 no complaints in four years. I would
22 really like it if you would talk about
23 it and see if maybe you can drop the

1 permit system since there hasn't been
2 any complaints in four years. I don't
3 think that would be a bad idea.

4 But this deal where you would extend
5 the season for ten days for stalk
6 hunters on into February, is it really
7 what's best for the state or is it
8 what's best for who's got the money,
9 because I don't believe that's --
10 I don't believe -- like Ms. Morrow said
11 earlier, you know, us as a state, we
12 don't -- we don't want everybody from
13 out of state coming in and killing our
14 deer and running our leases up. You
15 know, this is our state. You know, this
16 is for the state of Alabama, not for
17 other states. We just believe that you
18 should do what's best for the state as a
19 whole, not for everybody else. Thank
20 you.

21 CHAIRMAN MOULTRIE: The next speaker is John
22 Ward.

23 Mr. Dodd, did you want any rebuttal

1 of that, what he said? Was he
2 referencing you?

3 MR. DODD: I'm not sure. I didn't have any
4 comment on the matter.

5 CHAIRMAN MOULTRIE: Okay. Mr. Ward.

6 MR. WARD: Good morning, Commissioner, Board.
7 My name is John Ward. I hunt with Good
8 Old Boys Hunting Club. Don't give to
9 one and not give to the others. I'm a
10 dog hunter. That's all I live and
11 breathe, dog hunting.

12 (Inaudible portion).

13 We got about five, six bowhunters
14 and probably about seven, eight stalk
15 hunters.

16 (Inaudible portion.)

17 We've got young kids. You can't
18 give to one kid and not give to the
19 other ones. It's the same thing.

20 And these rabbit hunters -- we run
21 ads all the time for members to hunt
22 with us. We don't mind rabbit hunters
23 coming to hunt, because we want to do

1 the same thing, run dogs. That's what
2 we want to do.

3 And you keep putting these young
4 kids -- you going to put them out on the
5 streets. They ain't got nothing to do.
6 They want to dog hunt. Give them
7 something to do. Don't take the dogs
8 away from us.

9 And these ten days, if you're going
10 to give it to one, give it to the
11 other. Don't give it to one and not
12 give it to the other. That ain't
13 right. Be fair to everybody. I'm
14 fair. I'm just as fair as I can be to
15 everybody.

16 And, you know, we're all human.
17 We're all going to be sitting together
18 and doing things together. My hunting
19 club is based on a family-oriented
20 club. We eat together. We joke
21 together. We set around the campfire
22 with a bunch of young kids. You know, come
23 on guys, be straight with them. Thank

1 you.

2 CHAIRMAN MOULTRIE: Okay. The next speaker
3 is -- we've got standing rules that's
4 been in for ten years if we've got ten
5 speakers. But in an effort to be
6 totally fair, we've got one more
7 speaker. And I'm going to use the
8 chairman's prerogative, and we're going
9 to allow him to speak. And that will be
10 John Kiel. John K-I-E-L.

11 MR. KIEL: Hey, I'm John Kiel for the panel
12 and the Chairman. I am from Clarke
13 County. And I am here and just like
14 everybody have said this morning -- you
15 know, we're going over the same thing,
16 but I would not like to see the deer
17 season extended simply because, you
18 know, that would shorten the dog
19 season. I'm a dog hunter, been for all
20 my life.

21 And as you know -- some of you may
22 know that we had an incident in Clarke
23 County -- and that's where I'm from --

1 that they shot our dogs. And they got
2 off on some property, and they shot the
3 dogs. We tracked them and it took us to
4 where they were shot. And we had the
5 county sheriff to come -- actually, we
6 blocked the guys in, wouldn't let them
7 out. And we had the county sheriff to
8 come. They said it wasn't nothing they
9 could do. The game warden came and said
10 there was nothing he could do.

11 But the dogs were shot. We got
12 pictures of them. We went and got the
13 dogs, piled them up. And Ms. Susan
14 Morrow, she is familiar with that
15 story. And it just -- it's just not
16 right to kill a dog. And we've all said
17 that. And I just want you-all to know
18 that we don't appreciate that. And we
19 don't want to take the days away, but --
20 and I'm a rabbit hunter too.

21 It was another incident down in
22 Greensboro. Three weeks after they shot
23 our dogs down there in Clarke County, I

1 was rabbit hunting. They shot two of
2 our dogs down there rabbit hunting, the
3 guys I was hunting with. We heard the
4 rifle go off killing our dogs. And
5 that's just not right. And I cannot
6 understand why the sheriff or the game
7 warden couldn't do anything about it.

8 However, we have -- Ms. Morrow
9 have -- they have a reward out trying to
10 pinpoint the people that did this. And
11 I just wanted -- that's all I have to
12 say. Thank you.

13 CHAIRMAN MOULTRIE: Thank you, sir.

14 Now y'all can have your round of
15 applause.

16 Okay. Now, in the support February
17 extension we have Mark Proctor.

18 MR. PROCTOR: I'm Mark Proctor. I'm the state
19 president of Bowhunters of Alabama. I'd
20 actually like to take this opportunity
21 to thank the Department of Conservation
22 and the board for everything that you
23 do. We really value the relationship

1 that we have with the department and
2 look forward to continuing that
3 partnership.

