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MINUTES OF THE  
FOREVER WILD BOARD MEETING  
WIREGRASS MUSEUM OF ART  
DOTHAN, ALABAMA  
September 17, 2015

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TRANSCRIPT OF PROCEEDINGS

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Proceedings taken before Bridgette  
Mitchell, Certified Court Reporter, ACCR  
No. 231, and Commissioner for the State of  
Alabama at Large, at the Wiregrass Museum of  
Art, Dothan, Alabama, on Thursday,  
September 17, 2015, commencing at  
approximately 10:05 a.m.

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1 BOARD MEMBERS PRESENT:

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3 Mr. N. Gunter Guy, Jr. Commissioner  
4 Mr. H.E. "Sonny" Cauthen  
5 Dr. Patricia G. Sims  
6 Mr. Charles E. Ball  
7 Dr. John Valentine  
8 Mr. Russell A. Runyan  
9 Dr. Gary Hepp  
10 Mr. Frank "Butch" Ellis, Jr.  
11 Dr. Michael Woods  
12 Mr. Leo Allen  
13 Mr. Horace H. Horn, Jr.

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COMMISSIONER GUY: Good morning,  
everyone, and thank you for being here. We're  
happy to be in the city of Dothan today to  
convene our board meeting of Forever Wild  
Board of Trustees. And first item is I'll  
call role, and if you would indicate your  
presence so that we can make sure we have a  
quorum.

Dr. Strickland?

(No response.)

1 COMMISSIONER GUY: Mr. Ball?

2 MR. BALL: Here.

3 COMMISSIONER GUY: Dr. Hepp?

4 DR. HEPP: Here.

5 COMMISSIONER GUY: Dr. Woods?

6 DR. WOODS: Here.

7 COMMISSIONER GUY: I know Mr. Horn is

8 here but he's taking a phone call, so we'll

9 note his presence when he comes back in.

10 Mr. Ellis?

11 MR. ELLIS: Here.

12 COMMISSIONER GUY: Mr. Cauthen?

13 MR. CAUTHEN: Here.

14 COMMISSIONER GUY: Dr. Valentine?

15 DR. VALENTINE: Here.

16 COMMISSIONER GUY: Mr. Runyan?

17 MR. RUNYAN: Here.

18 COMMISSIONER GUY: Dr. Lawton?

19 (No response.)

20 COMMISSIONER GUY: Mr. Allen?

21 MR. ALLEN: Here.

22 COMMISSIONER GUY: Mr. Pate?

23 (No response.)

1 COMMISSIONER GUY: Mr. Porter?

2 (No response.)

3 COMMISSIONER GUY: Dr. Sims?

4 DR. SIMS: Here.

5 COMMISSIONER GUY: So including  
6 myself, we do have a quorum and we can conduct  
7 some business today, so that's good.

8 At this time -- the first thing I'd like  
9 to do is we have some special guests that I  
10 would like to -- I'd like to recognize, and if  
11 you would just stand or wave at us so we can  
12 note your presence. The mayor of Andalusia,  
13 Mayor Earl Johnson. Mayor, thank you for  
14 being with us. The mayor of Geneva, Mayor  
15 Philip Carter. Mayor, good to have you with  
16 us. Mayor of Helena, Alabama, Mayor Mark  
17 Hall. Mayor, thanks for being here. From --  
18 Commissioner Kirkland, Houston County  
19 commissioner. Mayor -- I mean commissioner --  
20 thank you for being here. And, also, Mayor  
21 Schmitz, mayor of Dothan. Mayor, thank you  
22 for being here.

23 At this -- first thing I would like to

1 do -- we'll get into some public comments here  
2 in a minute, but let me -- Mayor, I know you  
3 had said -- forgive me. I know you --

4 MAYOR SCHMITZ: I do.

5 COMMISSIONER GUY: -- have some  
6 remarks, so I'm --

7 MAYOR SCHMITZ: I am a politician;  
8 right? Well, good morning and welcome. I  
9 just came from speaking at a kindergarten, and  
10 it's always good to go to a meeting where they  
11 just are worried about how your puppy is  
12 doing. So I hope your meeting today is as  
13 good as my first one.

14 But I didn't know we had all these  
15 powerful mayors here. I haven't seen you wear  
16 a suit in a long time. You look good. You  
17 do. But I will tell you, it truly is an honor  
18 to have you in our community. And while I  
19 know a lot of you have been on this board a  
20 long time, you've done a lot of projects, but  
21 the one we have in Dothan, if our community  
22 knew you were here, they would put you in a  
23 parade and -- I mean, the excitement that we

1        have in our project -- and I know they're  
2        going to talk a little bit about it -- in our  
3        community, Commissioner Kirkland and I were  
4        talking. We've done a lot of things in the  
5        last six years. We've recruited a lot of  
6        companies, a lot of infrastructure, built a  
7        lot of things, but really one of the best  
8        things we're going to be involved with is this  
9        Forever Wild park because it's forever and our  
10       kids and our grandkids -- it's just incredible  
11       and I can't wait till they show it to you.

12                But we'll be forever grateful for you guys  
13        opening your minds and allowing us to be part  
14        of this. And from the citizens of Dothan and  
15        the region, because this is a 400-acre park  
16        that's going to be for our whole region, we're  
17        grateful to you. Thank you and welcome.

18                COMMISSIONER GUY: Thank you, Mayor,  
19        and thank you for your comments. And we're  
20        happy that we got off to a good start with the  
21        City of Dothan down here and really  
22        appreciative of that. I wanted to also  
23        mention in connection with being here, every

1       time we come down here, you're so nice to the  
2       board and got breakfast this morning and  
3       everything. And I want to -- I want to thank  
4       The Wiregrass Foundation for a great  
5       breakfast. And I know there were some takers  
6       on that, and hopefully they won't fall asleep  
7       before the end of the meeting. I also want to  
8       thank the Wiregrass Museum of Art for hosting  
9       today's meeting. It's a great place,  
10      perfect -- perfect place to host a meeting.  
11      And I -- and along with that, I want to thank  
12      Kim Meeker. Kim, where are you? I want to  
13      thank you, who I believe -- I'm going to get  
14      this -- I hope I get this right -- assistant  
15      director of leisure services for the City of  
16      Dothan; is that right?

17                   MR. MEEKER: Yes, sir.

18                   COMMISSIONER GUY: I want to thank  
19      you for coordinating with our staff and, you  
20      know, the preparation of today's meeting.  
21      That's -- that's important. And as you know,  
22      it takes a lot to put on a meeting like this  
23      and we're very appreciative. And I think

1       you're going to have some other comments in  
2       just a minute when we call our public  
3       speakers, so I appreciate that.

4               Were there any comments by any board  
5       members before we get started or anything  
6       y'all want to bring up at this time?

7                       (No response.)

8               COMMISSIONER GUY: All right. Very  
9       good. So with that -- well, Horace is not  
10      back yet, but I think it's okay to begin  
11      with -- because I told him we might begin with  
12      some public comments. I'm going -- we've got  
13      some cards of those that are planning to speak  
14      today. And if you haven't filled out one and  
15      you want to, I think we still have -- Jo, we  
16      still have people outside that they can do  
17      that? So, actually, we'll begin. And,  
18      Mr. Meeker, you're going to be the first  
19      speaker, so thank you.

20              MR. MEEKER: Well, we're particularly  
21      proud to be able to announce that we are  
22      looking toward opening the first part of the  
23      project that we began this journey with you on



1           on October the 3rd. And in front of you, you  
2           do have a flyer about the festivities for that  
3           day. But this is going to be the part that  
4           five years ago served as part of the property  
5           as a treatment plant here in Dothan, Alabama,  
6           and was reclaimed with a national award-  
7           winning project that made this one of the most  
8           beautiful properties to be seen anywhere in  
9           Dothan, Alabama. So we're very proud of that,  
10          and we're going to offer it to the public,  
11          letting the kids lead the way on that day, on  
12          October the 3rd. So it is just one mile of  
13          trail and we do have it to look forward to.

14                 The Wiregrass Foundation is funding about  
15                 \$800,000 of bridges and boardwalks to connect  
16                 every property so that basically we'll have  
17                 eleven continuous miles. So this journey that  
18                 we began about two years ago is coming to  
19                 fruition. We expect the whole thing to open  
20                 by this coming May. We do have all of our  
21                 specifications and we'll be getting out our  
22                 bid packages over the next week. So  
23                 everything is really going well.

1           But what I'm really excited about, we do  
2           have a partnership with the local mountain  
3           bike club, Southeast Alabama Mountain Bike,  
4           who is actually going to be running this  
5           National Take a Kid Mountain Biking Day that  
6           everybody has jumped on, it seems, in our  
7           community to make this something spectacular.

8           So, James, would you tell us about that?

9           MR. WELLS: Sure. Good morning. My  
10          name is James Wells, and I'm president of  
11          Southeast Alabama Mountain Bikers, and we've  
12          been involved with this project since the day  
13          when Kim brought us on board. And we decided  
14          to bring the children and family trail first  
15          to the community, really foster interest in  
16          it, and Kim and I even took an initiative of  
17          trying to have some bicycles available for  
18          children that don't have bicycles on Take a  
19          Kid Mountain Biking Day and we've gotten about  
20          25 bikes donated so far. So the community  
21          support has just been outstanding, the  
22          foundation's been outstanding, and we're just  
23          happy to be in a partnership with y'all.

1           And we've got a video on the commercial  
2           that's for Take a Kid Mountain Biking Day  
3           coming up on October the 3rd that -- Congress  
4           has designated that as National Take a Kid  
5           Mountain Biking, and we're tying in with them  
6           on that.

7                         (Video played.)

8           MR. MEEKER: I would like to say,  
9           also, that anybody that would like to see that  
10          property this afternoon, just talk to me. I'd  
11          be glad to show it to you. We're very proud.  
12          Thank you so much.

13          COMMISSIONER GUY: Thank you, Kim.  
14          Can I ask, along those lines, we've got some  
15          board members that haven't been here when we  
16          did this. Generally, though, if we wanted to  
17          just go by there and look at it, could you  
18          tell us -- remind us where it is from where we  
19          are here --

20          MR. MEEKER: Okay.

21          COMMISSIONER GUY: -- just generally?  
22          I saw the address on there.

23          MR. MEEKER: Right. The first part

1 of the trail that we're opening is on Flowers  
2 Chapel Road, which is off of 84 going west  
3 just past the traffic circle. You veer off to  
4 your left on Flowers Chapel and it's where  
5 Flowers Chapel Road meets Narcisse Drive,  
6 which is only a service road to our property.  
7 So Flowers Chapel and Narcisse Drive. It does  
8 have a gate across it because we're opening  
9 officially on October 3rd, but I'd be glad to  
10 show anybody on the board that property if you  
11 would talk to me.

12 COMMISSIONER GUY: So we'll just talk  
13 to you afterwards. Thank you.

14 MR. MEEKER: That'd be great.

15 MR. WELLS: It is a beautiful piece  
16 of property. Thank y'all.

17 COMMISSIONER GUY: Thank you very  
18 much. And Patti, I know -- Ms. Powell wants  
19 to say a few words.

20 MS. POWELL: Yeah. I try normally  
21 not to speak during public comment, but I  
22 really do want to take just a moment on behalf  
23 of my staff and me personally to thank the

1        mayor and leisure services department for the  
2        City of Dothan. I really can't express  
3        sincerely enough how much we appreciate your  
4        partnership. The support from the community  
5        and from the local government has been evident  
6        from the beginning. When the nomination was  
7        submitted, it included donated acreage; it  
8        also included an offer of assistance with  
9        management of the property. But that proved  
10       to be so much more than just the offer and  
11       offer of support. You have been there  
12       physically on the ground. The cooperation  
13       with our staff to work within the parameters,  
14       the legal parameters of our program is  
15       appreciated more than you will ever know.

16            And I know that, you know, y'all touched  
17       on it, but the city secured grant funding to  
18       construct eleven miles' worth of the trail and  
19       also the significant funding that was raised  
20       and bringing in additional partners with The  
21       Wiregrass Foundation.

22            And I do want to thank Barbara Alford --  
23       she was at breakfast this morning but couldn't

1 stay -- with the foundation and their support.  
2 But the reason I mention that, in addition to  
3 being appreciative, it really is so important  
4 with these types of tracts. Land acquisition  
5 is obviously only the very first step in  
6 successfully bringing recreational amenities  
7 to the public through our Forever Wild  
8 program. So after you acquire the land,  
9 having the money, finding the money to  
10 actually get the trails constructed, to take  
11 care of connectivity issues such as the bridge  
12 and the boardwalk to enjoy the full potential  
13 of the tract, a lot of times that's overlooked  
14 in the necessary expense of that and where  
15 that money's coming from. It's very necessary  
16 to enjoy the full potential of the land but  
17 also to do it faster. The public is often  
18 frustrated when you have a great acquisition  
19 but can't get it online, can't make it  
20 available to them as quickly as they would  
21 like. So, again, I just wanted to share with  
22 the board and the mayor and all the staff on a  
23 very personal level my sincere appreciation.

1           Thank you for letting me interrupt public  
2           comment.

3           COMMISSIONER GUY: Thank you, ma'am.

4           MR. RUNYAN: Thank you.

5           COMMISSIONER GUY: All right. Our  
6           next speaker -- and these are not in any  
7           particular order. I tried to put similar  
8           projects together -- Randall Haddock.  
9           Randall?

10          DR. HADDOCK: How are you doing? My  
11          name is Dr. Randall Haddock on the staff with  
12          Cahaba River Society in Birmingham, Alabama,  
13          and we're here to support and kindly urge the  
14          board to seek an appraisal for the Shelby  
15          County Park Shades Creek addition. Since this  
16          is an addition, you've already purchased some  
17          land nearby. You've got a large population  
18          center nearby. You've got wonderful  
19          opportunities for camping and hiking there.

20          I'm going to try to focus on two aspects,  
21          and that is the recreational opportunities and  
22          the wonderful biological diversity of this  
23          part where such a purchase would help protect.

1       The Cahaba River Society, along with The  
2       Nature Conservancy, Alabama Innovation Engine,  
3       the Freshwater Land Trust, and the National  
4       Park Service Rivers, Trails, and Conservation  
5       Assistance Program, have been working on  
6       Cahaba Blueway to establish a better system of  
7       access to have opportunities on the Cahaba,  
8       including Shades Creek. So these partners are  
9       working together to make that a more informed  
10      decision about getting on the river and  
11      enjoying that.

12             It's actually -- in terms of the  
13      biological diversity of this part of the  
14      river, it's really kind of hard to overstate  
15      the significance of this very particular part  
16      of the river. So I think the way I'll try to  
17      do that is to refer to a nationally-broadcast  
18      radio program that went over the air just a  
19      few weeks ago from Science Friday where they  
20      came to precisely the spot that you're talking  
21      about in the river, on the Cahaba. And  
22      there's a little video that you can go visit  
23      there, it's called The Unlikely Tale of a



1 Tenacious Snail, and it's about the oblong  
2 rocksnail that was 70 -- over 70 years ago  
3 thought to have gone extinct but was relocated  
4 or reidentified on this particular stretch of  
5 the Cahaba. So a Dr. Nathan Whelan and  
6 Dr. Paul Johnson, who's the director of the  
7 ADCNR's Aquatic -- Alabama Aquatic  
8 Biodiversity Center, described that what they  
9 call Lazarus species, these creatures that  
10 were thought to be gone and have been brought  
11 back from the dead, if you will.

12 And it's not just one little snail. This  
13 particular part of the Cahaba is literally the  
14 center of biodiversity for -- a river that's  
15 known for biodiversity in a state that's known  
16 for its aquatic diversity. So it's very  
17 significant in that regard and we hope that  
18 you'll have that in mind as you look at this.

19 Well, that covers everything, unless you  
20 have questions.

21 COMMISSIONER GUY: Thank you. Thank  
22 you, sir. Any questions?

23 DR. HADDOCK: Mr. Ellis?

1 COMMISSIONER GUY: Mr. Ellis?

2 MR. ELLIS: Would a comment be in  
3 order or should I hold that for another time?

4 COMMISSIONER GUY: I think a comment  
5 is in order, if you'd like.

6 MR. ELLIS: Okay. Thank you for  
7 coming. I'm from Shelby County and appreciate  
8 you coming to endorse that. I want to point  
9 out that Patti said in her remarks one of the  
10 problems with getting people in to see the  
11 tract is the access and getting to the roads  
12 and the waters and that sort of thing, and  
13 this happens to join an existing tract that  
14 Shelby County owns and is in the process of  
15 developing a park. If this nomination goes  
16 forward -- whether this nomination goes  
17 forward or not, Shelby County is going to  
18 build the infrastructure for trails and parks  
19 and provide water utilities to get some  
20 housing for law enforcement to have a place  
21 there and be there to live on site. We got a  
22 lot of big plans. It does serve an amazing  
23 area. Shelby County, Jefferson County, that

1 is a population center there in central  
2 Alabama, and I think it would be a wonderful  
3 project. I didn't know about saving the  
4 snail. I'm more interested in the canoes, but  
5 I'm interested in snails saved, too.

6 DR. HADDOCK: We do canoe trips in  
7 that area. And Shelby County has been a  
8 wonderful partner with us in the past and we  
9 really look forward to moving forward.

10 MR. ELLIS: That's mutual, too.

11 COMMISSIONER GUY: Any other  
12 questions of Dr. Haddock?

13 (No response.)

14 COMMISSIONER GUY: Thank you, sir.

15 COMMISSIONER GUY: Mayor Hall.

16 MR. HALL: Thank you, sir. It's good  
17 to be here this morning. I appreciate you  
18 letting me reiterate just what Mr. Haddock  
19 said and what Ms. Ellis said. You know, we're  
20 a city of about 17,000 people located with  
21 some of our city limits adjacent to the Cahaba  
22 there and to us, it's just a really important  
23 piece of that puzzle there that fits in with

1       these other tracts on the Shelby County Cahaba  
2       River. I was talking the other day with the  
3       county manager for Shelby County. We were  
4       trying to figure out a plan where we could  
5       both be involved, perhaps some day come to a  
6       partnership to get those utilities with water  
7       and things like that down there and the access  
8       is -- some other large companies, you know, in  
9       the area, USX and some of those other  
10      companies, they're in a little bit of a flux  
11      there, but the possible property owners there  
12      are talking about giving us access to that  
13      area.