4 Additionally, basically what I would
5 like to do is say the Bowhunters of
6 Alabama support the proposals that are
7 being brought forward today. Thank
8 you.

9 CHAIRMAN MOULTRIE: Thank you very much,
10 Mr. Proctor.

11 That concludes our public speakers
12 time. The board is going to take
13 another quick recess, and then we'll be
14 right back at it in ten minutes.

15 (A brief recess was taken.)

16 CHAIRMAN MOULTRIE: Okay. We will start
17 back. The next speaker is Jeff Bowden.

18 (Brief interruption.)

19 CHAIRMAN MOULTRIE: Jeff Bordon.

20 MR. BORDON: Thank you, Mr. Chairman,
21 Mr. Commissioner, Board. I want to
22 speak just a few minutes on our youth
23 hunt. I'm from the Good Old Boys

1 Hunting Club in Fayette County. And,
2 guys, you're talking about the look on
3 the little guy's and little girl's face
4 when they kill their first deer. It's
5 just amazing. We had eight this year
6 that killed their first deer. Had one
7 kill a little seven-point and you would
8 have thought he had killed old
9 grandaddy. But the look on the kids'
10 faces when they kill their first is
11 just -- it's worth everything that we
12 have to go through to keep our -- and it
13 was on a dog hunt. So, guys, whatever
14 we got to do, we got to keep our dogs
15 running. Thank you.

16 CHAIRMAN MOULTRIE: Thank you. The next
17 speaker will be John Haville.

18 If y'all would hold the applause,
19 please.

20 John H-A-V-I-L-L-E.

21 UNIDENTIFIED SPEAKER: He's already left.

22 CHAIRMAN MOULTRIE: Okay. The next speaker is
23 Truman Herren, H-E-R-R-E-N.

1 MR. TRUMAN HERREN: Good afternoon. I'm
2 Truman Herren from Fayette County. We
3 petitioned you in 2006, 2007, 2008, and
4 finally got a dog ban in Fayette
5 County. It took until this year we had
6 an excellent season with no disruption,
7 and we'd just like to thank you for what
8 you have done for us there.

9 We would encourage you to continue
10 the ban in Fayette County. Thank you
11 for your time and thank you for your
12 service.

13 CHAIRMAN MOULTRIE: Thank you very much, sir.

14 The next speaker will be Bill
15 Herren.

16 MR. BILL HERREN: I'm Bill Herren. I live in
17 Walker County, and we own property in
18 Fayette County. We just want to say
19 specifically that we are specifically
20 thankful that we have the ban in the
21 area where we do for our children and
22 grandchildren and we hope for the
23 future.

1 We appreciate the work you do.
2 In attending these meetings, we've come
3 to appreciate the fact that you truly
4 work for conservation. You work with
5 the people. And we believe that we as
6 people are to be good neighbors. And
7 you worked in this case in getting a
8 ban. Our neighbors have been better
9 neighbors. We've not had any problems.
10 We have a better working relationship.
11 And so we just express our appreciation,
12 our gratitude, and our thankfulness for
13 the work that you do and the work that
14 you've done. Thank you.

15 CHAIRMAN MOULTRIE: Thank you for your kind
16 words for the board, Mr. Herren.

17 Is there anybody else that I missed
18 or that wishes to speak?

19 (No response.)

20 CHAIRMAN MOULTRIE: Okay. The next order of
21 business, then, will be old business.
22 I'll start with an open issue from the
23 last meeting.

1 There is a motion to be considered
2 regarding the CPI increase for
3 licenses. Mr. Hatley.

4 MR. HATLEY: Yes. Mr. Chairman, I move the
5 entire increase in license fees for
6 Wildlife and Freshwater Fisheries and
7 Marine Resources licenses, based on the
8 Consumer Price Index as provided under
9 Sections 9-11-68 and 69 of the Alabama
10 Code, be approved.

11 CHAIRMAN MOULTRIE: Is there a second?

12 DR. STRICKLAND: Second.

13 CHAIRMAN MOULTRIE: We have a second.

14 Is there any discussion?

15 (No response.)

16 CHAIRMAN MOULTRIE: Okay. The motion as
17 Mr. Hatley just read it, all in favor
18 raise your hand.

19 (All board members raise hand.)

20 CHAIRMAN MOULTRIE: All opposed?

21 (No response.)

22 CHAIRMAN MOULTRIE: Let the record show that
23 the vote was unanimous.

1 Okay. We have a motion regarding
2 revisions to 220-2-.02, including use of
3 laser sights for disabled. I believe,
4 Mr. Jones, you have that motion.

5 MR. JONES: Mr. Chairman, I'd like to make a
6 motion to approve all the DCNR
7 regulations adopted since the last
8 Conservation Advisory Board meeting.

9 CHAIRMAN MOULTRIE: Okay. That is a
10 housekeeping motion, but we need that
11 approved also. Can we get a second on
12 that?

13 MR. AINSWORTH: Second.

14 CHAIRMAN MOULTRIE: Okay. This motion is a
15 housekeeping motion. Okay. We'll get
16 to the other motion for you.

17 But on this open motion we've got on
18 the table, we've got a second. Is there
19 any discussion?

20 (No discussion.)

21 CHAIRMAN MOULTRIE: It's a housekeeping
22 motion. All those in favor raise your
23 hand.

1 (All board members raise hand.)

2 CHAIRMAN MOULTRIE: All opposed?

3 (No response.)

4 CHAIRMAN MOULTRIE: Show that the motion
5 passes unanimously.

6 Okay. There is a motion --
7 Mr. Jones, I thought we gave it to you.
8 Hold on. I'll find it. Let's see.

9 MR. JONES: I've got it.

10 CHAIRMAN MOULTRIE: Mr. Jones.

11 MR. JONES: Mr. Chairman, I'd like to make a
12 motion to approve the proposed revisions
13 to the legal arms and ammunition
14 regulation as set forth in the revised
15 220-2-.02 regulation contained in the
16 Conservation Advisory Board packet for
17 this meeting.

18 CHAIRMAN MOULTRIE: Is there a second?

19 MR. HATLEY: Second.

20 DR. STRICKLAND: Second.

21 CHAIRMAN MOULTRIE: Okay. Any discussion?

22 (No response.)

23 CHAIRMAN MOULTRIE: A motion as Mr. Jones just

1 read it, all in favor raise your hand.

2 (All board members raise hand.)

3 CHAIRMAN MOULTRIE: All opposed?

4 (No response.)

5 CHAIRMAN MOULTRIE: Let the record show it was
6 unanimous.

7 Okay. The next motion is --
8 Mr. Hatley, you had -- the last two or
9 three meetings in a row you had talked
10 about fall turkey season. Do you bring
11 a motion to the board?

12 MR. HATLEY: I have, Mr. Chairman. I'd like
13 to make the following motion: That the
14 Department of Conservation eliminate all
15 fall turkey seasons in the state of
16 Alabama, period.

17 CHAIRMAN MOULTRIE: Do we have a second?

18 MR. JONES: Second.

19 CHAIRMAN MOULTRIE: Any discussion?

20 Yes, Dr. Lemme.

21 DR. LEMME: Mr. Moody, is there a biological
22 reason to close turkey season during the
23 fall?

1 MR. MOODY: No.

2 MR. HATLEY: Negative.

3 CHAIRMAN MOULTRIE: Any other discussion?

4 (No response.)

5 CHAIRMAN MOULTRIE: Okay. All that are in
6 favor of the motion that Mr. Hatley has
7 as he just read it, raise your hand.

8 (With the exception of Dr. Lemme,
9 the remainder of the board members
10 raise their hands.)

11 CHAIRMAN MOULTRIE: All opposed?

12 (Dr. Lemme raises hand.)

13 CHAIRMAN MOULTRIE: Let the record show that
14 one opposed, the rest in favor. And the
15 opposed was Dr. Lemme.

16 Okay. Motion number four,
17 Mr. Dobbs. You had talked about the
18 game check system and wanting a method
19 to tally deer. And do you have a motion
20 on the game check system, Mr. Dobbs?

21 MR. DOBBS: Yes, I do, Chairman Moultrie.

22 My motion that I would like to bring
23 before is to approve a regulation

1 establishing a game check system as
2 described by Commissioner Gunter Guy at
3 the February 2013 Conservation Advisory
4 Board meeting.

5 CHAIRMAN MOULTRIE: Okay. Is there a second?

6 MR. AINSWORTH: Second.

7 CHAIRMAN MOULTRIE: We have a motion and a
8 second.

9 Is there any discussion on the game
10 check system as described by
11 Commissioner Guy?

12 (No response.)

13 CHAIRMAN MOULTRIE: Okay. If there's no
14 discussion, all those in favor of the
15 game check system, raise your hand.

16 (All board members raise hand.)

17 CHAIRMAN MOULTRIE: All opposed?

18 (No response.)

19 CHAIRMAN MOULTRIE: Let the record show it is
20 unanimous.

21 Okay. Mr. Dobbs, you had a motion
22 on delineating an area around feeding.
23 Do you have a motion today?

1 MR. DOBBS: I do, Mr. Chairman. The motion
2 I'd like to bring is for this board to
3 approve the proposed regulation
4 delineating an area around supplemental
5 feeding, which should read as follows:
6 For the purpose of Section 9-11-244, the
7 Code of Alabama 1975, and Rule
8 220-2-.11, the Alabama Administrative
9 Code, as it applies to the hunting of
10 deer and feral swine, there shall be a
11 rebuttable presumption that any bait or
12 feed, as defined in Section 9-11-244,
13 located beyond 100 yards from the hunter
14 and not within the line of sight of the
15 hunter is not a lure, attraction, or
16 enticement to, on, or over the area
17 where the hunter is attempting to kill
18 or take the deer or feral swine. For
19 the purpose of this regulation, not
20 within the line of sight means being
21 hidden from view by natural vegetation
22 or naturally occurring terrain
23 features. This regulation shall not

1 apply on public lands.

2 CHAIRMAN MOULTRIE: Okay. Is there a second?

3 MR. AINSWORTH: Second.

4 CHAIRMAN MOULTRIE: We have a second.

5 Is there any discussion?

6 And I want to start with one item of
7 discussion. Dr. Lemme during a break
8 came up and made a point to me. And,
9 Dr. Lemme, I think it would be
10 worthwhile for you to describe that to
11 the audience about that it could assist
12 someone who is trapping hogs with their
13 property rights.