14             I think it's just really important. You  
15      know, we're looking at access for citizens of  
16      Hoover, Birmingham, Alabaster, Pelham, all the  
17      cities -- the tri-city areas that we serve  
18      there, too, and we're looking at a tremendous  
19      amount of people in that area. The one -- the  
20      one important thing, too -- and a lot of times  
21      I know from our standpoint development is  
22      good, but in this particular area, it is not.  
23      We want to get this land set aside and

1       protected in that area so that we can control  
2       Shelby County/Bibb County where the other  
3       cities could at least have some control of  
4       what happens there to keep this land wild.  
5       And I think growing up on the river like many  
6       of us did and coming down through there is  
7       just a very important project to us. We can  
8       foresee not only a protected river but the  
9       economic impact it can have on that area for  
10      tourism, as you know.

11             But not to beat a dead horse, but it's  
12      just such an important project to that whole  
13      area. And I wish I could have had the Hoover  
14      mayor come with us, the mayors of Pelham and  
15      Alabaster, too, because it impacts that whole  
16      area. But I think our partnership, eventually  
17      that could work out in Shelby County with the  
18      Shelby County parks and get our water system  
19      and things down that way would certainly help  
20      improve that quicker and make access for that  
21      part of the river. It's a beautiful area.

22             I don't know if you know -- you were  
23      talking about snails, but a little known

1        thing, every now and then we have a couple  
2        eagles that come to that part of the river.  
3        That's pretty tremendous to see an eagle in  
4        this part of the country. We kind of keep  
5        that quiet. But it's just a tremendous area.  
6        It's a perfect -- if you think about it, that  
7        waterway is a perfect area for them to feed,  
8        too, when they're migrating through. I don't  
9        know which way they're going. Florida?  
10       Anyway, it's a tremendous sight to see that.  
11       But the wildlife is just -- we have a  
12       tremendous amount of wildlife in that part of  
13       the county, too, so we would love to see you  
14       do that first appraisal and approve that. And  
15       just know that you have our cooperation and  
16       anything we can do to help push that along.  
17       Thank you very much. It's an honor to be here  
18       today and a privilege to talk to the board.

19                    COMMISSIONER GUY: Any questions?

20                    (No response.)

21                    COMMISSIONER GUY: I'll just -- maybe  
22        it's a comment and a question for you.

23                    MR. HALL: Yeah.

1                   COMMISSIONER GUY: You mentioned  
2                   about economic impact. You know, I always try  
3                   to be cognizant of not only the people that  
4                   support us but the people that criticize us,  
5                   and I think when you said that, that's one of  
6                   the things that is important, obviously, to  
7                   you in this project, but it's also important  
8                   for this board and the rest of the people to  
9                   understand that a lot of these properties do  
10                  have an economic impact for the surrounding  
11                  areas as well as a place to recreate or green  
12                  space. So --

13                 MR. HALL: Absolutely.

14                 COMMISSIONER GUY: -- any information  
15                 along those lines that y'all produce to us, I  
16                 think, goes a long way in helping convince  
17                 those that might otherwise be less enthused  
18                 about sometimes what we do.

19                 MR. HALL: That's exactly right. And  
20                 I agree.

21                 COMMISSIONER GUY: I appreciate that.  
22                 And I'm familiar with that area up there and I  
23                 know there's a lot of people that use that

1 area.

2 MR. HALL: Absolutely. And Helena,  
3 kind of being off the beaten path, so to  
4 speak, those access points are directly  
5 through our city, and we're kind of in an  
6 economic upturn here and we're doing a  
7 controlled development, if you can say that.  
8 We're -- we're really looking at keeping  
9 things environmentally sound also. But that  
10 economic impact for the tourism to come  
11 through there, just the canoeing activities,  
12 bikes, whatever they do there, hike and  
13 camping, would be significant for our area and  
14 several of the cities located there.

15 COMMISSIONER GUY: Appreciate it.

16 MR. HALL: Thank you very much.

17 COMMISSIONER GUY: Thank you, sir.  
18 Was there anybody else speaking on that one?  
19 I didn't have anybody else speaking on that  
20 particular project. If not, Steve Crockett.  
21 Steve?

22 MR. CROCKETT: I've given each of you  
23 a handout, so if you'll refer to Figure 1.



1 I'll be speaking about what we do. So my wife  
2 and I operate Point aux Pins Oyster Farm. We  
3 were the first successful aquaculture  
4 operation on the Gulf Coast. We're just  
5 beginning our sixth year of commercial  
6 operation. And our firm is located on  
7 Point aux Pins, Alabama, approximately two and  
8 a half miles west of the mouth of  
9 Bayou La Batre. So if you'll refer to  
10 Figure 1, you'll see where we are. The Point  
11 aux Pins is a peninsula that juts out  
12 southward into the Mississippi Sound, and  
13 we're just west of the mouth of the bayou.

14 On Figure 2, you'll see that our farm is  
15 located adjacent to our land, so we're  
16 shoreline landowners with riparian rights to  
17 the oysters in the water there. So right now  
18 we have a farm that is situated there and it  
19 occupies about an acre.

20 Adjacent to our property is Forever Wild's  
21 Grand Bay Savannah tract, and that's labeled  
22 FW. What I'm asking from Forever Wild is  
23 permission to extend our farm into your

1 riparian lease into the area marked FW.  
2 Pending approval by the various agencies, we  
3 would place wood pilings, PVC pipes, and gear  
4 to hold the growing oysters in plastic baskets  
5 near the top of the water column. And you can  
6 see what this looks like in Figures 3 through  
7 5. So what you're looking at there is an  
8 existing operation on our farm. We call the  
9 units runs. So we have a pair of wood pilings  
10 about 300 meters apart with PVC pipes every  
11 ten feet with a plastic cable running from  
12 pipe to pipe. And baskets, you can see on the  
13 next figure, Figure 4, are suspended from this  
14 plastic cable at the top of the water column.  
15 And we seem to attract fishermen.

16 Figure 4 gives you a close-up on exactly  
17 what the gear looks like. So there are  
18 approximately 75 oysters in each one of those  
19 baskets. Each one of the runs can hold 25- to  
20 30,000 oysters.

21 So what we're asking for is consideration  
22 of extending our operation into the darker,  
23 deeper area of the area labeled FW in

1       Figure 2. We estimate that we would probably  
2       take up about an additional acre of that area  
3       if everything works out. So I guess what we  
4       would do is, with your approval, we would  
5       submit an actual plan which has -- which would  
6       require surveying. We'd have to show where  
7       the seagrass beds are, because we can't get  
8       into those.

9               So I guess I'm asking you, what is the  
10       next step along the process here? Do you take  
11       this under consideration and wait till your  
12       next meeting? When would I submit a proposal?  
13       When would that be appropriate?

14               COMMISSIONER GUY: We're going to try  
15       to answer those questions for you. And what  
16       I'd like to do first, maybe before I ask any  
17       questions of you, I brought Chris Blankenship,  
18       director of marine resources here, and I was  
19       going to let him just speak to this particular  
20       proposal briefly. And then, Mr. Crockett, we  
21       may have some discussion with the board  
22       members because there are some board members  
23       here -- and, again, I always forget -- that

1        have some knowledge of this -- some discussion  
2        along these lines generally. We've had some  
3        other kinds of proposals -- and some have not.  
4        So it calls into some question some different  
5        issues that go toward your questions. So  
6        maybe between Ms. Powell and Mr. Blankenship  
7        they could also help us with this discussion,  
8        if that's okay. So we're going to have some  
9        questions, I think.

10                MR. CROCKETT: I understand.

11                COMMISSIONER GUY: Just hang tight.  
12        But, Chris, maybe you can just weigh in about  
13        this particular proposal a little bit.

14                MR. BLANKENSHIP: Sure. I'm Chris  
15        Blankenship. I'm the director of marine  
16        resources division of the department of  
17        conservation. We manage the marine resources,  
18        including the oyster resources, of the state.

19                So this oyster aquaculture off-bottom is a  
20        growing industry in our state. That's  
21        something that started, like Mr. Crockett  
22        said, about six years ago with Mr. Crockett as  
23        an experimental farmer working with Auburn

1 University, and it's grown now to where we  
2 have about seven or eight people that are in  
3 this business growing oysters in this off-  
4 bottom configuration using these Australian  
5 long-lines or some other method, and it -- it  
6 is -- they had several people in a training  
7 program to expand this business even further.

8 I'm also the head of the Seafood Marketing  
9 Commission for Alabama, and we have done a  
10 pretty good job, I think, of marketing these  
11 oysters to restaurants, top-shelf restaurants  
12 around the Southeast, and Whole Foods. I  
13 think Mr. Crockett has some -- doing some work  
14 with Whole Foods. And the demand for these  
15 oysters has so far outpaced the supply. And  
16 so this is an industry that's on the cusp of  
17 really -- really taking off.

18 And I'd be glad to try and answer any  
19 questions about it, but it's different from --  
20 most of the oystering that takes place, it  
21 stays on the bottom, the oysters are on the  
22 bottom, and they're harvested with rakes by  
23 the fishermen. These oysters are grown from

1 seed from the Auburn Shellfish Lab or there's  
2 also now a private shellfish seed facility  
3 they're growing these out and then selling  
4 them to the farmers. And they place them in  
5 these baskets and then suspend them up off the  
6 bottom so that their predators don't get to  
7 them, the crabs and oyster drills and other  
8 things, and they grow in these baskets until  
9 they get to a certain size.

10 And as they grow, they have to -- it's  
11 fairly labor-intensive. They have to take  
12 them from the baskets and, as they grow,  
13 separate them out into more baskets as the  
14 oysters grow. And then when they get to  
15 harvestable size, you know, they're harvested  
16 from the baskets, put them right in the sacks  
17 and then putting them -- selling them to  
18 shellfish processors, mostly for half-shell  
19 market that you'll see when you go to oyster  
20 bars in Houston and Washington and New York  
21 and Boston and other places that you see a lot  
22 of oysters from the East Coast and West Coast.  
23 Now you're starting to see some of these

1        boutique oysters, as we call them, in these  
2        places as well. It's a different type of  
3        industry than the public oyster reefs, but  
4        they do complement one another.

5                COMMISSIONER GUY: Does anybody have  
6        any questions of Mr. Blankenship?

7                DR. VALENTINE: I've got a couple.

8                MR. CAUTHEN: What's --

9                COMMISSIONER GUY: Sonny?

10               MR. CAUTHEN: Excuse me. What's the  
11        difference in the taste?

12               MR. BLANKENSHIP: Taste is in the  
13        pallet of the beholder, I guess. I mean, they  
14        do have a -- they do seem to have less grit or  
15        any -- the way that they filter them off the  
16        bottom as opposed to being on the bottom,  
17        they've probably got a little bit cleaner  
18        oyster and they do have a pretty distinct  
19        taste.

20               Like Mr. Crockett, where his facility is  
21        located, salinity is very high there and so  
22        oysters don't do well on the bottom in that  
23        area. If you suspend them off the bottom

1       where the predators don't get them, they have  
2       that good salty flavor to them. And we  
3       wouldn't be able to grow them on the bottom in  
4       these areas because of the salinity.

5                COMMISSIONER GUY: Dr. Valentine?

6                DR. VALENTINE: I have two questions  
7       for the family. One is, how is the progress  
8       going on the sewage outfall from the City of  
9       Bayou La Batre and have there been models done  
10      that show what direction that stuff is --  
11      maybe Chris is the better person.

12              MR. CROCKETT: Chris can give you the  
13      details.

14              DR. VALENTINE: I keep hearing of the  
15      sewage treatment issue, but I don't know  
16      whether it's relevant to your spot.

17              MR. CROCKETT: It's quite relevant.  
18      If the system were to develop without any  
19      modification, we would probably be out of  
20      business. Public health and FDA would close  
21      us down probably within the next three or four  
22      years. Chris can give you details, but let me  
23      say that once this problem became known to the



1 City of Bayou La Batre, the utilities board,  
2 the state lands, all the regulatory agencies,  
3 everybody has pulled in the same direction. I  
4 mean, it's been really rewarding to work with  
5 these folks and see everybody recognizing the  
6 problem and taking action to solve it.

7 DR. VALENTINE: Good. Let me ask one  
8 more question of you, then. Are you familiar  
9 with Alma Bryant's Professional Academy with  
10 Julian Stewart?

11 MR. CROCKETT: Absolutely.

12 DR. VALENTINE: Any chance you might  
13 work with his students to spend some OJT on  
14 this?

15 MR. CROCKETT: Yeah. We've been  
16 working with Julian Stewart for a number of  
17 years now.

18 DR. VALENTINE: Well, I'm the sponsor  
19 for that academy, and so I'm pretty familiar  
20 with it. You know, I just want to be on the  
21 record that Sea Lab absolutely supports this.  
22 Our kids need jobs. And as long as it can be  
23 done in a way that protects the seagrasses,

1           you know, I'm glad to speak up for you guys.

2                   MR. CROCKETT:  What we're hoping to  
3           show with our demonstration farm is that a  
4           family of four or five can operate a  
5           successful business on one or two acres of  
6           bottom and make a good living at it.

7                   DR. WOOD:  Actually, I have one  
8           question.  How would this extend into the  
9           Forever Wild tract?  I'm looking at Figure 2,  
10          if that will help.

11                   MR. CROCKETT:  Yeah.  Figure 2.  So  
12          you see the house there where our roof is?

13                   DR. WOODS:  Yes.

14                   MR. CROCKETT:  The horizontal line  
15          above that is our northern boundary.  
16          Everything north of that is Forever Wild.  
17          Where the line comes down to a point out in  
18          the water is our area.  Everything to the left  
19          of that, the west of that, is Forever Wild.  
20          So what I'm talking about is putting gear into  
21          the water to the left of the boathouse in that  
22          darker area, which is deeper than where you  
23          see the sandy bottom.

1 DR. WOODS: Okay. So it would extend  
2 from the house on the right side, move to the  
3 left on the map into Forever Wild?

4 MR. CROCKETT: Well, where the  
5 boathouse is.

6 DR. WOODS: Okay.

7 MR. CROCKETT: Yeah.

8 DR. WOODS: Okay.

9 COMMISSIONER GUY: Dr. Woods. Thank  
10 you. Any other questions? I have a question.  
11 Dr. Sims?

12 DR. SIMS: In general -- this may be  
13 a question for Chris -- are there any concerns  
14 or anything that we need to be considering,  
15 need to be made aware of regarding this  
16 extension?

17 MR. CROCKETT: Are there any what?

18 DR. SIMS: Concerns, environmental  
19 concerns.

20 MR. CROCKETT: I don't think so.  
21 Usually, oysters are deemed to help get  
22 nitrogen out of the water, help clean the  
23 water through their filtration and eating

1 process. So you're turning some what might be  
2 called pollutants in the water into oyster  
3 meat and the shell.

4 MR. BLANKENSHIP: I think I can  
5 answer it. And one thing I didn't mention is  
6 the legislature did set up an oyster  
7 aquaculture review board two years ago for us  
8 to look at how these places were being  
9 permitted for the soft-bottom aquaculture.  
10 And as part of that process, working with the  
11 state lands division and department of public  
12 health, corps of engineers, ADEM, we have a  
13 regulation in place and a protocol so that,  
14 you know, we look at where these can't be --  
15 these organizations would apply for an oyster  
16 aquaculture permit. And so as part of that,  
17 they can't do these in places that have  
18 seagrass or have already a natural oyster  
19 reef. So there is a part of the process that  
20 would protect the resources in the water  
21 around these sites, if that answers -- if that  
22 answers your question. So that would be  
23 reviewed through the process.

1                   COMMISSIONER GUY: Don't sit down,  
2           Chris.

3                   MR. BLANKENSHIP: Yes, sir.

4                   COMMISSIONER GUY: Anybody else?  
5           Mr. Ellis?

6                   MR. ELLIS: What length of time  
7           commitment would you have to have to look at  
8           this and see whether it's working or not or  
9           whether it's adverse or positive? We got to  
10          commit for two years, five years, seven years?

11                  MR. BLANKENSHIP: It takes about 18  
12          months to two years for the oysters to grow  
13          from seed to harvestable size. I'm not sure  
14          Mr. Crockett's business plan and what he wants  
15          to do, but that's probably the minimum that it  
16          would take to see how effective that would be.

17                  COMMISSIONER GUY: Actually, that was  
18          the question I had. Is there a proposal about  
19          how long you would want to lease this?

20                  MR. CROCKETT: Good question.

21                  COMMISSIONER GUY: And if you don't  
22          know, that's fine. I just didn't know if you  
23          had in mind what your term -- what you were

1 looking for.

2 MR. CROCKETT: To make it worthwhile  
3 starting put the gear out there, I would say  
4 five to ten years, something like that.

5 COMMISSIONER GUY: Okay. And then --

6 MR. CROCKETT: Because once -- a  
7 point of regulation, once we no longer operate  
8 there, we have to pull everything out of the  
9 water.

10 COMMISSIONER GUY: That was another  
11 question I had, exactly how that works. And  
12 then -- do you have another one? I have a  
13 couple more questions.

14 MR. CAUTHEN: I got one,  
15 Commissioner.

16 COMMISSIONER GUY: Okay.

17 MR. CAUTHEN: Do y'all feed these  
18 oysters or anything like that? Is there any  
19 way you can feed them or they just got to live  
20 out in the wild?

21 MR. CROCKETT: That's what makes this  
22 operation wonderful. We don't have to do  
23 anything. No insecticides, no pesticides, no

1        nutrients are added to the water. We have  
2        some of the best, nutritious water probably  
3        anywhere in the world. We've had people from  
4        Australia come up and marvel at how much algae  
5        and phytoplankton are in our water. You can't  
6        see more than a foot deep in the summertime.  
7        So we don't have to do anything. So it's a  
8        resource that wasn't there in the first place.  
9        We got them from the shellfish lab, we put  
10       them in the water, they grow, we take them out  
11       of the water.

12                MR. CAUTHEN: I want to ask you one  
13        more question. How deep is the water where  
14        you are working?

15                MR. CROCKETT: This area is about --  
16        the deepest part may be four feet deep at high  
17        tide; and if there's enough wind blowing, I'm  
18        bouncing up like this (indicating) to stay --  
19        to keep my head above water, but it's shallow.  
20        So we don't -- we don't have any boats. We  
21        use a boat just as a raft. So there's no  
22        gasoline, no batteries, or anything like that.

23                MR. CAUTHEN: How far off the bottom

1 do you raise your baskets?