14 DR. LEMME: Just wanted clarification on the
15 impact of this proposal on the ability
16 of a landowner to be operating a feral
17 hog trap and using a grain attractant in
18 that trap. They're not hunting deer.
19 They're trapping feral hogs. Will this
20 prevent that?

21 MR. DODD: No.

22 DR. LEMME: They'll still be able to trap
23 feral hogs; right?

1 MR. DODD: Right.

2 DR. LEMME: Thank you.

3 CHAIRMAN MOULTRIE: Okay. Any other
4 discussion?

5 (No response.)

6 CHAIRMAN MOULTRIE: If no further discussion,
7 all those that are in favor of the
8 delineating area as Mr. Dobbs just read
9 it, please raise your hand.

10 (With the exception of Commissioner
11 McMillan, the remainder of the
12 board members raise their hands.)

13 CHAIRMAN MOULTRIE: All opposed?

14 Mr. McMillan, do you have -- I
15 mean, Commissioner McMillan.

16 COMMISSIONER McMILLAN: Yeah. I was just -- I
17 don't think we're clear on the feral
18 hog.

19 CHAIRMAN MOULTRIE: Okay. Let's back up,
20 then. We'll hold the vote.

21 Mr. Dodd, would you go to the
22 microphone, please, and clear this up.

23 DR. LEMME: The question is does it impact the

1 ability of the landowner during the deer
2 season.

3 MR. DODD: No, sir. Currently we pretty much
4 allow folks to trap pigs during deer
5 season as long as they're not hunting in
6 the immediate vicinity of the trap.

7 CHAIRMAN MOULTRIE: Okay. Everybody clear?

8 Commissioner McMillan, would you
9 like to make a statement?

10 COMMISSIONER McMILLAN: Not right now.

11 Later.

12 CHAIRMAN MOULTRIE: Very good. That will be
13 fine.

14 Okay. Back to the vote. As the
15 motion was read from Mr. Dobbs, all
16 those in favor?

17 (All board members raise hand.)

18 CHAIRMAN MOULTRIE: All opposed?

19 (No response.)

20 CHAIRMAN MOULTRIE: Let the record show
21 unanimous.

22 The next motion is for
23 Mr. Blankenship, who is not here.

1 Mr. Hatley, I believe you're going
2 to have that motion.

3 MR. HATLEY: Yes, sir, Mr. Chairman. I move
4 that the proposed regulations concerning
5 the saltwater fish, creel, possession,
6 and size limits -- size limits that was
7 presented by the Marine Resources
8 division at the February 9th, 2013,
9 Conservation Advisory Board meeting be
10 approved.

11 CHAIRMAN MOULTRIE: Is there a second?

12 DR. STRICKLAND: Second.

13 CHAIRMAN MOULTRIE: We have a second. Is
14 there any discussion?

15 (No response.)

16 CHAIRMAN MOULTRIE: Being no discussion, all
17 those in favor as a motion as Mr. Hatley
18 read it, raise your hand.

19 (All board members raise hand.)

20 CHAIRMAN MOULTRIE: All opposed?

21 (No response.)

22 CHAIRMAN MOULTRIE: Let the record show the
23 vote is unanimous.

1 MR. HARTZOG: Mr. Chairman?

2 CHAIRMAN MOULTRIE: Yes, Mr. Hartzog.

3 MR. HARTZOG: Just out of curiosity, where do
4 we stand -- I saw where Senator Sessions
5 raised the issues on the snapper. Do we
6 have anything to report on that,
7 Gunter?

8 CHAIRMAN MOULTRIE: Commissioner Guy.

9 COMMISSIONER GUY: The short answer to that is
10 not really. I will call on the Marine
11 Resources folks that are here to add to
12 anything I have. But we have been
13 talking with all the legislative
14 delegation trying to get their help on
15 expanding, really, our ability to manage
16 out to a further distance. And,
17 actually, at first most of them were
18 talking about nine miles, but we've
19 actually been trying to get it out to 20
20 fathoms, I believe.

21 They're shaking their head that I'm
22 actually getting that right.

23 And so I think there is some support

1 for that, Mr. Hartzog. But it's going
2 to take a lot of work and it's going to
3 take a lot of calls up there to try to
4 get anybody on board. And anybody that
5 can help with that cause, we would
6 appreciate it. And we're still working
7 on the very short snapper season and
8 hoping that maybe we can get some help
9 there too.

10 CHAIRMAN MOULTRIE: Is that sufficient,

11 Mr. Hartzog?

12 Is that sufficient?

13 MR. HARTZOG: Uh-huh (positive response).

14 CHAIRMAN MOULTRIE: Very good.

15 Okay. The next motion we show was,
16 Mr. Hartzog, that you had a motion on
17 Elmore County.

18 MR. HARTZOG: Yes. And I want to reintroduce
19 that motion for Elmore County for a dog
20 deer permit and the motion to read as
21 follows: To place the following portion
22 of Elmore County under the permit
23 system. And the description is the line

1 should run along the Coosa County/Elmore
2 County line from the east bank of Lake
3 Jordan to Highway 9, then south along
4 Highway 9 to the intersection of 231,
5 then south along 231 to the intersection
6 of Highway 14, then west along Highway
7 14 to the east bank of the Coosa River,
8 then north along the east bank of the
9 Coosa River and Lake Jordan back to the
10 Coosa County/Elmore County line.

11 CHAIRMAN MOULTRIE: Is there a second?

12 MR. HATLEY: Second.

13 CHAIRMAN MOULTRIE: We have a second. Is
14 there any discussion?

15 (No response.)

16 CHAIRMAN MOULTRIE: Being no discussion, all
17 those in favor of the motion as
18 Mr. Hartzog read it, please raise your
19 hand.

20 (All board members raise hand.)

21 CHAIRMAN MOULTRIE: All opposed?

22 (No response.)

23 CHAIRMAN MOULTRIE: Let the record show

1 unanimous vote.

2 Okay. The next motion shows -- was
3 by Mr. Bunn, had talked about Wilcox
4 County. Mr. Bunn, do you have a motion
5 to make?

6 MR. BUNN: I have a motion to put Wilcox
7 County -- the whole county, that is --
8 under the permit system.

9 CHAIRMAN MOULTRIE: Okay. Is there a second?

10 MR. MARTIN: Second.

11 CHAIRMAN MOULTRIE: Second. Any discussion on
12 Wilcox County?

13 MR. HARTZOG: The motion reads here "close."

14 MR. BUNN: That's right, but I'm going to put
15 it under permit.

16 CHAIRMAN MOULTRIE: He's changed that motion.

17 MR. HARTZOG: Okay. Okay.

18 CHAIRMAN MOULTRIE: Mr. Hartzog, if you'll
19 address the chair. He's changed that.

20 MR. HARTZOG: I'm sorry, Mr. Chairman.

21 CHAIRMAN MOULTRIE: Okay. Mr. Bunn, you've
22 got a motion and a second on the table.
23 Any more discussion?

1 (No response.)

2 CHAIRMAN MOULTRIE: Okay. All those in favor
3 of the motion as Mr. Bunn read it,
4 please raise your hands.

5 (All board members raise hand.)

6 CHAIRMAN MOULTRIE: All opposed?

7 (No response.)

8 CHAIRMAN MOULTRIE: Let the record show
9 unanimous.

10 We've got an item that was brought
11 up several meetings ago, Florida
12 pompano, by Dr. Shipp. That's going to
13 be continued with no action today until
14 that is addressed more.

15 Mr. Dobbs, you had brought up about
16 a minimum acreage for dog deer hunting.
17 I understand there's no motion today,
18 but would you like to discuss that
19 issue?

20 MR. DOBBS: No motion today, Mr. Chairman.

21 But it's something that we're still
22 reviewing and I have some questions.
23 And once I get the answers to those and

1 provide those to you, we will discuss
2 that at the next meeting.

3 CHAIRMAN MOULTRIE: Okay. Very good. I would
4 suggest in your thoughts to make sure to
5 contact Don Knight and get all their
6 input as thoroughly as you can on such a
7 sensitive issue.

8 MR. DOBBS: Thank you.

9 CHAIRMAN MOULTRIE: Okay. The next item
10 showing in old business is,
11 Dr. Strickland, I believe you were going
12 to bring forward the season and bag
13 limits motion, which includes to
14 generally approve seasons and bag limits
15 and including shifting deer season in
16 the proposed area of southwest Alabama
17 and includes a reduction in unantlered
18 deer harvest in northeast Alabama in the
19 mapped areas included. And it includes
20 reopening southwest Mobile County
21 turkey, and it includes Mr. Hartzog's
22 proposal to shift dove season in the
23 south back one day to include Friday of

1 Thanksgiving.

2 Dr. Strickland, do you have a
3 motion?

4 DR. STRICKLAND: Yes. Thank you,
5 Mr. Chairman. I guess I will just
6 reiterate that motion.

7 I'd like to make a motion to approve
8 the revised proposed seasons and bag
9 limits as set out in March 9, 2013, the
10 Department of Conservation and Natural
11 Resources draft, including, but not
12 limited to, the shifting of the deer
13 season in southwest Alabama, the
14 restricted unantlered deer season in
15 portions of northern Alabama, the
16 reopening of the southwest Mobile County
17 turkey-hunting area, and the shifting of
18 the dates of the south zone dove season
19 back one day to include the Friday
20 before Thanksgiving.

21 CHAIRMAN MOULTRIE: Okay. Is there a second
22 for the motion?

23 MR. HATLEY: Second.

1 CHAIRMAN MOULTRIE: There is a second.

2 Discussion? Any discussion?

3 (No response.)

4 CHAIRMAN MOULTRIE: No discussion.

5 Okay. All those in favor of the
6 motion as Dr. Strickland read it, please
7 raise your hands.

8 (All board members raise hand.)

9 CHAIRMAN MOULTRIE: All opposed?

10 (No response.)

11 CHAIRMAN MOULTRIE: Let the record show the
12 vote is unanimous.

13 The next order of business is new
14 business.

15 (Brief interruption.)

16 CHAIRMAN MOULTRIE: We had one more item. Let
17 me go back to old business.

18 We have a motion to approve an
19 expenditure of the Wildlife Heritage
20 License funds. I need someone to bring
21 this motion, please, Mr. Hatley or
22 Mr. Jones.

23 MR. JONES: Mr. Chairman, I'd like to move to

1 approve the expenditure of the \$73,000
2 of the Wildlife Heritage License funds
3 for the research project of Auburn
4 University to determine adult mortality
5 rates and home range movement patterns
6 for whitetail deer as required by
7 Section 9-11-71 of the Alabama Code.