2 MR. CROCKETT: Basically, at the top  
3 of the water column, so about medium tide. So  
4 in a mid-tide, we can raise the baskets, the  
5 lines, completely out of the water and allow  
6 air to air-drain desiccation of whatever plant  
7 matter is stuck on the oysters or that's  
8 attached to the basket, or if there are any  
9 barnacle sets that occur, they dry up and die  
10 and we end up with a single oyster that's  
11 clean on the outside, clean on the inside  
12 because they're not in the mud and it makes a  
13 beautiful product for half-shell market and  
14 commands a premium price, too.

15 MR. CAUTHEN: I don't have any more  
16 questions. I promised Horace to keep this  
17 thing tied up by asking stupid questions.

18 COMMISSIONER GUY: All right. Before  
19 more questions -- I know people have them -- I  
20 do want to note for the record Mr. Horn has  
21 returned.

22 Would you note that you are present and  
23 accounted for, Mr. Horn?



1           MR. HORN: Horace Horn, present and  
2           accounted for.

3           COMMISSIONER GUY: Thank you, sir.  
4           Now, we have some questions and I -- Dr. Sims,  
5           did you have your hand up again?

6           DR. SIMS: No. Sorry.

7           MR. CROCKETT: Excuse me. Let me add  
8           that in the packet I gave you is a lot more  
9           information than I talked about. It describes  
10          how we do what we do. And there are also some  
11          online references that you can Google to get  
12          more information. Yes?

13          DR. HEPP: So the figure I have,  
14          Figure 2, it has Forever Wild property  
15          outlined there. You're not -- you're not  
16          proposing to use all of that property. You  
17          said 1.1 acre --

18          MR. CROCKETT: About an acre.

19          DR. HEPP: -- or what was the  
20          original proposal?

21          MR. CROCKETT: So we're talking about  
22          the water, now.

23          DR. HEPP: Right.

1 MR. CROCKETT: Not the land.

2 DR. HEPP: Right.

3 MR. CROCKETT: Well, this area would  
4 be your riparian lease. I'm talking about  
5 going out near my boathouse.

6 MS. POWELL: And describe to them on  
7 the map. The boathouse is what is towards --  
8 right next to the line you see coming down the  
9 middle.

10 DR. HEPP: Right.

11 MS. POWELL: That is the boathouse.

12 DR. HEPP: So you would be proposing  
13 this darker area --

14 MR. CROCKETT: Right.

15 DR. HEPP: -- to the left of the  
16 boathouse.

17 MR. CROCKETT: Yes.

18 DR. HEPP: Not anything inshore?

19 MR. CROCKETT: That's right. In  
20 addition, in order to access that area, I do  
21 not go on Forever Wild's property per se, land  
22 property.

23 COMMISSIONER GUY: Okay. So I have

1       some follow-up questions. And let me say,  
2       before I ask questions, I'm like  
3       Dr. Valentine; I definitely support this kind  
4       of activity and think it's great both for the  
5       economy, for the area, and just generally  
6       because I eat oysters and I think they're  
7       really good to eat, so that's one reason. But  
8       I do have some questions for you. I want you  
9       to understand the basis for my question.

10       So if I understand this -- and maybe Patti  
11       or Chris can help you answer this. So this,  
12       unlike bottom-oyster farming, this is going to  
13       be out of the water. So I would assume, then,  
14       this area that you'll be using, then, nobody  
15       could use that, could fish that area, because  
16       the property, we, you know, we would be taking  
17       it out, I guess, of the public's hands  
18       potentially to let you have this lease. So as  
19       it sits as a Forever Wild property, there is  
20       public access that we generally have in these  
21       areas. So my question to you is -- maybe I  
22       was trying to make a statement before the  
23       question -- is you couldn't -- boaters

1           couldn't be allowed to go in there while  
2           you're doing the oyster farming. Is that  
3           correct or not? I'm trying to find out.

4           MR. CROCKETT: Yeah. The gear is  
5           spaced such that boats can get up in that area  
6           and boats in fact do get up in that area.  
7           Unfortunately, they snag their lines on our  
8           gear and they lose their lines, so most of the  
9           time they learn not to do that.

10           COMMISSIONER GUY: What would be your  
11           position on that? because I want to understand  
12           what our answer would be because I don't think  
13           we've ever done this before, unless I'm  
14           mistaken. And I may ask Ms. Powell to address  
15           some of this. So what would be your  
16           position -- or maybe Chris might want to weigh  
17           in on that -- on, if we did this, the public's  
18           right of ingress and egress on something that  
19           you were leasing?

20           MR. CROCKETT: Right. Practically,  
21           you would not want to get in our gear area and  
22           fish. It just wouldn't make sense to do that.  
23           Technically you could; practically you

1 shouldn't. So, practically, we are removing  
2 that from the public's use. However, if you  
3 look on Figure 2 where it looks like you can  
4 see the sandy bottom, we would not be in that  
5 area, but it's deep enough where a fellow who  
6 crabs in our area, has a crab pot in that  
7 area, he could still have his crab pot there.  
8 The next crab pot is south of us. So that --  
9 that usage would not be curtailed. People  
10 walking around soft-shelling, that usage would  
11 not be curtailed. People fishing for bull  
12 minnows, bait, operate in the marsh grass  
13 there, that would not be inhibited.

14 COMMISSIONER GUY: So as you were  
15 asking earlier, there's some questions, and  
16 that's kind of some of those things we would  
17 need to obviously discuss with you because we  
18 would need to understand what you're looking  
19 for and what you are okay with or something  
20 like that. I mean, I'm kind of talking to the  
21 staff. And maybe, Ms. Powell, if you have  
22 anything to add to that. I think you know  
23 where I'm going.

1 MS. POWELL: I think so. I've tried  
2 to make a few notes, so this may be a bit  
3 jumbled. And Mr. Crockett and I talked with  
4 Will Brantley on my staff. As Chris  
5 Blankenship mentioned, state lands division  
6 has a regulation, a role, in the permitting of  
7 the off-the-bottom oyster aquaculture. We are  
8 similarly supportive through that permitting  
9 process and also through consumption as well.

10 But I do want to clarify for the board if  
11 it seems a little bit confusing on the front  
12 end. We're talking about an order under --  
13 let me say expressly, Will, I'm expecting you  
14 to jump up and prevent me from saying anything  
15 wrong. Under the permitting process, one of  
16 the requirements is to demonstrate that you  
17 have control of the riparian interest, because  
18 that's what's getting somewhat confusing. I  
19 think Mr. Crockett talks about how I can show  
20 you the area and it's just the water. That's  
21 accurate, but the gear goes down into the  
22 water bottoms. And to be able to do that  
23 through the permitting process, one of the

1 requirements is being able to show the  
2 riparian interest, which you can lease instead  
3 of owning; you can lease that interest. So  
4 that would be the request from this board, I  
5 think, would be a lease of the riparian  
6 interest that Forever Wild owns by virtue of  
7 being the upland landowner. So that is  
8 basically the acts. But because of that, our  
9 permit, I believe five years is the limit of  
10 the lease currently.

11 MR. BRANTLEY: Yes.

12 MS. POWELL: That would be --

13 COMMISSIONER GUY: Five years is the  
14 limit that we could do that? Okay.

15 MS. POWELL: So that -- that is the  
16 type of transaction that would have to be made  
17 through the board, would be a lease of  
18 riparian rights; that is, an interest in our  
19 land and we would just have to treat it with a  
20 motion and et cetera like you would anything  
21 else that the board does. But, again, the  
22 gear is in the bottom, it does come up out of  
23 the water. So unlike all -- the difference

1       you talked about boating and recreation and  
2       access, the difference being most of the on-  
3       the-bottom oyster growth and harvesting, while  
4       you're boating over it, you don't have as much  
5       going to catch your line concern, that type of  
6       thing, so there is some impact to the  
7       recreational use of the area. It doesn't  
8       include the whole area. What I don't think we  
9       have in my quick flipping through would be a  
10      drawing of where the actual structures would  
11      go in the water.

12               MR. CROCKETT: That would be part of  
13      a plan that would have to be submitted.

14               MS. POWELL: Right. That would be  
15      part of the permit process. So I would say  
16      two things. There's certain additional  
17      information that we would have to gather and  
18      work through with Mr. Crockett as part of the  
19      permitting process anyway, certain steps would  
20      proceed.

21               Let me also mention, this transaction  
22      would be a little bit different. It has  
23      potential application under the Land Sales and



1       Leasing Act; and regardless of that, this  
2       would be a transaction that would need to be  
3       bid out. You are offering private use of an  
4       interest in this land. It would be something  
5       that I would say we need to bid out. It is  
6       very normal to work with potential interested  
7       bidders in developing the bid notice as well  
8       as just making a decision there are certain  
9       expenses associated with notice provisions,  
10      different things, publications in paper. It's  
11      very normal to work with a potential  
12      interested bidder in developing that, because  
13      otherwise, you probably wouldn't go to the  
14      expense and the trouble of offering it for  
15      bid. So we could work with Mr. Crockett along  
16      those lines. But I just want to clarify that  
17      there's some approvals the board would need to  
18      ultimately make. However, it wouldn't  
19      necessarily be -- it's not as simple as our  
20      usual land transactions where you had the  
21      seller coming to you, we know who we're  
22      dealing with, it's a one-on-one transaction.  
23      You would need to go through a bid process on

1       this. Mr. Crockett might be the successful  
2       bidder, somebody else might also be. So we're  
3       not going to know -- wouldn't know until a  
4       little further down the road who we're dealing  
5       with.

6             Commissioner, I think one thing we could  
7       offer, if you would like, is to start talking  
8       with Mr. Crockett along as we often do in many  
9       situations if the board is interested in this  
10      type of transaction -- this would be the first  
11      time the board has leased out any acreage of  
12      the program. The law allows us to do that and  
13      we would follow those procedures also. We do  
14      have the ability. But it would be a little  
15      precedence setting.

16            MR. ALLEN: What kind of value are we  
17      talking about?

18            MS. POWELL: Will might be able to  
19      help me a little. I will say that -- two  
20      things on that. There would be revenue  
21      generated. It would not be substantial to the  
22      program. However, because it does follow the  
23      lease of an interest in land, the revenue

1        would come back to the program. This is a  
2        little different. I don't want to get too far  
3        in the weeds, but a little bit different from,  
4        for example, what you're normally used to if  
5        there's a timber harvest and how that under  
6        the law goes to the general fund. This would  
7        go back into the land acquisition fund. But I  
8        would say that there are many benefits to the  
9        activity, but it is not going to be a  
10       significant revenue generator for the program.

11       Will, you want to give some perspective?  
12       And we would have to do an appraisal. That's  
13       another thing; it's another expense. But it's  
14       not just for this program but as part of the  
15       bid process and setting a minimum bid. So  
16       that's some additional information we could  
17       bring back. We're not going to be able to  
18       give you an exact figure, but Will might be  
19       able to give you some parameters.

20       MR. BRANTLEY: Sure. I'll do my  
21       best. I'm not sure I can give you a number,  
22       but as Patti said, we would have to bid this  
23       out. Likely, the interest to you guys would

1       be -- the leasehold interest you guys would be  
2       getting, we would probably call that the  
3       oyster lease, and so we would ask the  
4       appraisers, you know, to do a survey. And  
5       these oyster leases exist because there's a  
6       lot of oysters being grown in riparian areas.  
7       We would then -- if the board decided to act  
8       on this and we bid it out and Mr. Crockett  
9       were to bid on it and obtain the bid, that  
10      would then give him what he needed to approach  
11      the state lands division about getting the  
12      aquaculture easement.

13             So really, I mean, the question for you  
14      guys is just a leasehold interest. You know,  
15      the reg requires a sufficient interest in the  
16      upland to be able to do this. And so -- and  
17      I'm sorry. I don't really know a value  
18      exactly, but it's not significant. I don't  
19      think it's a significant amount of money, but  
20      the activity is very important to that region  
21      for sure.

22                     COMMISSIONER GUY: Anything else?

23                     (No response.)

1                   COMMISSIONER GUY:  So what I'm  
2           hearing -- and please speak up if I'm going to  
3           state it wrong -- it sounds like there's  
4           definitely an interest in, I think, the staff.  
5           And maybe this actually helps Mr. Crockett to  
6           get with Mr. Crockett and kind of get some  
7           more details, because I think there are some  
8           further details, whether it be on the bid  
9           side, the lease side, the legal side, and then  
10          the practical application since we've not done  
11          this before.

12                   And I don't know if we answered all your  
13          questions, Mr. Crockett.  But if we did that  
14          and everybody was okay with that, because it  
15          sounds like there was some interest in hearing  
16          more about this and -- and maybe acting on it  
17          if everything were to work out, then does  
18          anybody have a difference of opinion on that?  
19          I don't know that it would require actually a  
20          motion.

21                   MS. POWELL:  No.  Commissioner, what  
22          I would -- as a possible suggestion, you know,  
23          between now and -- I think we could probably

1 do it between now and the December meeting,  
2 get with Mr. Crockett and work through sort of  
3 what a bid notice would look like, get an  
4 actual sketch -- I mean a rough sketch. It  
5 wouldn't necessarily have to be as detailed as  
6 permitting, but to get an idea to the board of  
7 exactly where the pilings would go and exactly  
8 the length, the width, and the exact, you  
9 know, placement of those so they'd have a more  
10 specific idea, if you were the successful  
11 bidder in that, what their interest would be  
12 at that point. We would still not have an  
13 exact appraisal. We wouldn't have an  
14 appraised value.

15 But, again, I would just say, in my  
16 opinion, this is a -- there are other reasons  
17 that support the activity, but I don't think  
18 it's a significant revenue generator for the  
19 board. Not that that's a problem. I would  
20 just say the first may need to be just  
21 understanding what the transaction would look  
22 like if Mr. Crockett was the successful bidder  
23 with that specificity and locating the gear

1 would be.

2 COMMISSIONER GUY: We're going to  
3 have a meeting in December; then we'll turn  
4 around and have a quick one in February. So  
5 if there was a positive outcome from y'all's  
6 report, I think we -- it wouldn't be very much  
7 of a downtime before we can act on that.

8 The other thing that I think the board  
9 should understand -- and maybe does, but I'll  
10 state it maybe more succinctly just to be  
11 clear -- is that there is a precedent here  
12 that we need to consider, so I would like the  
13 staff to prepare something for the board so  
14 that if you could capsulize that for us  
15 because I think it's not an insignificant  
16 precedent that we need to consider, because we  
17 haven't done this. And, again, that's not  
18 speaking against this. That's just making  
19 sure, Mr. Crockett, that we understand that,  
20 going into it, what those things would mean  
21 going forward with other properties.

22 MR. CROCKETT: It won't be the last.

23 COMMISSIONER GUY: Yeah, that's

1 right. And that may be good. That's what I'm  
2 saying. We just need to understand that going  
3 into it.

4 MS. POWELL: And we can go in the  
5 amendment and find out the provisions that we  
6 relate to a lease of any type of interest in  
7 our acreage. But, again, that has not been a  
8 path we've crossed so far.

9 COMMISSIONER GUY: So you don't need  
10 a motion for that or --

11 MS. POWELL: I don't think so as long  
12 as we have -- I think I can take this as just  
13 usual -- some other matters, gathering more  
14 information, little more specificity for the  
15 board of what a final transaction might look  
16 like. And there would be additional stuff of  
17 outlining the provisions in the law.

18 COMMISSIONER GUY: I'm not seeing any  
19 hands. It appears there's a consensus along  
20 that. Thank you. And thank you,  
21 Mr. Crockett, for your interest in this and I  
22 think you heard from the board clearly that  
23 there is an interest in our looking at this



1           very closely. I think everybody I heard said  
2           we're real supportive of this. We just have  
3           to figure out how to make it work, and we want  
4           to do that.

5                     MR. CROCKETT: Appreciate that.

6                     MR. CAUTHEN: Next meeting you can  
7           bring us some oysters.

8                     MR. CROCKETT: Well, you can go to  
9           Mountain Brook Whole Foods store in Birmingham  
10          and pick them up there. Hot and Hot Fish Club  
11          sells them, has them, a few other places  
12          around the state.

13                    COMMISSIONER GUY: Well, the board  
14          doesn't know this yet but, actually, I'm  
15          thinking about the December meeting, trying to  
16          do it in the Mobile area, somewhere down  
17          there, south Alabama, so hopefully we'll be a  
18          little closer to you.

19                    MR. CROCKETT: We'll be there.

20                    COMMISSIONER GUY: Okay. Thank you,  
21          y'all. That was a good discussion.

22                    Steve Northcutt?

23                    MR. NORTHCUTT: Good morning. My

1 name is Steve Northcutt. I'm the director of  
2 protection for The Nature Conservancy, and  
3 I've got a small but I think important tract  
4 for you to consider today. This property is  
5 located in Jackson County; that's the  
6 northeast county in Alabama. This is a  
7 project area that we've been working on for  
8 years. It's the Paint Rock River Watershed.

9 The Paint Rock River is probably one of  
10 the most biologically diverse rivers, like the  
11 Cahaba. Ninety-eight species of fish, 58  
12 species of freshwater mussels. So this is an  
13 area we've worked with the board on several  
14 acquisitions. Back in 2003, we were  
15 successful in acquiring the Walls of Jericho.  
16 And if you remember that acquisition, the  
17 company that bought 82,000 acres up there had  
18 multiple parcels. Part of the property was  
19 located in Tennessee, part of the property was  
20 in Alabama.

21 So the little tract that I'm talking about  
22 today is the blue-colored tract within the  
23 Henshaw Cove property. Henshaw Cove is

1 property that the board bought, I think, in  
2 2005. And if you look at the property, it's  
3 actually two tones of color. The reason it is  
4 colored like that is because the state was  
5 successful in getting a forest legacy grant.  
6 That's a grant through the USDA. So,  
7 actually, the federal government provides 65  
8 percent of the cost of that. So it's owned by  
9 the state but it's just deeded out separately.

10 This little end holding is kind of  
11 interesting because at the time the company,  
12 which is Coastal Timberland, bought this  
13 property, we didn't know that the board was  
14 going to acquire the Henshaw Cove. So it was  
15 an outparcel. And even though they're a  
16 timber company, this property has never been  
17 harvested. So the reason it's not been  
18 harvested is because it's actually very  
19 difficult to get to and they had no legal  
20 access to the property.

21 So we recently were offered several  
22 parcels in Jackson County from the company  
23 Coastal Timberlands to acquire before they put

1       it out to bid. If I go back to 2003, we had  
2       the opportunity to buy the Walls of Jericho.  
3       We had about six months to do it or they were  
4       going to auction that property off as well.  
5       So because of our good relationship with the  
6       company, we were offered this and some other  
7       properties which we acquired.