8 CHAIRMAN MOULTRIE: Is there a second?

9 DR. STRICKLAND: Second.

10 CHAIRMAN MOULTRIE: There is a second.

11 Any discussion?

12 MR. HARTZOG: Mr. Chairman?

13 CHAIRMAN MOULTRIE: Mr. Hartzog.

14 MR. HARTZOG: Just out of curiosity, what
15 areas are they going to study? I mean,
16 what exactly is the research project?

17 CHAIRMAN MOULTRIE: Commissioner.

18 MR. HARTZOG: I mean, that was a broad
19 definition of mortality rates and home
20 range --

21 CHAIRMAN MOULTRIE: Mr. Moody, would you
22 approach the microphone.

23 MR. MOODY: If it's okay with you,

1 Mr. Chairman, I would like our assistant
2 chief of Wildlife who is in charge of
3 the Auburn research project, Ray
4 Metzler, to address this.

5 CHAIRMAN MOULTRIE: That will be fine.

6 MR. METZLER: We're going to do this study on
7 four sites, Barbour and Oakmulgee WMAs
8 and two private sites, one located in
9 Pickens County, one located in Marengo
10 County. Tentatively what Dr. Ditchkoff,
11 the primary designee at Auburn
12 University, would like to do is 15 VHF
13 collars, which is a mortality collar, on
14 each site. There will be 15 VHF collars
15 and then 30 GPS collars split between
16 the four sites. 15 VHF collars on each
17 site and 7 or 8 GPS collars on each
18 site.

19 CHAIRMAN MOULTRIE: I would like to ask before
20 we open other discussion on this --
21 because the issue, especially with
22 extending the season -- and
23 Dr. Ditchkoff has raised this issue time

1 and time again -- on post-rut mortality,
2 that an emphasis be placed on post-rut
3 mortality within the study. Let's get a
4 full report on post-rut mortality
5 because that's something we need to look
6 at in an extended season.

7 MR. METZLER: I'll certainly bring that up to
8 Dr. Ditchkoff and make sure he's aware
9 of it.

10 MR. MOODY: Mr. Chairman, I was just going to
11 make sure that everybody remembered --
12 and I thought Ray could address this.
13 This is required by statute, I believe,
14 from that -- from those funds as I
15 understand it. So for anybody that
16 wondered why we're doing it, it's
17 required by statute.

18 MR. DOBBS: We discussed it.

19 CHAIRMAN MOULTRIE: With deer mortality rates
20 and home range, does the board have any
21 other things they would like to be
22 emphasized during the study?

23 Dr. Strickland?

1 DR. STRICKLAND: Pardon?

2 CHAIRMAN MOULTRIE: You're our deer expert
3 most of the time. Do you have anything
4 else that you would like to see
5 emphasized during the study?

6 DR. STRICKLAND: No. I think it sounds like
7 that it's going to be a fairly
8 comprehensive study that you have.

9 And you said there's going to be one
10 private landowner?

11 CHAIRMAN MOULTRIE: Two.

12 MR. METZLER: Two private landowners, one in
13 Pickens County and one in Marengo
14 County. I mean, that's tentative. We
15 haven't signed any contracts with
16 anybody yet. Right now those are the
17 intentions.

18 DR. STRICKLAND: And, again, how long will the
19 study -- how long will this take?

20 MR. METZLER: Two years.

21 DR. STRICKLAND: Two years. Okay.

22 MR. METZLER: Two study seasons and in the
23 third year the -- it will be two

1 master's degree students at Auburn.

2 They'll have the third year to analyze
3 the data and get --

4 DR. STRICKLAND: And that will be presented
5 back to the board?

6 MR. METZLER: Oh, yes.

7 CHAIRMAN MOULTRIE: Yes, Mr. Dobbs.

8 MR. DOBBS: Will there be -- I didn't hear for
9 sure, but there are fetal studies in
10 this as well, or is this just collar?

11 MR. METZLER: The reproductive -- the
12 whitetail deer reproductive health
13 study, we're doing that in-house.

14 MR. DOBBS: Okay.

15 MR. METZLER: We're going to continue with
16 that. This basically will be limited to
17 mortality and home range.

18 MR. DOBBS: Thank you.

19 CHAIRMAN MOULTRIE: Mr. Hartzog.

20 MR. HARTZOG: Well, one point. You said it
21 was a two-year study and the report
22 coming out the third year. Is there any
23 way of giving this board interim reports

1 got a motion and a second. Any more
2 discussion?

3 (No response.)

4 CHAIRMAN MOULTRIE: If not, as Mr. Jones read
5 the motion, all those in favor?

6 (All board members raise hand.)

7 CHAIRMAN MOULTRIE: All opposed?

8 (No response.)

9 CHAIRMAN MOULTRIE: Let the record show
10 unanimous.

11 Okay. Now we get to new business.
12 One thing I'd like to say in new
13 business is, especially during these key
14 issues, one of the speakers brought
15 forth that these board members are
16 pulled many, many directions and they do
17 an awful good job doing what they do
18 representing everybody. And they
19 really, really do a good job, and I'd
20 like to congratulate the board on their
21 efforts to continue doing the good job
22 in researching that y'all do.

23 Also, in new business I'd like to

1 say -- we were talking about doing it
2 every meeting, for a college student to
3 come and enlist and join us and help us
4 to get a meeting up under their belts to
5 put on their resume.