8             And we've always had the attitude and kind  
9       of collaboration with the department that if  
10      there are parcels that kind of make sense,  
11      what I call an end-holding property that's  
12      surrounded by state-owned lands, if it  
13      provides additional benefits to the state,  
14      whether it's access -- and as you can see with  
15      this, you can kind of enjoy taking another  
16      quarter mile of your southern boundary,  
17      incorporating it. And any time you can have  
18      property that is completely state-owned and  
19      you don't have another entity owned, you can  
20      control all the recreational activities.

21            And so we bought this property a few  
22      months ago with another tract that we kept as  
23      part of our sharp mountain reserve. So we

1 thought this was an opportunity to acquire  
2 this property and offer it to the board. And  
3 I have a couple of things in a handout. I've  
4 got the map that you can see here. The next  
5 page is just a photograph of the property  
6 looking southeast, and then the last two pages  
7 are the two pages of the appraisal report.

8 Now, what's -- I'm trying to point out in  
9 this appraisal report is oftentimes when we  
10 buy property which we think is potentially  
11 going to be a state-owned property or one of  
12 our federal partners -- National Park Service,  
13 US Fish and Wildlife, US Forest Service -- we  
14 will use an appraiser that is either approved  
15 or used by the state or federal agencies and  
16 we get that appraisal and we pay for it. And  
17 as part of that, we have either the state or  
18 federal agency as the intended user. So in  
19 terms of what's the benefit of having this,  
20 you see the fair-market value property but you  
21 also have a first appraisal in hand.

22 So if the board would consider acquiring  
23 this property, you already have a first

1 appraisal, you could order a second appraisal  
2 and close if you feel like this is a good  
3 addition to Henshaw Cove. One of the reasons  
4 the property's value is high is because it  
5 hasn't been cut and it's rich and mature,  
6 mostly white oak and red oak. So the timber  
7 value is one of the main things that drove up  
8 the value to such a small tract.

9 So I'll be glad to answer any questions if  
10 the board has any.

11 MS. POWELL: I don't mean to  
12 interrupt. Do you have a copy of your  
13 handout, an extra copy?

14 MR. NORTHCUTT: Oh, sure.

15 MS. POWELL: I don't mean to take  
16 yours.

17 MR. NORTHCUTT: I'm familiar with it.  
18 And I will say that the entire appraisal  
19 report, which is 40-something pages, is what  
20 he sent to lands division for their review.

21 COMMISSIONER GUY: Any questions for  
22 Mr. Northcutt?

23 MR. NORTHCUTT: Yes, sir.

1 COMMISSIONER GUY: Mr. Cauthen?

2 MR. CAUTHEN: So what do you need, a  
3 second appraisal?

4 MR. NORTHCUTT: So if the board felt  
5 like this was a good addition to the Henshaw  
6 Cove, you could simply accept the first  
7 appraisal, order a second appraisal, and  
8 instruct the lands division to proceed with  
9 closing after the second appraisal, approve of  
10 that.

11 COMMISSIONER GUY: I would -- I'm not  
12 sure. I would have to ask legal. But I think  
13 we ask for our first appraisal. I don't think  
14 we can go right to a second appraisal until we  
15 get that --

16 MR. CAUTHEN: I wouldn't think so.

17 COMMISSIONER GUY: -- confirmed by  
18 the staff. I'm not trying to be difficult.

19 MR. NORTHCUTT: I did check with  
20 lands division and they felt like the first  
21 appraisal that we done would work. But, sure,  
22 it's the board's decision.

23 MS. POWELL: Yeah, we would need

1           some. And I'm not sure the discussions, but I  
2           do think we would need to take a step back and  
3           be sure about the adoption of the appraisal  
4           and we would need to present that to the  
5           board. We may need to talk about it just a  
6           little bit.

7                    COMMISSIONER GUY: Yeah. Not trying  
8           to be difficult.

9                    MR. NORTHCUTT: No. Absolutely. And  
10          the whole idea of doing this was it would save  
11          the department five, seven thousand dollars.

12                   COMMISSIONER GUY: The good news is  
13          we already have it.

14                   MR. NORTHCUTT: Do have it.

15                   COMMISSIONER GUY: We just have to --  
16          it'd just be the next meeting we can act on it  
17          rather than having to wait maybe more than one  
18          meeting.

19                   Any other questions for Mr. Northcutt?

20                   (No response.)

21                   COMMISSIONER GUY: Thank you, Steven.

22                   MR. NORTHCUTT: Thank you.

23                   COMMISSIONER GUY: Appreciate it so



1           much. Mayor Earl Johnson. And, Mayor, I know  
2           you've got several folks here, so I'm going to  
3           call on you first unless you want to defer to  
4           some of the others.

5                       MAYOR JOHNSON: I want to thank you,  
6           Mr. Commissioner and members of the board.  
7           Appreciate you taking the time to listen to  
8           what we want to talk about in the Wiregrass  
9           Trail today. And you'll be filled in more as  
10          the morning goes on.

11                      Friendly greetings from Andalusia,  
12          Alabama's top town. I've always been --  
13          admired the name of this organization, Forever  
14          Wild. It always -- it always brings good  
15          things to my mind when I think about it. It  
16          also reminds me, unfortunately, of my three-  
17          year-old grandson and -- using that name  
18          "forever wild" brings him to mind as well.

19                      Let me say we're here today to talk about  
20          the securing of right of way of a former  
21          railroad that's been abandoned -- the tracks  
22          have been removed all the way from Andalusia  
23          to Geneva, Alabama; and the exact mileage I'm

1 not sure, but I think it's close to 45 miles  
2 total -- for a trail and hiking or bicycling.  
3 These trails have become very popular around  
4 other parts of the country. There's only one  
5 in Alabama that I'm aware of. That's in north  
6 Alabama. I'm sure you'll hear more about that  
7 later. There's one over in Mississippi near  
8 Hattiesburg that's very, very popular and  
9 draws over a hundred thousand visitors for  
10 that area a year just to use that trail. We  
11 don't have anything like that in south  
12 Alabama.

13 Now, those of you who grew up in rural  
14 south Alabama realize that we don't have a lot  
15 to attract tourists to our part of the  
16 country. We're sort of off the beaten path.  
17 We're not on the beach, we're not in the  
18 mountains, we don't have a major university in  
19 Covington County or Geneva County, so we don't  
20 have big football crowds to come. We don't  
21 have an interstate highway through our part of  
22 the country. So to attract people to come to  
23 Covington County and Geneva County, we've got

1 to provide something to attract those folks,  
2 and this trail is a possibility that we think  
3 holds a lot of promise to attract into the  
4 future for a long time to come, folks who will  
5 come and use that trail. It's become very  
6 popular around the country, you know,  
7 bicycling and hiking. And we're really  
8 excited about the possibility of using that as  
9 an attraction to south Alabama.

10 In addition to that, it would improve  
11 quality of life for those of us who live in  
12 Covington and Geneva Counties. It would  
13 provide another outlet for physical exercise,  
14 get out into the open spaces and to  
15 participate in something like hiking and  
16 bicycling.

17 The City of Geneva and the mayor -- Mayor  
18 Carter is here. He will speak in a few  
19 minutes. Mayor Bartholomew of Opp is not  
20 here, but I can speak on his behalf on this  
21 subject. And the City of Andalusia. So the  
22 City of Andalusia and the City of Opp and  
23 Geneva and some other entities have agreed to

1 take on the maintenance of this trail once we  
2 get -- get control of the right of way. And  
3 that's where we're coming to ask y'all to help  
4 us, is to get control of the right of way. We  
5 feel like this is a real possibility, a  
6 tremendous asset for south Alabama in general,  
7 of course, the Wiregrass in particular. And  
8 we think that it will bring our communities  
9 together. Andalusia would be the trailhead on  
10 one end, on the west end of the trail, and  
11 Geneva would be the trailhead on the east end  
12 of the trail. And we're excited about the  
13 possibility.

14 I'm not going to stand up here and give  
15 you all the pluses and minuses. I know there  
16 are some issues that have to be resolved, the  
17 legal issues and those kinds of things. But  
18 what we would ask for is for y'all to take  
19 this on and move it forward for us from this  
20 point so we can then get into it and hopefully  
21 make this come to fruition.

22 So, again, thank you. I know there are  
23 several other speakers so I'm not going to

1 take up any more of your time except to say  
2 thank you for hearing us. We think this is a  
3 great project, something that fits Forever  
4 Wild's mission, and that is to set aside  
5 properties that would be used by the public  
6 forever, and we think this is a good one.

7 COMMISSIONER GUY: Thank you, Mayor.  
8 Any questions for Mayor Johnson before he  
9 leaves? I know he's got to go.

10 (No response.)

11 COMMISSIONER GUY: Mayor, thank you  
12 for taking the time to be here today. We  
13 appreciate you.

14 MAYOR JOHNSON: Thank you,  
15 Commissioner, members of the board.

16 COMMISSIONER GUY: Thank you, sir.  
17 And then I've got several speakers. So,  
18 again, I don't know who might want to speak.  
19 I know Mayor Carter is here. Mayor? And then  
20 Debbie, you and Ryan will be next, whichever  
21 order you want to be in.

22 Mayor Carter?

23 MAYOR CARTER: Good morning. I want

1 to thank you so much for everything that you  
2 do. I would like to congratulate Forever Wild  
3 for the impact that they have in conserving  
4 our natural environment. I really wasn't  
5 aware of everything that Forever Wild does  
6 until I started to do a little research, and I  
7 didn't realize the impact that you have.

8 I'm here today to speak to you about a  
9 proposed 43-mile rail quarter between Geneva  
10 and Andalusia. This project -- as the mayor  
11 has already mentioned, this project has the  
12 potential to transform a rural area that has  
13 been neglected in our state.

14 I speak for Geneva County. Geneva County  
15 has a population of 27,000. We don't have a  
16 US highway in Geneva County. For those of you  
17 who are unaware where Geneva County is, we sit  
18 right on the Panhandle; we're on the Florida  
19 line right next to Dothan, right next to  
20 Houston County. Geneva -- if you go to  
21 Geneva, it has to be a destination.

22 Geneva is uniquely positioned for the  
23 trailhead because of its location, the

1 junction of the Choctawhatchee and Pea Rivers,  
2 on down to the Gulf of Mexico on the  
3 Choctawhatchee River. We also have the Robert  
4 Fowler Park in Geneva located at the junction  
5 of these two rivers and is home of one of the  
6 largest oak trees in the state of Alabama --  
7 in the United States.

8 Our long-range plan includes developing  
9 new and enhancing the recreational  
10 opportunities in the city of Geneva. We have  
11 a golf course that's adjacent to the Robert  
12 Fowler Park. We already have existing walking  
13 trails that extend into this park, and we plan  
14 on tying those into downtown Geneva. These  
15 trails would be -- like I said, again, we are  
16 in a unique position to be a trailhead, and I  
17 think we have a great opportunity here.

18 Geneva and Geneva County working together  
19 have already procured funding -- \$850,000 in  
20 funding for the purchase of the 43-mile  
21 course, and along with other government  
22 entities have pledged support for maintenance  
23 of this project. This whole area is rural,

1 and this project has potential for  
2 transforming the economic impact on our area.

3 These are just a few steps in the process  
4 that we hope Forever Wild will take to be able  
5 to transform this project. Again, thank you  
6 for your time.

7 COMMISSIONER GUY: Thank you, sir.  
8 Any questions for the mayor?

9 (No response.)

10 COMMISSIONER GUY: Mayor, again,  
11 thank you for being here today and taking the  
12 time out to come and visit with us. We really  
13 appreciate it.

14 MAYOR CARTER: Thank you very much  
15 and thank you very much for everything you do.

16 COMMISSIONER GUY: Thank you, sir.  
17 Debbie, do you want to speak, or Brian or  
18 both?

19 MS. QUINN: Both.

20 COMMISSIONER GUY: Okay. Ms. Quinn,  
21 Debbie Quinn.

22 MS. QUINN: We've been working on  
23 this project since 2011 when the federal



1 government let us know that CSX was going to  
2 abandon that rail line. It's been a long  
3 process. We've been trying to pull the cities  
4 together. There are seven cities and three  
5 counties. We've gotten operation and  
6 management plans from them, agreements to  
7 maintain and operate it. We were working with  
8 state parks because the Frank Jackson State  
9 Park is very close, and they were very  
10 interested in trying to connect it in. We  
11 have Geneva State Forest that it runs right  
12 by.

13 Of course, as we know from the -- all of  
14 the budget talks in Alabama legislature that  
15 state parks has had to kind of back out a  
16 little bit because their resources aren't  
17 there now. But with the cities and the  
18 counties, I think it would be a tremendous  
19 project. We're willing to work with Forever  
20 Wild and them on future grants, on future  
21 funding to fix the trail to where it's usable  
22 not only by hikers and bikers but by  
23 equestrian, and you have the Pea River there,

1           so kayakers.

2           So I'm going to hand it over to Brian, my  
3           associate, and let him finish up. Thank you.

4           MR. RUSHING: Brian Rushing, work  
5           with the University of Alabama, director of  
6           economic development helping to facilitate the  
7           Wiregrass project in partnership with the  
8           commission and the Wiregrass Trail  
9           Partnership.

10          As Mayor Carter mentioned, we now have in  
11          hand \$800,000 to help support the acquisition  
12          of this corridor. We were able to pull down a  
13          2016 Transportation Alternatives Program grant  
14          from ALDOT to supplement the recreation trails  
15          program grant that is already in hand. There  
16          has been a \$50,000 land and water conservation  
17          fund grant dedicated to this project as well,  
18          although because of the long time it has taken  
19          to get this project going, we may end up  
20          having to hand those funds back to the  
21          national park service in February.  
22          Nevertheless, we've gotten \$800,000 in funding  
23          support dedicated to the project right now.

1       And we have also, as Mayor Johnson indicated,  
2       we've gotten operations and maintenance  
3       commitments from the municipalities and the  
4       counties along the course of the rail  
5       corridor.

6           And so the Wiregrass Trail Partnership  
7       stands ready to move forward with this, with  
8       this project. And if Forever Wild is able to  
9       effect acquisition of the corridor from CSX,  
10      very, very soon thereafter we will be planning  
11      and implementing this trail in a phased  
12      approach, in all likelihood. As they say,  
13      Rome was not built in a day, and a 45-mile  
14      rail trail is usually not built in one fell  
15      swoop, but we would be looking to actually  
16      build segments of this trail very quickly  
17      once -- again, once the corridor is secured.  
18      Now, that's been a -- that is a concern,  
19      certainly, for Forever Wild, that these  
20      properties don't just stand idle, they do  
21      serve the public once you -- once you acquire  
22      them.

23           With that, we are in a position, we think,

1 to move forward with the project and would  
2 respectfully ask that Forever Wild consider a  
3 first appraisal on this project, on this  
4 acquisition, to really begin the process of  
5 moving forward. I have provided to state land  
6 staff some supplemental information that I  
7 believe you have maybe in two separate packets  
8 before you. We have -- we actually have 15 of  
9 the rail trail projects in the state  
10 currently. One of them -- actually two of  
11 them are relatively long. One is the Chief  
12 Ladiga Trail, 32 miles in northeastern part of  
13 Alabama. The other is the Richard Martin  
14 Trail up in Limestone County, which is about  
15 ten miles. Most of the other rail-trail  
16 projects that have come to fruition are  
17 actually relatively small. But as was also  
18 mentioned, the Longleaf Trace in Mississippi  
19 has been a hugely successful rail-trail  
20 project for the southern part of Mississippi.  
21 And while they have not done an economic  
22 impact study on that yet, the trail counters  
23 are clicking all the time and they do count

1            somewhere in the neighborhood of a hundred  
2            thousand -- north of a hundred thousand,  
3            actually, visitors a year. A recent economic  
4            impact study that was done by Jackson State  
5            University for the chief of Ladiga Trail did  
6            find that that trail generates a million-and-  
7            a-half dollars in annual economic impact to  
8            the towns of Jacksonville and Piedmont. And  
9            so we're looking at these comparables nearby  
10           and seeing the kind of potential that the  
11           Wiregrass Trail can have for this region, and  
12           so partners are excited about moving forward.

13           The other -- the counties and the other  
14           municipalities wanted very much to be here  
15           today, but most of those commissions and city  
16           council members have day jobs and weren't  
17           quite able to get away today, but they send  
18           their regards and want me to reiterate their  
19           support. And with that, I'll be happy to  
20           answer any questions.

21                            COMMISSIONER GUY: Yes, sir.

22                            MR. BALL: Throw a wild-card question  
23           out there. What would it take to bring the

1 trail the other direction into Dothan?

2 MR. RUSHING: Well, we -- there is  
3 the -- the corridor does extend on further to  
4 the east from Geneva and, my understanding,  
5 actually turns south and goes into Florida.  
6 We haven't yet done an assessment, really, of  
7 what other connections could be made, but  
8 undoubtedly there are potential connections,  
9 whether or not those rail corridors may still  
10 be in ownership by railroad companies remains  
11 to be seen. Undoubtedly there's  
12 infrastructure that's out there in the  
13 landscape that may be owned by multiple  
14 private landowners, but still that is  
15 infrastructure that we may look at in a  
16 longer-term plan to connect this up.

17 But as it stands, this rail corridor, the  
18 acquisition itself that's under consideration  
19 by Forever Wild is 43 and a half miles. City  
20 of Andalusia wants to extend the western end.  
21 The acquisition boundary actually stops about  
22 a half mile to the east of downtown Andalusia  
23 and Andalusia wants to make that connection

1           into the heart of their downtown to the Three  
2           Notch Museum. And then Geneva already has a  
3           mile-long rail trail, essentially, that runs  
4           in Fowler Park that Mayor Carter mentioned.  
5           That actually is this very same rail corridor  
6           that Geneva acquired back in about 1995, I  
7           believe. And so all those together we're  
8           looking at 45 and a half miles. It will be  
9           the longest rail trail in Alabama. But right  
10          now we're just trying to sort of ruminate on  
11          this morsel of rail-trail development in south  
12          Alabama, but certainly there are other  
13          opportunities to extend and connect to other  
14          locations.

15                    COMMISSIONER GUY: Mr. Cauthen?

16                    MR. CAUTHEN: I'd like to ask a few  
17                    questions. One is, how did it generate a  
18                    million and a half dollars? Do they pay to  
19                    ride on it?