6 Davis Blair, thank you for
7 attending.

8 Okay. Any other new business?

9 And I'd like to start with Wildlife
10 and Freshwater Fisheries.

11 Commissioner.

12 COMMISSIONER GUY: Director Sykes, would you
13 mind just addressing the plans for the
14 fetal studies for this year that I
15 mentioned earlier. Just an overview, I
16 think, would be helpful to the board.

17 MR. SYKES: The studies have already started
18 in some parts of the state, and we
19 are -- I've met with Gary, Ray, and
20 actually some of the division
21 biologists. We are looking to close
22 some of the gaps. We've got new
23 landowners participating. We're

1 actually using some private individuals
2 this year to help. We understand that
3 we've got to get more data, and we are
4 headed in that direction. So we are
5 trying to close in the holes.

6 COMMISSIONER GUY: Okay. Does anybody have
7 any questions?

8 CHAIRMAN MOULTRIE: The board -- I am anxious
9 for this board to ask new Director Sykes
10 some biological questions because he's
11 as good as I've ever seen. He is very,
12 very sharp on the issues.

13 Okay. Any other new business?

14 Commissioner McMillan, yes.

15 COMMISSIONER McMILLAN: Yes. Thank you,
16 Mr. Chairman. I felt compelled to make
17 a couple of remarks this morning.

18 For one thing, I'm the only member
19 on this board that has to go before the
20 voters of the state. I came -- and I
21 could do what most commissioners of
22 agriculture have done and that's just
23 skip these meetings. I feel like I can

1 be a productive member of this board.

2 I came here this morning really
3 undecided on the two key motions that we
4 voted on and actually felt like I had
5 more problems with the supplemental
6 feeding motion than I did with the
7 extension of the season. After
8 listening to you folks and listening to
9 my fellow board members here, I felt
10 like, particularly with a commitment
11 from Commissioner Guy and the comments
12 that he made which went into my
13 decision-making as well, that, number
14 one, the worst thing that could ever
15 happen with this board would be if the
16 legislature starts passing laws to make
17 decisions that need to be made by this
18 board because we've got the flexibility
19 to come back and correct any mistakes
20 that get made.

21 I'm extremely interested in seeing
22 how the game check system is going to
23 work. I think that's going to be a huge

1 asset to this board. And I'm also
2 extremely supportive of Chuck and having
3 him on board. And as soon as he finds
4 out where his marketplace is and a few
5 more things, I think he's going to be a
6 huge asset to us.

7 But I just wanted you-all to know,
8 particularly those of you that I had
9 conversations with this morning and
10 before, that I think we're on the right
11 track. I think that we've got the right
12 people in the right spots. And if we do
13 make mistakes, I'll be -- number one,
14 I'll be one of the first ones pushing to
15 see that we do what needs to be done in
16 the way of research. And, secondly,
17 I'll be the first one to say we made a
18 mistake and that we need to reassess
19 it. Thank you, Mr. Chairman.

20 CHAIRMAN MOULTRIE: Thank you, Commissioner
21 McMillan. And, Commissioner McMillan,
22 Mr. Hatley and I have the longest
23 tenure on the board, and I will

1 reiterate you're the only agricultural
2 commissioner that has never missed a
3 meeting, has been here, always offers
4 input. And I think anybody looking for
5 a good agricultural commissioner should
6 take that into their mind when they go
7 to vote.

8 Okay. Other new business?

9 Yes, Mr. Jones.

10 MR. JONES: I was just going to ask if the
11 department would take a look at the
12 turtle harvest regulations and get back
13 with us on a recommendation.

14 MR. SYKES: I spoke with Mr. Harbin and his
15 wife earlier, and I'm going to meet with
16 Mark Rouleau and Mark Sasser who are
17 ultimately familiar with the turtle
18 issue. We will address that next week,
19 and we'll keep you informed.

20 MR. JONES: Thank you.

21 CHAIRMAN MOULTRIE: Very good. Mr. Hartzog.

22 MR. HARTZOG: Yes, sir. In looking at the
23 small game hunters losing supposedly the

1 ten days because of the influx of losing
2 their hunting rights during the February
3 extension, in talking with Gary Moody,
4 biologically -- he said, in fact, in
5 some states the squirrel season is going
6 on into May or whatever. Is it -- I'd
7 ask that if Gary would give us a
8 recommendation at the next meeting for
9 us to consider and maybe vote on maybe
10 extending the season for small game
11 into -- somebody told me at one time it
12 used to run to March 15th anyway. Is
13 that true?

14 It never has. Okay.

15 MR. MOODY: Not that I'm aware of.

16 MR. HARTZOG: But look at the possibility of
17 extending that season until March the
18 10th to give the small game hunters the
19 same opportunity we give everybody else.

20 CHAIRMAN MOULTRIE: Any other questions from
21 the board on small game?

22 I think, Mr. Moody, they're asking
23 for any reason to or not to extend that

1 season. If you could provide the board
2 with that information.

3 Any other questions in new business,
4 items that need to be discussed?

5 (No response.)

6 CHAIRMAN MOULTRIE: Okay. The next order of
7 business is the date and location of the
8 next Advisory Board meeting. The date
9 has not been set and the location hasn't
10 been set. We're open to listening.
11 We're looking at many areas. And it
12 will be announced as soon as we get a
13 location and a date.