20                    MR. RUSHING: No, sir. That is --  
21                    that is purely from the money that is spent by  
22                    people that come and visit the trail and use  
23                    the trail.

1 MR. CAUTHEN: I see. Indirect.

2 MR. RUSHING: There's no -- on the  
3 Chief Ladiga Trail, like most rail trails for  
4 that matter -- and by the way, there are about  
5 2,000 rail trails throughout the United States  
6 that are operating right now.

7 MR. CAUTHEN: Don't you think people  
8 would pay?

9 MR. RUSHING: Well, it is --

10 MR. CAUTHEN: Particularly  
11 equestrians and -- I mean, they would pay  
12 something to ride on that thing.

13 MR. RUSHING: There are permit  
14 opportunities certainly with respect to  
15 equestrian use and as with the Longleaf Trace  
16 in Mississippi, there's revenue-generating  
17 opportunity that's associated with permits for  
18 golf-cart use on their particular trail. But  
19 because these are essentially long linear  
20 parts that have multiple access points,  
21 certainly having -- charging some sort of gate  
22 fee is not a practical thing, but there may be  
23 some permitted-use opportunities there. But



1 the economic impact that we're seeing  
2 associated with these trails is through  
3 recreational tourism, in large part the  
4 bicycle tourism industry, which right now is a  
5 burgeoning industry. It's being fueled by  
6 primarily the baby boomers who are retiring  
7 and staying active and traveling across the  
8 country to visit these trails. It's also  
9 coming through the events that communities can  
10 plan on these trails -- bike rides, marathons,  
11 ultra marathons, which are becoming huge now  
12 throughout the country. So these -- this  
13 infrastructure is providing essentially an  
14 opportunity for people to come into  
15 communities and spend money while they are  
16 there.

17 In Andalusia, in Opp, in Sanford, and  
18 Samson, those communities, people do come  
19 through those communities on their way to the  
20 beach, but most often they just stop for gas  
21 and a sandwich. But this trail will create an  
22 opportunity for people who are traveling to  
23 the beach to stop and stay a while, maybe even

1 spend the night. And so that will give them  
2 an excuse, basically, an opportunity to put  
3 heads in beds in hotel rooms and have  
4 opportunities to have more revenue.

5 MR. CAUTHEN: I've got one other  
6 quick question. If we help you acquire, have  
7 you got the money to develop it?

8 MR. RUSHING: We do not have the  
9 money in hand yet to develop it, but that is  
10 the next step. And if the Forever Wild  
11 process moves forward, we're going to be  
12 looking, number one, at the funding for the  
13 planning and feasibility study that we need to  
14 do in order to -- engineering feasibility  
15 study that we need to do in order to really  
16 cost out what it will -- it will be to  
17 actually build the trail.

18 As we're doing that, we're cultivating  
19 relationships with not only public funding  
20 sources but also multiple private funding  
21 sources, and so what we want -- we want to be  
22 in a position at the time that Forever Wild  
23 hopefully closes on this transaction to be

1       able to move very quickly forward with the  
2       planning and implementation of the first  
3       phases of the trail, but -- so we are in a  
4       very good position, I think, to tap into both  
5       those federal funding sources as well as  
6       private partners that we're cultivating coming  
7       to the table.

8               MR. CAUTHEN: Thank you.

9               COMMISSIONER GUY: Mr. Runyan?

10              MR. RUNYAN: Some of the private  
11      landowners between, have you conversed with  
12      them? Do they have any concerns about public  
13      access through their place?

14              MR. RUSHING: We have talked to some  
15      private landowners and -- we have not reached  
16      out to them actively yet on this project, but  
17      that is the very first thing, in fact, that we  
18      want to do in the planning process, is -- is  
19      reach out to them, find out what -- what  
20      issues or concerns they may have, particularly  
21      with respect to trespass off of the rail  
22      quarter onto their lands, make sure that those  
23      are accounted for and that any infrastructure

1           that might be needed in order to prevent that  
2           is made a part of a capital project. And so I  
3           have talked to a handful of landowners thus  
4           far who are supportive of the project and  
5           understand. Being adjacent landowners, they  
6           want to make sure that the new trail use is  
7           not going to create problems for them. And  
8           so -- and as it stands right now, you know, it  
9           basically is an abandoned rail corridor that  
10          is not policed, that is not traveled by  
11          people. And so in fact, what we're looking at  
12          is, when the rail corridor is converted to a  
13          trail and begins being used by the public, we  
14          will have an opportunity then to better police  
15          the rail corridor and really prevent, you  
16          know, some of the trespass that might actually  
17          be taking place right now due to the fact that  
18          it is really unregulated, an abandoned rail  
19          corridor.

20                        COMMISSIONER GUY: Mr. Ellis?

21                        MR. ELLIS: One question with  
22                        explanatory comment. Question is, does CSX  
23                        contend that it owns this right of way? And

1 the comment is, in Shelby County, they've had  
2 some railroads that have been abandoned and  
3 the ownership of the lands are hotly contested  
4 between the adjoining property owners. In  
5 mitigation, CSX has not even been able to find  
6 the deeds even to a right of way.

7 MR. RUSHING: Sure, sure.

8 MR. ELLIS: And then it's heavily  
9 contested. Even had litigation between the  
10 railroads and landowners on who owns the land.  
11 So you might, say, have one person to deal  
12 with, one entity; you might have hundreds of  
13 them.

14 MR. RUSHING: This rail corridor, the  
15 ownership of the rail corridor is not in  
16 contention by anyone. The corridor has been  
17 banked, and so it's kept intact. The certain  
18 specification board has their federal rail  
19 banking program, so the corridor has been  
20 banked and kept intact. Eight-six percent of  
21 the corridor is owned outright in fee by CSX  
22 when you look at every single deed that  
23 created the corridor back between 1900 to

1           1905. Those were provided to us by CSX.  
2           About 14 percent of the corridor is held in  
3           easement either by virtue of original  
4           condemnation back in the early 1900s or by  
5           virtue of a reversionary clause that was  
6           incorporated into the original deed. So that  
7           14 percent, if the corridor were to be  
8           abandoned, that 14 percent -- and it's  
9           scattered throughout the corridor -- those  
10          properties would in fact be abandoned and  
11          revert. But CSX would still retain ownership  
12          of the other 86 percent. So the -- this is a  
13          great sort of way of demonstrating how the  
14          rail banking program does help keep corridors  
15          intact because you're not losing those small  
16          easements along the way. But CSX owns the  
17          vast majority of the corridor outright in fee  
18          and there have been no challenges to their  
19          ownership of either the fee property or the  
20          easement property.

21                    COMMISSIONER GUY: Dr. Woods?

22                    DR. WOODS: Of the 14 percent that's  
23          privately owned, how many different families

1 with pieces of land?

2 MR. RUSHING: We're probably talking  
3 about -- I would say eight, probably eight  
4 different segments.

5 DR. WOODS: So each one of those  
6 would require a separate appraisal?

7 MR. RUSHING: No. The -- the --  
8 CSX's interest in the corridor, we know what  
9 portion is fee and what portion is easement.  
10 That would be taken into consideration by an  
11 appraisal, and so within one appraisal that is  
12 done. At least that has been my experience  
13 with rail-trail projects. It would not  
14 require a separate appraisal. CSX owns the  
15 corridor; just happens that portions of it are  
16 in easement and then majority of it in fee.  
17 But that would be -- that portion of -- of  
18 ownership interest or legal interest is taken  
19 into account in the appraisal process.

20 COMMISSIONER GUY: Okay. I don't see  
21 anybody, but I'd like to ask a few, Brian.  
22 I'm going to tell you the truth. Legislature  
23 has kind of fried my brain, so bear with me.

1 I just got through with it, hopefully,  
2 yesterday. A couple things.

3 So on Mr. Runyan's point, as this proceeds  
4 or if there's interest in this, I think it  
5 would be helpful to all of us, but I know it  
6 would be to me -- there's some examples like  
7 you noted in here of some others. And the  
8 things they've gone through and how they've  
9 handled them and what's come up, you know,  
10 just be transparent with us. I think that  
11 would be very important to understand, because  
12 I agree with Mr. Runyan: How is that  
13 interaction with those private landowners. I  
14 think there's an interest, inherent interest,  
15 in at least that.

16 I do want to say, though, as a statement  
17 before I ask other questions, is now that the  
18 mayor of Andalusia and mayor of Geneva and  
19 these others that are, you know, actually  
20 interested and talking about helping with  
21 maintenance and that kind of thing, that  
22 piques my interest a lot more about where this  
23 is and so I want to try to support that as



1           much as I can, so I want you to know that.  
2           Help me remember -- so do we have any  
3           knowledge of what the appraisal or what this  
4           would cost the board for this 45 miles? If  
5           you said so, I apologize.

6                       MR. RUSHING: We are only ballparking  
7           this at this point, but we're estimating  
8           between one million and 1.2; could be a little  
9           more, could be a little less. And there's an  
10          appraisal that CSX did about five years ago  
11          that brought the value in at 1.6 million.  
12          That was prior to the loss of one of these  
13          wooden trusses along the Pea River, and so  
14          understandably that would be valued with the  
15          corridor from a fair-market-value standpoint.  
16          And so I think a new appraisal would  
17          understandably take that into consideration.  
18          And it's my understanding that previous  
19          appraisal, too, which is customary for CSX --  
20          I think most railroad companies -- was done  
21          assuming that CSX owned everything in fee as  
22          opposed to easement. And so I think a new  
23          appraisal would come in a little bit less,

1           certainly based upon the 14 percent of the  
2           corridor that's actually held in easement.  
3           But our best estimate right now is fair-market  
4           value 1.2 million.

5                    COMMISSIONER GUY:   Okay.   And so --  
6           and along those lines -- so, you know, I  
7           totally was following you about develop it in  
8           sections.   Another issue is how much -- and  
9           I'm going to ask you in just a minute about  
10          the money that it's going to cost to develop  
11          it, but what -- just tell me and maybe the  
12          other board members that might be interested  
13          when you do that, you're obviously doing  
14          sections, right, at a time and you can only do  
15          so much if you don't have money.   What -- what  
16          usually happens -- and this may be a question  
17          you can bring back to us or something -- what  
18          happens to the rest of it that's sitting out  
19          there in between that time?

20                   MR. RUSHING:   Sure.

21                   COMMISSIONER GUY:   How is that  
22          handled?   Is it still being used?   Is it just  
23          sitting idle without maintenance?   Is it --

1 tell me a little bit.

2 MR. RUSHING: Sure.

3 COMMISSIONER GUY: Maybe you can't  
4 answer that, but that's a question I've got  
5 just kind of understanding how --

6 MR. RUSHING: Sure.

7 COMMISSIONER GUY: Forty-five miles  
8 is a pretty good ways.

9 MR. RUSHING: Sure. It is a ways.

10 COMMISSIONER GUY: It's going to take  
11 a while.

12 MR. RUSHING: And one of the initial  
13 things -- and that is an outstanding question,  
14 and it's something that every rail-trail  
15 project has to take into consideration. The  
16 corridor, you know, as it stands right now is  
17 not posted. There are no signage, there's  
18 no -- there's nothing saying keep out, don't  
19 use. That would be the very first step that  
20 the municipalities and the counties would need  
21 to undertake, is going in and making sure the  
22 areas that might potentially pose a hazard --  
23 for instance, the trestle over the Pea

1 River -- taking steps to try to, number one,  
2 warn the public but, number two, maybe put up  
3 some distal barriers to keep them out. And so  
4 similarly, along the length of the trail,  
5 putting signage and whatever infrastructure is  
6 needed in place to try to mitigate any kind of  
7 trespass is going to be important. And then  
8 as you develop the trail moving forward, you  
9 as needed, you know, maybe lift those out as  
10 you begin to activate portions of the trail.  
11 But it will be that consideration of  
12 controlling access, making sure that we've got  
13 liabilities minimized for the trail operators,  
14 that will be really a major initial concern  
15 that we'll be looking at and putting a plan  
16 together in order to make sure that we're not  
17 having unauthorized access into areas that are  
18 not yet developed.

19 COMMISSIONER GUY: And just because  
20 I'm a country boy and I know, trust me, it  
21 doesn't take very long and trees start  
22 growing, so you've still got to maintain it  
23 even when it's just sitting there or else next

1        thing you know you've got some major issues.  
2        And that's kind of the information I would  
3        love to have back at some point, whether we --  
4        if we do a first appraisal, that's fine. I  
5        don't have any problem.

6            Let me ask the last question and then I'm  
7        going to be quiet. But I was looking at your  
8        other two trails that you noted for us here as  
9        examples, and it says like on this Longleaf  
10       Trace in Hattiesburg, like the total  
11       expenditures to date is 5.6 million. I was  
12       trying to listen to you earlier. I know you  
13       said about the \$800,000, I guess, that it  
14       would help those in acquisition, as I  
15       understand. And I know you're looking for  
16       funding for development, but I think what's  
17       important to me and the rest of the board  
18       members is to have a good understanding,  
19       whether it's now or, again, if it's after  
20       first appraisal, what is going to be our --  
21       you know, the imposition -- that's not a good  
22       word, maybe, but maybe the only word I can  
23       think of right now -- on the cost to the

1 development of this, because I know Ms. Powell  
2 and her staff, you know, try to develop as  
3 they have money to do so and sometimes that's  
4 not a lot, you know, with the interest rates  
5 like it is. So can you give me a little idea  
6 about that, a little bit about where we could  
7 get money or how much you think it would take  
8 to do this.

9 MR. RUSHING: Sure.

10 COMMISSIONER GUY: You may not know  
11 that.

12 MR. RUSHING: Since the planning  
13 hasn't yet been done, since we haven't --  
14 since we don't have engineering done or a  
15 preliminary design, we don't have firm costs  
16 yet, but we're estimating the cost to develop  
17 the corridor to be somewhere between five and  
18 seven million dollars. The 5.6 million for  
19 Longleaf Trace did include various amenities  
20 and trailheads and restroom facilities, that  
21 sort of thing. So that's not just the trail  
22 itself. Initially what we're looking at doing  
23 is really opening the trail itself up; and

1       then, as municipalities and counties want to,  
2       over time they can certainly add in the  
3       additional amenities as they -- as they wish.

4             But to develop the trail itself, the 43  
5       and a half miles plus rebuild the Pea River  
6       bridge, estimate I think is probably between  
7       five and seven million dollars, probably  
8       closer to seven million with the Pea River  
9       bridge. We got an estimate of at least a  
10      million to put that back into place. So for  
11      just general budgeting, we're looking at that  
12      range. Obviously we'll be bringing as many  
13      partners to the table as we can, funding  
14      partners and in-kind partners, so we're going  
15      to keep that cost as low as we can. But  
16      obviously we want to be efficient and  
17      implement the project as quickly as possible.

18            The two most popular funding sources for  
19      developing trails, rail trails in particular,  
20      are Transportation Alternatives Program and  
21      Recreation Trails Program. So we will be, I  
22      think, over time continuing to apply to those  
23      programs in order to develop this trail. You

1        have to take -- be sort of strategic as to how  
2        you bring both of those funding sources  
3        together, but we can do that, we think.

4            There are also, you know, periodic federal  
5        highway funding opportunities that come down  
6        that are much bigger. For instance, the TIGER  
7        program which lasts for about six years or  
8        seven years that enables local governments to  
9        pull down \$10 million or more for projects.  
10       And this happened a couple years ago in  
11       Birmingham with Freshwater Land Trust leading  
12       the effort to develop the Red Rock Trail  
13       system. And so that one- or two-million  
14       dollar grant was for 29 miles of trails in  
15       Birmingham.

16            So the TIGER program apparently has come  
17        and gone. The next opportunity, which we hope  
18        there will be another opportunity from the  
19        federal government -- certainly the Wiregrass  
20        Partnership will be looking at those  
21        opportunities as they come along, look to  
22        bring in larger sources of funding.

23            But we think at minimum, at least we can



1 begin to bite off and chew half-million-dollar  
2 chunks of this project, maybe even upwards of  
3 a million dollars on this project, in  
4 improvements on an annual basis moving  
5 forward.

6 COMMISSIONER GUY: Thank you. Any  
7 other questions?

8 (No response.)

9 COMMISSIONER GUY: Thank you, sir.

10 MR. RUSHING: Thank you.

11 MS. QUINN: I just want to say that  
12 Kim Meeker, here with the City of Dothan,  
13 talked about the larger regional impact this  
14 could have. And then we have Donnie -- well,  
15 it was Tony Wells with the Alabama Horse  
16 Council; plus he's on the council for the City  
17 of Sanford, which is along the trail. So if  
18 you need to talk to them now or afterwards,  
19 they're here. I think we've taken up some  
20 time.

21 COMMISSIONER GUY: No. Thank you. I  
22 appreciate that. We'll keep that in mind.

23 All right. So I've got Phillip Knight.

1           So just FYI, before he speaks -- I'm going to  
2           pass this down -- we've got three more  
3           speakers and then we'll probably -- we'll  
4           break at that point.

5                     MR. KNIGHT: I'll try not to take too  
6           long.

7                     COMMISSIONER GUY: No, it's fine.  
8           I'm not trying to cut you short. I'm just  
9           letting everybody know.

10                    MR. KNIGHT: My name is Phillip  
11           Knight, and I'm one of the owners and manager  
12           of the Hall tract, or some of y'all may know  
13           it as the Old Cahaba Prairie addition. I  
14           think y'all have discussed it in the past. If  
15           you look at the maps I've passed out, my farm  
16           is across the river from the Old Cahaba Park  
17           and the Old Cahaba Prairie Tract. We feel  
18           that the addition of our farm with Forever  
19           Wild lands would help protect and preserve the  
20           Cahaba River/Childers Creek drainage but also  
21           the remnants of passing habitants that lived  
22           on this land. We've found pottery -- broken  
23           pottery, arrowhead tools, coins as old as

1 1820. The farm offers numerous recreational  
2 sources -- canoeing, fishing, with boat  
3 launches at the Old Cahaba Park, a county-  
4 maintained boat launch on the Highway 22  
5 bridge just north of the farm. We have hunted  
6 for small and large game, birding, hiking,  
7 horseback riding. We have over ten miles of  
8 roads on the farm, camping and bike riding.  
9 The possibilities for recreation are endless.  
10 It is in pine plantation for the most part,  
11 but we are flexible on the timber. You could  
12 buy it or we can hold it on reserve. The  
13 family has agreed to hold the timber in  
14 reserve. We need approximately 15 years to  
15 complete the growth cycle of these pines. We  
16 would be very flexible on keeping it --  
17 keeping the trees or not. That would be up to  
18 y'all. We would to the best of our abilities  
19 manage and harvest the timber to minimize  
20 conflict between us and the public. After any  
21 areas are clearcut, they will be immediately  
22 released to Forever Wild for management as  
23 they see fit. We would try to protect the

1 wildlife as we harvest and clearcut the timber  
2 by clearing it only in small blocks in a  
3 checkerboard pattern to avoid too much  
4 displacement. We would do this over a  
5 several-year period.

6 If y'all have any questions, I'll be glad  
7 to answer them now.

8 COMMISSIONER GUY: Any questions for  
9 Mr. Knight?

10 (No response.)

11 COMMISSIONER GUY: Thank you, sir.

12 Ben Raines? Where are you, Ben?

13 MR. RAINES: I'm here to talk about a  
14 new land acquisition. It's associated with  
15 the Meadows tract. And it's in y'all's  
16 packet, I believe, as Meadows Addition No. 2.  
17 She's going to pull a map up.

18 While the map comes up, I would just -- I  
19 once wrote an article about the oyster  
20 operations, Mr. Crockett's oysters. The  
21 oysters are delicious; I ate several dozen.  
22 And I have caught many fish around his oyster  
23 lines, which he doesn't know. But as a

1 fisherman who fishes Grand Bay all the time,  
2 they are not an impediment to fishing.  
3 They're actually somewhere we all go and  
4 target because there are a lot of fish that  
5 gather around.

6 So now back on to the Meadows tracts.

7 COMMISSIONER GUY: Appreciate the  
8 comments. Appreciate you sharing that. That  
9 helps out.

10 MR. RAINES: The Weeks Bay Foundation  
11 fully endorses all these oyster-growing  
12 operations. We're trying to get some on our  
13 side of the bay. We think this is a great use  
14 of our state water. It improves water quality  
15 and it's totally no impact, as best I can  
16 tell. We've lost out of the bay tens -- well,  
17 probably about 10,000 acres of historic oyster  
18 reefs that were -- you know, we ate them. And  
19 so anything we can do to get that threshold of  
20 oysters back up to where we can rebuild the  
21 population of spawning oysters would be great.  
22 We've kind of dropped below this critical  
23 threshold.

1           So that's the picture --

2                   UNIDENTIFIED FEMALE:  It's not in  
3           there.

4                   MR. RAINES:  All right.  Well, it's  
5           in your packet.  I had a map.  I guess we've  
6           got a picture problem.  So I'm here to -- the  
7           Meadows is a state- and county-owned area of  
8           about 860 acres.  Forever Wild bought, I  
9           think, about a 600-acre portion of it a number  
10          of years ago.  Since that time, the foundation  
11          has worked to acquire land around the Meadows  
12          tract.  We have -- if you can find the map in  
13          there, we have three tracts right now that we  
14          own outright that surround the Meadows.  The  
15          largest we acquired about two weeks ago, and  
16          it's 243 acres.  We also have a 160-acre  
17          easement at the north end of the Meadows  
18          property.

19                  And so the -- what we want to do, we feel  
20          like this is one of the largest chunks of  
21          maritime parks left around Mobile Bay, and  
22          it's particularly one of the largest left on  
23          the Eastern Shore Bay, which is a critical

1 bird migration corridor.

2 Do you know where --

3 MS. POWELL: Let me interrupt and  
4 help the board. It's actually the Weeks Bay  
5 Reserve, so it's alphabetized. It's WBR  
6 Meadows. So for those of y'all I see flipping  
7 and looking through the packet with the  
8 pictures and all, the portion of the tab.  
9 Anyway, it's WBR.

10 MR. RAINES: So we at the foundation,  
11 we're the fund group for the reserves and we  
12 work hand in hand with the reserve to help  
13 with their acquisitions. So has everybody got  
14 the tract? There are a couple of maps in  
15 there. I believe one shows all the properties  
16 together that we're talking about. So the  
17 property on the north end, Stelagamiller  
18 tract, which is 73 acres, is all pitcher plant  
19 bog. And we're working now to have it cleared  
20 off and sort of get it resurrected. But it  
21 is -- it's very wet. But it's all pitcher  
22 plant bog. Above it, the land is actually  
23 clearcut, and so that tract is a buffer for

1 the rest of the Meadows. And then the  
2 Ollinger tract, which is the latest new  
3 acquisition at the bottom, is the drainage for  
4 the entire swamp complex. And so, you know,  
5 we've protected -- the state and the county  
6 protected this 860-acre area. But the way it  
7 all gets to the bay and drains out is this new  
8 acquisition we have, so, you know, we're  
9 obviously willing to sell. We work with y'all  
10 all the time. We would sell it for the  
11 appraised value, which is what we paid for all  
12 the pieces.

13 In this case, LG has a -- it's a match,  
14 the reserve has a match. They have a million-  
15 dollar matching grant. So the properties  
16 would actually cost the state half of the --  
17 half of the price. I think the appraised  
18 value for all three of our tracts we're trying  
19 to get y'all to buy would probably be about  
20 360- to 380,000. We bought two of the three  
21 tracts within the last year, so we have recent  
22 appraisals on them. So the state would be on  
23 the hook for about 150- to 170,000, I think,



1 to acquire these three critical pieces. After  
2 that, there are only a couple portions of the  
3 Meadows left that aren't already publically  
4 owned. I can see nobody found the pictures.

5 COMMISSIONER GUY: Well, actually --

6 MR. CAUTHEN: I found them.

7 COMMISSIONER: -- there's one that's  
8 a Meadows Phase 2.

9 MR. RAINES: These would be the  
10 Phase 2 acquisitions.

11 COMMISSIONER GUY: Okay. But it's  
12 not -- you said how many acres? because this  
13 shows 235.

14 Jo, where are you?

15 MS. LEWIS: I'm here right.

16 COMMISSIONER GUY: Do you know what  
17 tab he's referring to? I mean, what -- I know  
18 you said under 5.

19 MR. RAINES: I can plug my computer  
20 in there real quick.

21 COMMISSIONER GUY: I mean, I just  
22 want to make sure we've got it since you  
23 referenced it in our handout. That's why I

1 think we're thumbing as you were talking.  
2 Sorry about that.

3 MR. RAINES: So our tracts didn't  
4 make it into y'all's packet, it looks like.  
5 These are other Weeks Bay Reserve tracts, but  
6 they're not actually --

7 MS. POWELL: Hold on just a second.  
8 Y'all give us a timeout.

9 COMMISSIONER GUY: Yeah. Timeout.  
10 (Brief pause.)

11 COMMISSIONER GUY: I tell you what,  
12 could you let us move to the next person and  
13 you work on that map? Would that be okay?

14 MR. RAINES: Absolutely.

15 COMMISSIONER GUY: All right. So I  
16 am going to call on Jerry Bynum.

17 MR. BYNUM: Jerry Bynum, president of  
18 Cherokee Ridge Alpine Trail Association. I  
19 met with you in Huntsville. I have 17 miles  
20 of trail on Lake Martin where the project land  
21 is Alabama Power. This proposed 40-acre  
22 parcel is on the northern boundary of the  
23 Yates Gathan, bounded on the east, west, and

1 south by your property. It's a logical choice  
2 to acquire. It's also important for us  
3 because from the first presentation, there's  
4 a -- the old rail bed that built Martin Dam  
5 high line/low line came together and then  
6 dissected Yates Gothard all the way to Kent  
7 and then on down to Tallassee. Well, it goes  
8 through that property. It's the last  
9 remaining 40-acre property. So we're very  
10 excited about the possibility of having it for  
11 the trail. The other thing is, it doesn't  
12 have old-growth trees but it has older growth  
13 trees, and those trees are adjacent to the  
14 power company land that also have older-  
15 growth trees, streams, overlooks; beautiful  
16 property. Have any questions?

17 COMMISSIONER GUY: Any questions?

18 (No response.)

19 COMMISSIONER GUY: Okay. We're --  
20 and sorry about the confusion. So is there --  
21 is there a -- is there a map of this yet or  
22 anything that's been produced?

23 MR. BYNUM: Yes.

1           MR. SMITH: He's talking about the  
2           Yates-Tapley nomination.

3           MR. BYNUM: Mrs. Tapley's property.

4           MR. SMITH: It will be about the last  
5           map in Tab 5B.

6           COMMISSIONER GUY: And, of course, it  
7           just -- you're saying it complements what  
8           we've already purchased there?

9           MR. BYNUM: Absolutely.

10          COMMISSIONER GUY: Okay.

11          MR. BYNUM: It's in a critical  
12          position and it's a very logical purchase.

13          COMMISSIONER GUY: But you're not the  
14          owner. You're just saying there is --

15          MR. BYNUM: We know the owner and  
16          helping him. We do some --

17          COMMISSIONER GUY: Is he wanting to  
18          sell?

19          MR. BYNUM: That's correct.

20          MR. SMITH: This is on through the  
21          nomination process. It's a willing seller.  
22          It's just adjacent to the existing WMA  
23          Yates-Gothard.

1 COURT REPORTER: I'm sorry. I can't  
2 hear you.

3 COMMISSIONER GUY: So say again now  
4 what you were saying about the owner.

5 MR. BYNUM: Willing seller. Willing  
6 seller and certainly allowing the purchase.

7 COMMISSIONER GUY: Who is the --

8 MR. BYNUM: Mrs. Tapley in Elmore  
9 County.

10 COMMISSIONER GUY: I have now found  
11 it.

12 MR. BYNUM: Yes, sir.

13 COMMISSIONER GUY: And so this is  
14 where -- that's part of where that easement  
15 goes through, too? because I'm somewhat  
16 familiar. There's an easement that goes  
17 through.

18 MR. BYNUM: Well, we were requesting  
19 an easement initially, and we -- Doug and  
20 Chris and I and the executives of the power  
21 company walked through the property on the old  
22 railroad bed and that railroad bed ends up  
23 going right through that 40 acres and then on

1 to Kent. And then the other end, of course,  
2 goes to Martin Dam. And that railroad split  
3 making a high line/low line when they built  
4 the dam in the early '20s. So it is a great  
5 complement to Yates-Gothard property by this  
6 acquisition.

7 COMMISSIONER GUY: Okay. All right.  
8 I think I found them now. Thank you. Sorry  
9 about the confusion there. So any other  
10 questions? I think most -- yes. Mr. Horn?

11 MR. HORN: The old rail bed,  
12 railroad, this was used for the construction  
13 of Martin Dam?

14 MR. BYNUM: That's correct. We have  
15 a lot of the photographs and working with  
16 power company and visited the archives. It's  
17 a great historical source.

18 COMMISSIONER GUY: So --

19 MR. BYNUM: I'm sorry?

20 COMMISSIONER GUY: Are you done,  
21 Horace?

22 MR. HORN: Yes. Thank you.

23 COMMISSIONER GUY: I guess what I was

1 looking at, is I was wanting to get a picture  
2 because I knew there -- so it's just an  
3 in-parcel -- Chris, you can help me -- right  
4 there in what we've already got, the 40-acre,  
5 basically, parcel there that sits within the  
6 WMA that we already have there.

7 MR. SMITH: Yes, sir.

8 COMMISSIONER GUY: Is that correct?

9 MR. SMITH: That is correct. And  
10 just to give the board a bigger picture, at  
11 the last -- at the June meeting, the board  
12 motioned to get a first appraisal on the  
13 property just north of that 40, and that was  
14 called the Yates WMA North addition. So this  
15 would be an in-holding inside all of that if  
16 the board was to move on this other nomination  
17 as well.

18 COMMISSIONER GUY: And what I was  
19 trying to make sure is that because we have  
20 that now, it's inside that WMA, obviously  
21 it's -- would complement in kind of finishing  
22 that out so that you don't have that one end  
23 parcel in there.

1                   MR. BLANKENSHIP: Yes, sir. That's  
2 correct.

3                   COMMISSIONER GUY: All right. I  
4 think that answers my question. I want to  
5 make sure -- any other questions?

6                   (No response.)

7                   COMMISSIONER GUY: Thank you, sir.

8                   MR. BYNUM: Appreciate your work.

9                   COMMISSIONER GUY: No. Thank you for  
10 being here.

11                   All right. We'll go back.

12                   MS. POWELL: And, Commissioner, I  
13 think what we have is we just have an  
14 incorrectly-titled map, I believe. I believe  
15 the other information on the text cover page  
16 is correct. So we're going to use Ben's map.  
17 Thanks.

18                   MR. RAINES: So this is the right  
19 map, which isn't in your packet. So this  
20 is -- this is already Forever Wild Reserve-  
21 owned chunk of the Meadows. This is the  
22 county-owned chunk that Baldwin County owns.  
23 And these orange properties are the new



1        acquisitions that we're offering up now. In  
2        addition, we have an easement on this 160-acre  
3        property here, and so this is all -- down  
4        here, this is a big slash pine forest and  
5        there's a connection you can't -- it doesn't  
6        show up on here, but there's actually a bayou  
7        that floats through here and into this  
8        property that drains the entire complex. And  
9        the -- Camp Beckwith's in here, which is part  
10       of that, so that's semipublicly owned. This  
11       is the Episcopal church. So we're negotiating  
12       for the rest of the bayou tract that we -- we  
13       get that and hope y'all would take it. But  
14       right now, now that we've bought this, you  
15       purchased the drain for the whole swamp  
16       complex. This is a very wet swamp. This area  
17       here is all pitcher plant bogs. This area  
18       here has been totally clearcut and reduced to  
19       mud. And so -- really, this area here. So  
20       this property is kind of the barrier on the  
21       northern side. And then this little tract  
22       we've owned for a number of years and we just  
23       decided to piece it all together.

1           You know, there are about 300 migratory  
2           bird species that move through here. It's a  
3           pretty fascinating complex. So that's --  
4           that's the map. That's what it looks like.  
5           And, you know, being able to buy it, the  
6           state's portion, at half the appraised value  
7           and add it to the rest of this complex. You  
8           can see Weeks Bay here. If we do this -- this  
9           section here is all undeveloped and we're  
10          trying to negotiate now to get a big purchase  
11          of all of it. So we would -- and then this  
12          portion in here is undeveloped. We could  
13          really secure a huge amount of Weeks Bay and  
14          its connected wetlands and preserve those. So  
15          if y'all have any questions.

16                    COMMISSIONER GUY: Go ahead.

17                    MR. RAINES: So this piece here is  
18                    143 acres, this piece here is 73 acres, and  
19                    this piece is 30 acres, and then our 160-acre  
20                    easement is here. And then these two sections  
21                    together, I think, are a little over 800  
22                    acres. So when you add it all together, you  
23                    know, it's going to be a piece that's well

1 over a thousand acres. This section has  
2 four-wheeler trails all through there and a  
3 big sandy area that would be a perfect parking  
4 area. And the trails, I've walked through  
5 them extensively. There are miles and miles  
6 of trails in there. There's some sawgrass  
7 meadows in there, there are pitcher plant bogs  
8 and sundew, other wetland plants. It could be  
9 a great public access. And right now, none of  
10 the Meadows is open to the public yet. We  
11 have a -- the Weeks Bay Foundation paid for a  
12 management plan for this portion that calls  
13 for open to the public, so we're hoping to get  
14 the county to move ahead with that one. But  
15 it's a neat area.

16 COMMISSIONER GUY: Any other  
17 questions for Mr. Raines?

18 (No response.)

19 MR. RAINES: All right. Sorry about  
20 the map.

21 COMMISSIONER GUY: No. It's no  
22 problem. Thank you, Ben. All right. Last  
23 but not least, Ms. Wendy Jackson.

1 MS. JACKSON: Hi. I'm Wendy Jackson,  
2 the executive director of Freshwater Land  
3 Trust, and I'm going to be very brief. I've  
4 had the honor of working with Forever Wild  
5 since its inception.

6 MR. CAUTHEN: Speak up.

7 MS. JACKSON: Pardon me?

8 MR. CAUTHEN: Speak up.

9 MS. JACKSON: Speak up? I've had the  
10 honor of working with Forever Wild since its  
11 inception, and I cannot let this meeting pass  
12 without thanking Commissioner Gunter Guy and  
13 his outstanding team of leaders in the  
14 department of conservation for their  
15 remarkable leadership in very, very difficult  
16 situations right now in Montgomery and for  
17 successfully championing Forever Wild from the  
18 recent attempt to extinguish it. So I just  
19 couldn't let this meeting pass without  
20 commending you and your entire team and  
21 congratulating Patti Powell for winning the  
22 AWF Governor's Conservationist of the Year  
23 Award. Thank you.

1                   COMMISSIONER GUY:  You're too kind.  
2           There were a lot of people involved in that.  
3           Obviously the program is supported more than  
4           some think, and so we appreciate your help and  
5           always your input in those kind of things.

6           And so unless there are other questions  
7           along those lines, we'll take a break.  So  
8           we'll do so by letting me -- let everybody  
9           know that we'll go into executive session at  
10          this time.  But -- and I'm going to read  
11          this -- by regulation, appraisal values are  
12          confidential during periods of negotiation.  
13          Accordingly, in order to discuss tract  
14          appraisal values, the board will need to  
15          recess for an executive session.

16                  Is there a motion for the board to now  
17          recess to attend to an executive session?

18                  MR. HORN:  So moved.

19                  MR. ALLEN:  Second.

20                  COMMISSIONER GUY:  All right.  And  
21          I'm going to say Mr. Horn made the motion and  
22          that Mr. Allen seconded, because I couldn't  
23          really hear.  Before we go, I've got to do

1       this. I actually have to call your name and  
2       you need to state your position on this motion  
3       to recess by indicating "aye" as in favor and  
4       opposed "nay." I will call your name at this  
5       time. Please do so.

6             Mr. Ball?

7             MR. BALL: Aye.

8             COMMISSIONER GUY: Dr. Hepp?

9             DR. HEPP: Aye.

10            COMMISSIONER GUY: Dr. Woods?

11            DR. WOODS: Aye.

12            COMMISSIONER GUY: Mr. Horn?

13            DR. HORN: Aye.

14            COMMISSIONER GUY: Mr. Ellis?

15            MR. ELLIS: Aye.

16            COMMISSIONER GUY: Mr. Cauthen?

17            MR. CAUTHEN: Aye.

18            COMMISSIONER GUY: Dr. Valentine?

19            DR. VALENTINE: Aye.

20            COMMISSIONER GUY: Mr. Runyan?

21            MR. RUNYAN: Aye.

22            COMMISSIONER GUY: Mr. Allen?

23            MR. ALLEN: Aye.

1 COMMISSIONER GUY: Dr. Sims?

2 DR. SIMS: Aye.

3 COMMISSIONER GUY: And I also concur.  
4 And I think I got everybody. Did I not?

5 (No response.)