14 DR. STRICKLAND: Mr. Chairman?

15 CHAIRMAN MOULTRIE: Yes.

16 DR. STRICKLAND: I just want to remind you in
17 our last discussion you said you were
18 going to look at northern Alabama. I'm
19 going to hold you to that.

20 CHAIRMAN MOULTRIE: That will be fine.
21 Commissioner.

22 COMMISSIONER GUY: I've got it down.

23 DR. STRICKLAND: And my good board member is

1 going to volunteer his place.

2 CHAIRMAN MOULTRIE: Mr. Jones, I appreciate
3 that.

4 MR. JONES: Thanks. Appreciate it.

5 CHAIRMAN MOULTRIE: I believe we had it the
6 last time in north Alabama at
7 Guntersville; is that correct? Would
8 that be a good location, do you think,
9 Dr. Strickland?

10 DR. STRICKLAND: That would be very
11 acceptable.

12 CHAIRMAN MOULTRIE: Mr. Dobbs?

13 MR. DOBBS: One thought that may be a piece of
14 new business going forward is that the
15 Department of Conservation, while we've
16 got some tags, maybe they consider the
17 issuance of a vanity tag of some design
18 that would promote the Heritage fund,
19 that would promote programs for youth or
20 whatever the recommendations would be
21 from Mr. Harders or Dr. Moody.

22 CHAIRMAN MOULTRIE: Okay. Dr. Moody, again,
23 please handle that for us.

1 Okay. Very good. Anything else?

2 Mr. Hartzog again.

3 MR. HARTZOG: One last comment and I'll be
4 quiet.

5 On the extension of the February
6 10th -- you know, we look at mean
7 conception dates, and apparently that is
8 the data we are going to rely on. But I
9 really think we -- we really need to
10 study the data that comes back from the
11 game check in making our decision and
12 not just use mean conception dates.
13 Because the concern of a lot of people
14 that I've heard from -- and, of course,
15 it's perception, again -- is that do we
16 have as many does out there as we used
17 to; are the coyotes taking the does that
18 they have taken; if we increase the
19 season and 77 percent of the does are
20 already bred by January the 31st and we
21 now look at also allowing take of the
22 does during the February season, are we
23 doing the resource justice for future

1 growth and maintaining of that herd.

2 So I'd love for us to not only look
3 at mean conception dates, but look at
4 the data that comes back to us from the
5 game check as to what actually is being
6 taken out there and what the percentage
7 of population has been taken and make
8 our decision not just on mean conception
9 dates but on other data other than mean
10 conception date.

11 CHAIRMAN MOULTRIE: I think our data will be
12 so much better than anything we've ever
13 had.

14 MR. HARTZOG: Oh, I know. I mean, we don't
15 have any.

16 CHAIRMAN MOULTRIE: The game check is going to
17 be unbelievable.

18 One thing that we want to bring
19 up -- and Director Sykes and I had
20 talked about it. There was a study done
21 at Cedar Creek Institute. Director
22 Sykes was familiar with the guy doing
23 the study. And, you know, we've had a

1 lot of people saying that we've had more
2 doe mortality than usual in the state of
3 Alabama, especially in the northern
4 season. And we tried to figure that
5 out. And this study is pretty
6 interesting, that it went into saying
7 that the -- like when we closed the gun
8 season, probably there was additional
9 pressure on the does because people were
10 used to killing a deer a day and they
11 probably continued that for a while.
12 And if they shot the does that they had
13 studied, the mama does -- the older mama
14 does were shot and left to the younger
15 does to reproduce, that the study
16 confirmed, just as in the cattle
17 industry, they're not good mamas and
18 that population will drop and quality
19 will drop until they get time to be good
20 mamas.

21 Now, that being said, that may be a
22 possibility of what happened in lieu of
23 what -- when we closed the buck season

1 from adding pressure on those. But that
 2 study is in Director Sykes' hands. He
 3 knows the guy who did it. He's going to
 4 look at it. And I think it's good that
 5 we look at anything like that. And,
 6 Director Sykes, we appreciate you
 7 looking at that. But that could be one
 8 reason of our doe mortality.

9 Anything else?

10 (No response.)

11 CHAIRMAN MOULTRIE: Being there's no further
 12 business, this meeting is adjourned.

13 (Meeting adjourned at
 14 approximately 12:39 p.m.)

15 * * * * *

16 REPORTER'S CERTIFICATE

17 * * * * *

18 STATE OF ALABAMA:

19 MONTGOMERY COUNTY:

20 I, Tracye Sadler Blackwell, Certified
 21 Court Reporter and Commissioner for the State of
 22 Alabama at Large, do hereby certify that I reported
 23 the foregoing proceedings of the Alabama Department

1 of Conservation and Natural Resources Advisory
2 Board Meeting on March 9, 2013.

3 The foregoing 174 computer-printed pages
4 contain a true and correct transcript of the
5 proceedings held.

6 I further certify that I am neither of
7 kin nor of counsel to the parties to said cause nor
8 in any manner interested in the results thereof.

9 This 15th day of April 2013.

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Tracye Sadler Blackwell
ACCR No. 294
Expiration date: 9-30-2013
Certified Court Reporter
and Commissioner for the State
of Alabama at Large