6 COMMISSIONER GUY: I got you,  
7 Mr. Cauthen?

8 MR. CAUTHEN: Sir?

9 COMMISSIONER GUY: I did get you,  
10 didn't I?

11 MR. CAUTHEN: Yes, sir. Absolutely.

12 COMMISSIONER GUY: All right. We are  
13 in recess for about 25 minutes, 20 for the  
14 executive session and five for us to take a  
15 restroom break.

16 (Recess for executive session was  
17 taken at approximately 12:00 p.m. and  
18 the meeting was called back to order  
19 at approximately 12:38 p.m.)

20 COMMISSIONER GUY: We're going to try  
21 to go ahead and get started. Appreciate  
22 everybody's patience during that break, also  
23 the patience for the meeting. Sometimes we

1       have very little questions, sometimes we have  
2       a lot of questions, so -- my opinion on that  
3       is that's good. That's what the -- that's  
4       what this board is about, to be able to have  
5       open discussion in front of the public and  
6       talk about those issues so that everybody sees  
7       the transparency that is the Forever Wild  
8       board.

9             Our next agenda -- well, I think I'm  
10       supposed to announce that we are now resuming  
11       the board meeting, and I've got 12:38. So  
12       might have been a little bit longer than 20  
13       minutes, but thank you for your patience.

14            All right. Financial status report. And  
15       I have Mr. Smith, Chris Smith, giving us  
16       financial data. Chris?

17             MR. SMITH: Yes, sir. Thank you very  
18       much, Commissioner. The information I'm about  
19       to go over is found in Tab 2. You will see in  
20       Tab 2 that your current balance is 28.5  
21       million. We have several nominations that are  
22       currently in the closing phase of the  
23       purchasing process. They include the Autauga



1 WMA Oak Grove addition, 1,352 acres in Autauga  
2 County; the Autauga County WMA Old Kingston  
3 addition, 1,412 acres in Autauga County; the  
4 Big Canoe Creek Preserve nomination, this is  
5 327 acres in St. Clair County; DeSoto State  
6 Park Stewart Gap addition, 253 acres in DeKalb  
7 County; Guntersville State Park Stubblefield  
8 Mountain addition, 636 acres in Marshall  
9 County. We're still working on the closing of  
10 the Forever Wild Land Trust Natural Resource  
11 Group Martin Timber land swap, although I  
12 heard just yesterday that we're very --  
13 finally very close to the end of that process;  
14 and that's associated with the Freedom Hills  
15 Wildlife Management Area up in Walker County.  
16 We also have the Weeks Bay Reserve Swift No. 2  
17 Meyer addition, 29 acres in Baldwin County;  
18 the Walls of Jericho-Estillfork addition, 72  
19 acres in Jackson County. Those nominations I  
20 just mentioned are actually in our legal  
21 section, under our legal sections; they're in  
22 the closing process.

23 We also have four nominations that the

1 board has motioned to purchase that remain in  
2 the negotiation phase, and they include the  
3 Turkey Creek Nature Preserve Shepherd  
4 addition, 242 acres in Jefferson County; the  
5 Skyline WMA Little Coon Creek addition, 1,143  
6 acres in Jackson County; Hinds Road Outcrop,  
7 80 acres in Etowah County; and the Post Oak  
8 Flat-Shiflett addition, 290 acres in Jackson  
9 County.

10 Considering these adjustments associated  
11 with these various actions, the unencumbered  
12 balance that you have today is 20.9 million.  
13 And you have a remaining capital spending  
14 authority for FY15 of 17.7 million. So your  
15 current capital spending authority is a little  
16 bit less than your unencumbered balance, but  
17 we're within a couple weeks of a new fiscal  
18 year. October 1, the capital spending  
19 authority for FY16 will be added to that 17.7  
20 million remaining capital spending authority  
21 you currently have, so -- and that's roughly  
22 about 13.8 million that will come -- be added  
23 to that 17.7 million in capital spending

1 report.

2 MR. BALL: Chris, that's effective  
3 October 1st?

4 MR. SMITH: Sir?

5 MR. BALL: That would be effective  
6 October 1st?

7 MR. SMITH: That is correct.  
8 October 1st is when that capital spending  
9 authority will come in, be available, yes,  
10 sir.

11 MR. BALL: All right. Thank you.

12 MR. SMITH: Does anybody have any  
13 questions about that or about any of these  
14 nominations in closing?

15 (No response.)

16 COMMISSIONER GUY: Proceed.

17 MR. SMITH: All right. On the next  
18 page, you will see a list of the nominations  
19 that have completed the purchase process  
20 during FY15. They include the Sispay River  
21 Swamp-Pruett tract, 274 acres in Tuscaloosa  
22 County; Perdido River WMA Barnhill addition,  
23 191 acres in Baldwin County; Grand Bay

1 Savannah Drake addition, 120 acres, Mobile  
2 County; Yates Lake Guy addition, 123 acres in  
3 Elmore County; Pritchett tract, 400 acres,  
4 Covington County; Heron Bay tract, 487 acres,  
5 Mobile County; Lillian Swamp tract, 689 acres,  
6 Baldwin County. And just recently we closed  
7 on the -- one of the first properties and  
8 nominations associated with the Forever Wild  
9 in the Wildlife Section, Wildlife Restoration  
10 Grant Award, and that is the Autauga WMA Posey  
11 Crossroad addition, which is 1,537 acres in  
12 Autauga County.

13 COMMISSIONER GUY: Can we ask  
14 questions on that?

15 MR. SMITH: Yes, sir.

16 COMMISSIONER GUY: On the DeSoto  
17 State Park addition that was declined, what  
18 was the reason for that?

19 MR. SMITH: I'm assuming that it was  
20 just the -- they weren't happy with the  
21 appraised value. We've had a few -- like the  
22 Benton tract, for example, it was declined,  
23 and it was all associated with the value.

1           They were expecting more than what the  
2           appraised value was or thought it would  
3           appraise for more.

4                    COMMISSIONER GUY:   Okay.

5                    MR. SMITH:   Declined that offer.

6                    COMMISSIONER GUY:   Okay.  I was just  
7           trying to remember that meeting.  I thought  
8           that was more of a consensus there, so I guess  
9           obviously it changed, which is fine.  I was  
10          just curious.  Thank you.

11                   MR. SMITH:   Yes, sir.  On the next  
12          page, you will see a report about the Forever  
13          Wild Stewardship Fund.  You know, FY15, we had  
14          a budget authorization of \$1 million dollars.  
15          Currently there has been 606,391 spent toward  
16          different things -- habitat management and  
17          reforestation projects.  There remains roughly  
18          393,000 available to be spent in these last  
19          few weeks of this fiscal year.

20                   COMMISSIONER GUY:   Any questions?

21                   DR. HEPP:   I've got a question on the  
22          stewardship funds.

23                   MR. SMITH:   Yes, sir.

1 DR. HEPP: So you're authorized a  
2 million dollars a year to spend from the --  
3 from the balance?

4 MR. SMITH: Okay. What -- how that  
5 works is we can spend the earned interest.

6 DR. HEPP: Just interest?

7 MR. SMITH: Just the earned interest.  
8 And so our authorization is a million. In  
9 other words, we budgeted or requested a budget  
10 of a million, but we can only spend the earned  
11 interest. So if we don't earn more than a  
12 million or up to a million in earned interest,  
13 we can't spend it. I'll give you an example.  
14 Last year we earned, or the account earned,  
15 roughly -- around \$550,000. And so we had  
16 some carryover of unspent interest from the  
17 previous years that gave us -- you know, we  
18 spent right at this point 606,000, but there's  
19 probably only a couple hundred thousand more  
20 earned interest available to be spent. And  
21 then, of course, we're getting ready --  
22 October 1 we'll get -- the amount that was  
23 earned during this fiscal year will be applied

1 and available to be spent. But it, again, is  
2 roughly going to be around \$550,000. But this  
3 upcoming year it's going to be a very similar  
4 amount available to be spent, which is not a  
5 million. We budget for a million so we have  
6 that spending authority, but most years we  
7 don't have that amount of money to spend.

8 DR. HEPP: Well, as land is continued  
9 to be added to the Forever Wild landholdings,  
10 it seems like the stewardship amount is below  
11 what I would think would be needed to manage  
12 those lands.

13 MS. POWELL: And I would -- you're  
14 seeing with -- over the more recent years  
15 economic conditions not earning as much  
16 interest that the amount rolling and rolling  
17 and rolling has progressively declined.  
18 What -- there are some provisions in the law  
19 that set up the mechanism the possibility of  
20 spending beyond the interest, but it is a  
21 super majority action; it's a determination  
22 that the commissioner would have to make. If  
23 y'all would like, we can prepare a memo, you

1 know, so y'all could kind of run through that  
2 procedure. But it was -- in the earlier years  
3 when the economy was better, that interest was  
4 fine and was turning and things were good.  
5 We're not the only entity that's had an issue.  
6 But we can gather -- do a little memo for the  
7 board on that topic -- we haven't talked about  
8 that in a long time -- to kind of explain that  
9 mechanism.

10 DR. HEPP: All right.

11 COMMISSIONER GUY: Let me just make a  
12 comment. You know, budgetary authority in  
13 state government that we learned about versus  
14 actual money in hand is two different things.  
15 So I think what they're doing -- you probably  
16 understand -- that is just going ahead and  
17 getting the full budgetary spending authority  
18 but we don't know the exact dollars until they  
19 come in on the interest.

20 But your point is well taken, is that  
21 since interest rates are low and more property  
22 is being bought, we have really less money to  
23 spread around in that stewardship fund to kind



1 of take care of all these issues that are  
2 listed here so, therefore, that's why you hear  
3 the staff, and I guess me just because I work  
4 with them, interested in how much it's going  
5 to cost to do something, because we have to  
6 factor that in under -- under the current  
7 conditions as opposed to being able to just  
8 use other monies which we don't have. In  
9 other words, that is exactly -- your point is  
10 exactly why we're looking at that so closely.  
11 Interest rates are low so we're not producing  
12 that much money to take care of the continuing  
13 amounts of property, even though I think it's  
14 really a function of interest more than it is  
15 anything else. We just happen to have been in  
16 a low- interest period now for what, about  
17 eight years or so.

18 MR. SMITH: Okay. And Tab 3 is the  
19 next bit of information I'm going to talk  
20 about, and this is the overview of appraised  
21 nominations, and these are nominations which  
22 the board has motioned to do a first  
23 appraisal, and they include Byrnes Lake, 2.952

1        acres in Baldwin County; Coosa WMA-Hancock  
2        Phase III, 877 acres in Coosa County; Indian  
3        Mountain Simmons addition, 520 acres in  
4        Cherokee County; Natural Bridge Creek tract,  
5        1200 acres in Covington County; the Old  
6        Cahawba Prairie addition, 1,505 acres in  
7        Dallas County; Pintlala Creek, 601 acres in  
8        Lowndes County; Splinter Hill Bog North  
9        addition, 511 acres in Baldwin County; Autauga  
10       WMA Joffre addition, 1,286 acres in Autauga  
11       County; Beaverdam Swamp, 167 acres in  
12       Limestone County; Big Canoe Creek-Bettis, 197  
13       acres in St. Clair County; Lake Lurleen State  
14       Park-Roebuck addition, 70 acres in Tuscaloosa  
15       County; MSP Dug Hill West addition, 134 acres  
16       in Madison County; Skyline WMA Pole Branch  
17       addition, 111 acres in Jackson County;  
18       Terrapin Hill tract, 1,675 acres, Coosa  
19       County; and the Yates Lake North addition, 372  
20       acres up in Elmore County.

21       COMMISSIONER GUY: Did you say the Autauga WMA  
22       Joffre addition?

23                    MR. SMITH: I did, yes, sir.

1                   COMMISSIONER GUY: You did? Okay.  
2           Sorry.

3                   MR. SMITH: Okay. If there's no  
4           questions, I'll go on to the grant status.

5                   COMMISSIONER GUY: Please.

6                   MR. SMITH: Okay. Just kind of for  
7           the benefit of the new board members and the  
8           benefit of the public who are joining us  
9           today, at each meeting we give an update on  
10          different grant programs that the department  
11          of conservation state land divisions staff and  
12          the wildlife section staff try to participate  
13          in to help get some match funding to purchase  
14          certain nominations that fit the criteria of  
15          those grant programs. And so just to give the  
16          board an update on those kind of activities,  
17          you know, we've had a National Coastal Wetland  
18          grant award for the last two, three years  
19          associated with nominations that were named  
20          Portersville Bay and Heron Bay nominations in  
21          the south Mobile County. Happy to report to  
22          the board -- we closed on the Portersville Bay  
23          a couple years ago but we've had some issues,

1 title issues, on Heron Bay nomination that  
2 we've been working through over the last  
3 couple years. And I've reported on those  
4 issues at different times. But we've, since  
5 the last meeting, have finally closed on that  
6 second purchase and are beginning the  
7 reimbursement phase and closeout phase of that  
8 money, so we're very excited about that.

9 Also, we've had for the last year or so a  
10 National Coastal Wetland Grant Award  
11 associated with the Lilliam Swamp nomination,  
12 and that also has recently closed since the  
13 June meeting and so we'll be doing the same  
14 thing with that, seeking our reimbursement,  
15 Forever Wild reimbursement. On both of those,  
16 that is a 75/25 federal and state match, so  
17 cost to Forever Wild on those nominations was  
18 25 percent of the value and we received a  
19 grant award to cover the 75 percent of the  
20 value.

21 And, also, I've reported before that our  
22 state lands division staff of the Weeks Bay  
23 National Estuary Research Reserve has secured

1 a NOAA grant to support a Weeks Bay Reserve-  
2 Benton nomination. The board had motioned to  
3 purchase that, an offer was made, that offer  
4 was declined, and so the state lands division  
5 staff at Weeks Bay had been working with NOAA  
6 to readjust that grant award to a couple  
7 different nominations and they were successful  
8 in doing that. And that is the Weeks Bay  
9 Reserve Meadows tract that was discussed right  
10 at the beginning of our public comment period.

11 And then there's also a Weeks Bay Reserve  
12 Sunset Shore nomination. Both of those  
13 nominations are on the short list and have a  
14 50/50 grant award support, so 50 percent of  
15 the appraised cost would be what it would cost  
16 Forever Wild if we get those nominations.

17 And that is it for me on the grant side.  
18 I think, Commissioner, Director Sykes is going  
19 to give an update on the progress of the  
20 Wildlife Restoration Benton Robinson awards.

21 COMMISSIONER GUY: Any questions on  
22 grants?

23 (No response.)

1                   COMMISSIONER GUY: Thank you, Chris.  
2                   Mr. Sykes.

3                   MR. SYKES: Thank you, Commissioner.  
4                   First, I just wanted to thank the board for  
5                   working with us on this. It was hard to  
6                   figure out the funding mechanism, when we  
7                   could use your Benton Robinson dollars.  
8                   Everything is moving extremely smooth right  
9                   now. It's kind of scary how things are  
10                  falling into place.

11                  One of the tracts that was nominated and  
12                  voted on last year has already closed, the  
13                  Posey Crossroads. The other two nominations  
14                  will be closing in the next month or so, so  
15                  those are moving great. As Chris said, the  
16                  WMA Joffre addition has already had a first  
17                  appraisal. The WMA Phase 2 addition is on the  
18                  short list. So everything that we had planned  
19                  is moving forward in Autauga.

20                  I want to give the board a little  
21                  background as far as our WMA system. There's  
22                  been a lot of confusion over the past month or  
23                  so with budget issues and people asking

1 questions and trying to figure out exactly  
2 what we do and how we do it. If you look at  
3 our WMA system, it says we have about 700,000  
4 acres. We only own a small portion of that.  
5 A lot of it is through leases with TVA,  
6 industries, and private landowners. And since  
7 I've been here for the past three years, we've  
8 lost about 50,000 acres in that WMA system.  
9 And as recently as two months ago, we lost the  
10 Boykin WMA in south Alabama that was almost  
11 18,000 acres that had been in the WMA system  
12 for about 50 years. What made sense to the  
13 family 50 years ago doesn't now. With the  
14 family expanding, interest changed. We  
15 weren't paying for these leases. It was  
16 in-kind services, having a man on the ground  
17 to monitor it, manage the hunts, and also  
18 provide services like road work and things  
19 like that. With these properties changing  
20 hands over the years and TIMOs and REITs  
21 having them, they're looking out for their  
22 shareholders, and I can understand it. If  
23 they can lease a piece of property for 10- or

1           \$15 an acre rather than just have in-kind  
2           services, I can understand why they're pulling  
3           them. So we're looking at losing probably  
4           another 50- to 75,000 acres over the next few  
5           years. So this is why this is so important  
6           what y'all are doing, and I really appreciate  
7           y'all stepping up and helping us with this.  
8           And I'll be happy to answer any questions.

9                         COMMISSIONER GUY: Any questions?

10                        (No response.)

11                        COMMISSIONER GUY: And I just would  
12           remind the board, particularly the new ones,  
13           you know, this was kind of the impetus for us  
14           getting Chuck and his staff to look at kind of  
15           a five-year plan about these WMAs so that we  
16           wouldn't be caught with people,  
17           understandably, pulling their acreage out and  
18           not having access that the public would like  
19           to -- would want or desire, in particular  
20           certain areas of the state where they have  
21           been used to them, then all of a sudden  
22           somebody pulls it out, which they had the  
23           perfect right to do. So it's just a change of



1 the times. And I appreciate Chuck and his  
2 staff working on that, and particularly the  
3 board for using those matching federal dollars  
4 to try to make that happen.

5 MR. SYKES: Thank y'all.

6 COMMISSIONER GUY: Thank you, Chuck.  
7 Ms. Lewis, nomination short-list update.

8 MS. LEWIS: I'd like to say good  
9 morning, but I think it's afternoon. I'll be  
10 quick. I'm presenting the short list today.  
11 There are 86 active and available nominations  
12 in the nomination process, 24 of which are on  
13 the short list. These nominations on the  
14 short list are from 13 different counties.  
15 They range in size from three acres to about  
16 4300 acres and are scattered throughout the  
17 state, as this program is supposed to do. So  
18 they're in Jackson County, Baldwin County,  
19 over here and over there. In your packet,  
20 Tab 5C contains a list of all of the active  
21 nominations, Tab A contains an alphabetical  
22 list of the short list, and the second page,  
23 which is a short list arranged by the

1 categories of use in which it's for. And in  
2 Tab 5B is a list of narratives and maps of all  
3 the short list -- short list of nominations.  
4 So I'm going to read those, hit some  
5 highlights.

6 So starting with Autauga WMA Phase II,  
7 which is 1824 acres in Autauga County, and  
8 that scored number one in recreation and  
9 wildlife management area. Chandler Mountain-  
10 Simpson is a small 60-acre tract in St. Clair  
11 County, was number three in nature preserve.  
12 Coon Gulf-Heard is 40 acres in Jackson County,  
13 and it was number two in recreation and in  
14 wildlife management area. Deer Head Cove-  
15 Hartline, 213 acres in DeKalb County, and  
16 they're second in nature preserve. And Deer  
17 Head Cove-Low Gap, 280 acres in DeKalb County  
18 was first in nature preserve. There's DeSoto  
19 State Park SP-French addition, which is three  
20 acres, and number two in state parks, and  
21 DeSoto State Park Jones addition, which was  
22 number one in state parks. Emauhee Creek,  
23 which is 915 acres in Talladega County, was

1           number one in state park for that district and  
2           number three in wildlife management area.  
3           Henshaw Cove addition, which is 40 acres in  
4           Jackson County, scored number one in  
5           recreation and number one in wildlife  
6           management area land addition. Laguna Cove,  
7           53 acres in Baldwin County, and it scored  
8           number one in nature preserve and number three  
9           in state parks. MTD --

10                   MR. ALLEN: Jo?

11                   MS. LEWIS: Yes, sir.

12                   MR. ALLEN: Where is that? Is that  
13           down at the beach?

14                   MS. LEWIS: If you cross the street  
15           and -- it is not on the beach.

16                   MR. ALLEN: Right. It's across --

17                   MS. LEWIS: It's right after the  
18           beach.

19                   MR. ALLEN: But is that close to the  
20           state park, down in there?

21                   MS. LEWIS: Not particularly, but the  
22           state park can see some expansion if their  
23           activities would work on that. It's pretty

1 close to the Bon Secour National Wildlife.

2 We have MTD, which is Mobile-Tensaw Delta,  
3 Pine Log Creek addition which is the 4300  
4 acres in Baldwin County which scored number  
5 three in recreation. We have Mobile-Tensaw  
6 Delta Simmons addition, which is 300 acres,  
7 which scored number one in wildlife management  
8 area southern district. Perdido Wildlife  
9 Management Area-Freise addition, 47 acres, was  
10 number three in wildlife management area in  
11 southern district. Red Hills-Parris Trust  
12 addition, 305 acres in Monroe County, which  
13 scored number two in recreation and number  
14 three in wildlife management area. Rickwood  
15 Caverns-Helms addition, 45 acres in Blount  
16 County, which was number three in state parks.  
17 Shelby County Park-Shades Creek addition, 677  
18 acres in Shelby County, which scored number  
19 one in nature preserve and number three in  
20 recreation from the southern district. Shell  
21 Banks Bayou, 25 acres in Baldwin County, and  
22 that scored number one in state parks.

23 Skyline Wildlife Management Area-Threwer

1 Point addition, 40 acres in Jackson County,  
2 which is number three in recreation and number  
3 two in wildlife management area. Tannehill  
4 Ayers addition, which is 328 acres in  
5 Jefferson County, which scored number three in  
6 nature preserve. WBR, which is Weeks Bay  
7 Reserve, Meadows Phase II addition, which is  
8 235 acres, and it scored number two in nature  
9 preserve and number one in recreation.

10 And these scores do represent an accurate  
11 scoring. Chris and I discussed it. The  
12 score, what Mr. Raines showed you, has -- was  
13 nominated.

14 We also have Weeks Bay Reserve-Sunset  
15 Shores addition, 2.75 acres in Baldwin County,  
16 which is number two in nature. It's high.  
17 They have the same score as the Meadows. So  
18 it also scored number two in the nature  
19 preserve category. White Oak Plantation,  
20 1,011 acres in Macon County, which scored  
21 number two in wildlife management area.  
22 Wiregrass Rail Trail, which is 521 acres in  
23 numerous counties but we've listed Geneva, and

1       it scored number two in state parks. And,  
2       finally, we have Yates Lake-Tapley addition,  
3       which is 40 acres in Elmore County, and it  
4       scored number two in recreation and number two  
5       in wildlife management area.

6           I'll be happy to address any questions the  
7       board might have.

8           COMMISSIONER GUY: Any questions for  
9       Ms. Lewis?

10           (No response.)

11           MS. LEWIS: Thank you.

12           COMMISSIONER GUY: Okay. So at this  
13       time on the agenda is where we open up the  
14       floor for the board members to have any  
15       general discussion, whether it be about  
16       nomination appraisal or questions for our  
17       staff, or just generally any other questions.  
18       Yes, Dr. Valentine.

19           DR. VALENTINE: I'd like to nominate  
20       the first appraisal for the Weeks Bay Meadows  
21       Phase II addition.

22           COMMISSIONER GUY: There's a  
23       nomination. Do I have a second?

1 DR. WOODS: Second.

2 COMMISSIONER GUY: Was that  
3 Dr. Woods?

4 DR. WOODS: Yes.

5 COMMISSIONER GUY: This a motion for  
6 a second appraisal, Dr. Valentine?

7 DR. VALENTINE: First, as I  
8 understand it.

9 COMMISSIONER GUY: Okay. Is  
10 everybody clear on which one we're on? Okay.  
11 All right. There's a motion and a second.  
12 Any discussion on the motion?

13 (No response.)

14 COMMISSIONER GUY: All in favor of  
15 the motion say "aye."

16 (All board members present respond  
17 "aye.")

18 COMMISSIONER GUY: All opposed?

19 (No response.)

20 COMMISSIONER GUY: Motion carries for  
21 a first appraisal.

22 DR. VALENTINE: Ive got one more.

23 COMMISSIONER GUY: All right.

1 Dr. Valentine.

2 DR. VALENTINE: The last one is  
3 nomination for first appraisal for Weeks Bay  
4 Reserve-Sunset Shores addition.

5 COMMISSIONER GUY: There's a motion.

6 DR. WOODS: Second.

7 COMMISSIONER GUY: Second, Dr. Woods  
8 again. Any discussion on the motion?

9 (No response.)

10 COMMISSIONER GUY: All in a favor say  
11 "aye."

12 (All board members present respond  
13 "aye.")

14 COMMISSIONER GUY: All opposed?

15 (No response.)

16 COMMISSIONER GUY: Motion carries.

17 Mr. Ellis.

18 MR. ELLIS: I'd like to move that we  
19 seek the first appraisal on the Shelby County  
20 Park Shades Creek addition, 677 acres.

21 COMMISSIONER GUY: Okay. We have a  
22 motion. Do we have a second?

23 MR. BALL: Second.



1 MR. CAUTHEN: Second.

2 COMMISSIONER GUY: Okay. I didn't  
3 hear who that was. Mr. Ball is who I think I  
4 heard.

5 MR. BALL: I'll yield to my  
6 colleague.

7 MR. CAUTHEN: I yield to my  
8 colleague.

9 COMMISSIONER GUY: We can either have  
10 a joint second or I give it to Mr. Ball.

11 MR. CAUTHEN: Make it a joint second.

12 COMMISSIONER GUY: So we have a  
13 motion and a second. Any discussion on the  
14 motion?

15 (No response.)

16 COMMISSIONER GUY: All in favor of  
17 the motion say "aye."

18 (All board members present respond  
19 "aye.")

20 COMMISSIONER GUY: All opposed?

21 (No response.)

22 COMMISSIONER GUY: Motion carries.  
23 Looking down the line, Mr. Horn.

1                   MR. HORN: Mr. Chairman, I'd like to  
2                   move that we nominate the Covington-Geneva  
3                   County Wiregrass Trail for first-appraisal  
4                   status.

5                   COMMISSIONER GUY: We have a motion.

6                   MR. CAUTHEN: Second.

7                   COMMISSIONER GUY: And a second. All  
8                   right. Mr. Cauthen, I guess, is who that was.

9                   MR. CAUTHEN: You're correct.

10                  MR. RUNYAN: Can I ask a question?

11                  COMMISSIONER GUY: Absolutely. Any  
12                  discussion on the motion?

13                  MR. RUNYAN: Is this going to be  
14                  available for a full purchase or is this going  
15                  to be a lease that the railroad would have the  
16                  right to come back and --

17                  MS. POWELL: Yes. The rails-to-  
18                  trails program includes a diversionary right  
19                  that the railroad retains, and there would --  
20                  they would have the ability, although they  
21                  have expressed that it would not be likely  
22                  they would do so. But I have talked with them  
23                  and they do want to retain that in the

1 program. So it does bring up some potential  
2 questions of the program and our law and how  
3 such a diversion would work. That is  
4 something we can be looking into further as  
5 the first appraisal proceeds. If that's  
6 something you would like some additional  
7 information about, you know, before voting on  
8 the motion for a first appraisal, we can get  
9 that and have that to you for December.  
10 Either way, we'll get it to you for the  
11 December meeting. It's just a matter of  
12 whether you want to proceed with a motion for  
13 first appraisal or not. But this is one of  
14 the issues. There are several issues that are  
15 very unique to the transaction by this board  
16 under our constitutional amendment, but you  
17 could proceed with this step because it's not  
18 determinative of your future actions.

19 COMMISSIONER GUY: So I've got a  
20 little discussion on that, too. So I think  
21 it's a -- I'm very supportive, particularly  
22 since the cities are going to do this. But to  
23 join in with Mr. Runyan, I think what I would

1       like -- and I think you heard some of the  
2       comments that were made, Patti -- that we  
3       would like to get more information as you  
4       do -- if it passes, assuming we have a vote on  
5       it and it does, we'd like some of that  
6       information that was discussed working with  
7       the folks there, Brian and all them, so that  
8       if we get a first appraisal back and -- you  
9       know, we can see those different issues and  
10      questions that were asked and may actually be  
11      a good idea to look back in the minutes to  
12      kind of follow that a little bit and see where  
13      everything is.           MS. POWELL: And our  
14      staff will do that. And we can take the  
15      information that we have gotten so far and  
16      build upon that. We'll try to -- we'll try to  
17      outline that as well as outline the questions  
18      that we'll be able and will not be able to  
19      answer and at which stages. I would also say,  
20      too, due to the complicated nature of the  
21      holdings, some in fees, some easements, the  
22      stretch of the length of the trail, the  
23      appraisal process itself is going to be fairly

1 complex and take a while, so I do also just  
2 say -- I just want to manage expectations a  
3 little bit on getting that appraisal back,  
4 especially between now and the December  
5 meeting. But we can get it started.

6 COMMISSIONER GUY: Yeah. Any other  
7 discussion on it before we vote?

8 (No response.)

9 COMMISSIONER GUY: Okay. All in  
10 favor of the -- we have a motion and a second.  
11 All in favor of the motion say "aye."

12 (All board members present respond  
13 "aye.")

14 COMMISSIONER GUY: All opposed?

15 (No response.)

16 COMMISSIONER GUY: Motion carries.  
17 Dr. Sims.

18 DR. SIMS: I move that we consider  
19 the Skyline WMA Threwer Point addition in  
20 Jackson County for a first appraisal.

21 COMMISSIONER GUY: I have a motion.  
22 Do I have a second?

23 DR. VALENTINE: Second.

1 COMMISSIONER GUY: Dr. Valentine was  
2 it?

3 DR. VALENTINE: Yes.

4 COMMISSIONER GUY: I have a motion  
5 and a second. Any discussion on the motion?

6 MR. ELLIS: Yes. Which one?

7 COMMISSIONER GUY: Say again,  
8 Dr. Sims.

9 DR. SIMS: Skyline Threwer Point  
10 addition, 40 acres in Jackson County.

11 COMMISSIONER GUY: I think  
12 everybody's trying to find it. It's the  
13 Skyline WMA.

14 DR. SIMS: Second from the bottom.

15 COMMISSIONER GUY: Forty acres in  
16 Jackson County. All right. So has everybody  
17 found it? Any discussion on the motion?

18 (No response.)

19 COMMISSIONER GUY: No discussion.  
20 All in favor -- we got a second, didn't we?  
21 Did we get a second?

22 MR. CAUTHEN: Dr. Valentine.

23 COMMISSIONER GUY: Yeah.

1 Dr. Valentine. I'm sorry. It's been one of  
2 those days. All right. All in favor of the  
3 motion say "aye."

4 (All board members present respond  
5 "aye.")

6 COMMISSIONER GUY: All opposed?

7 (No response.)

8 COMMISSIONER GUY: Motion passes.

9 Mr. Allen.

10 MR. ALLEN: I'd like to make a motion  
11 for first appraisal -- I forgot the name of  
12 it -- that Mr. Bynum was talking about, the 40  
13 acres that's joining the Yates property.

14 COMMISSIONER GUY: It's the last one.  
15 It's Yates Lake Tapley addition, 40 acres in  
16 Elmore County.

17 MR. ALLEN: That's the one.

18 COMMISSIONER GUY: Okay. That's your  
19 motion, for first appraisal?

20 MR. ALLEN: First appraisal.

21 COMMISSIONER GUY: All right. Do I  
22 have a second?

23 DR. WOODS: Second.

1 COMMISSIONER GUY: All right.

2 Dr. Woods. Any discussion on the motion?

3 (No response.)

4 COMMISSIONER GUY: All right. And,  
5 Chuck, this is -- I think I want to just  
6 remind -- my discussion is, just make sure  
7 this is part of that Yates Lake Gothard and  
8 this is an in-holding --

9 MR. BLANKENSHIP: Forty acres in-  
10 holding.

11 COMMISSIONER GUY: -- and current --  
12 and what we have current. Now, I know there's  
13 one that's under a first appraisal.

14 MR. BLANKENSHIP: Correct. It kind  
15 of joins. It's an in-holding is what we have  
16 now.

17 COMMISSIONER GUY: But this would  
18 bring to closure that opening in that --

19 MR. BLANKENSHIP: Yes.

20 COMMISSIONER GUY: And so y'all would  
21 be in favor?

22 MR. BLANKENSHIP: Absolutely.

23 COMMISSIONER GUY: Any further



1 discussion?

2 (No response.)

3 COMMISSIONER GUY: All in favor of  
4 the motion say "aye."

5 (All board members present respond  
6 "aye.")

7 COMMISSIONER GUY: All opposed?

8 (No response.)

9 COMMISSIONER GUY: Motion carries.

10 DR. HEPP: I'd like to make a motion  
11 for first appraisal for the Autauga WMA  
12 Phase II.

13 COMMISSIONER GUY: All right.  
14 Dr. Hepp, a motion for first appraisal. Is  
15 there a second?

16 DR. SIMS: Second.

17 COMMISSIONER GUY: Dr. Sims seconds.  
18 Any discussion on the motion?

19 (No response.)

20 COMMISSIONER GUY: That's at the top  
21 of the page, if anyone is looking for that  
22 one. And, Chuck, let me ask, this is part of  
23 the one that rounds out that Pittman-Robertson

1 effort to do that WMA you've been working on;  
2 right?

3 MR. SYKES: That's correct. This  
4 would be the first appraisal on it. Yes, sir.

5 COMMISSIONER GUY: Thank you, sir.  
6 Any further discussion?

7 (No response.)

8 COMMISSIONER GUY: All in favor of  
9 the motion say "aye."

10 (All board members present respond  
11 "aye.")

12 COMMISSIONER GUY: All opposed?

13 (No response.)

14 COMMISSIONER GUY: Motion carries.

15 MR. BALL: Mr. Chairman?

16 COMMISSIONER GUY: Yes.

17 MR. BALL: I'd like to ask that we  
18 request a first appraisal for Tannehill Ayers  
19 addition, 328 acres in Jefferson County.

20 COMMISSIONER GUY: Mr. Ball, motion  
21 for first appraisal. Okay. For 328 acres?

22 MR. BALL: Yes, sir.

23 COMMISSIONER GUY: Okay. Is there a

1 second?

2 MR. CAUTHEN: I'll second.

3 COMMISSIONER GUY: All right.

4 Mr. Cauthen seconds. Any discussion on the  
5 motion?

6 (No response.)

7 COMMISSIONER GUY: All in favor of  
8 the motion say "aye."

9 (All board members present respond  
10 "aye.")

11 COMMISSIONER GUY: All opposed?

12 (No response.)

13 COMMISSIONER GUY: Motion carries.

14 MR. BALL: Thank you.

15 COMMISSIONER GUY: Yes, sir. Seeing  
16 no further hands, is there any discussion or  
17 other questions at this time? If not, we'll  
18 move on to the next item on the agenda.

19 (No response.)

20 COMMISSIONER GUY: Thank you, members  
21 of the board. All right. Looks like we have  
22 just a bit of business here that we've got to  
23 take up at the request of the staff, some

1 miscellaneous reports. They're in Tab 4.

2 Maybe I wasn't clear. The time for that  
3 discussion is first appraisals or second  
4 appraisals, if everybody didn't realize that.  
5 Dr. Hepp was asking me -- if I wasn't clear,  
6 that's for motions for first appraisal or  
7 second appraisal, so my bad if that wasn't  
8 understood. So Dr. Hepp wanted to do a second  
9 appraisal, a motion for a second appraisal on  
10 a piece --

11 MS. POWELL: Just an additional  
12 motion.

13 COMMISSIONER GUY: Yeah.

14 MS. POWELL: Yeah.

15 COMMISSIONER GUY: Additional motion.

16 DR. HEPP: Second appraisal and  
17 purchase for Autauga WMA Joffre addition.

18 COMMISSIONER GUY: And that would be  
19 under the amended document that wasn't in the  
20 original package that y'all got. So we have a  
21 motion for a first appraisal on Autauga WMA  
22 Joffre addition.

23 MR. ELLIS: Second.

1 MS. POWELL: Second.

2 COMMISSIONER GUY: Second appraisal.

3 MS. POWELL: I think it's our usual  
4 second appraisal, proceed to purchase.

5 COMMISSIONER GUY: Proceed to  
6 purchase. We have a motion for a second  
7 appraisal, proceed to purchase on the Autauga  
8 WMA Joffre addition. Do I have a second?

9 DR. WOODS: Second.

10 COMMISSIONER GUY: Second from  
11 Dr. Woods. All right. Any discussion on the  
12 motion?

13 (No response.)

14 COMMISSIONER GUY: All right. All in  
15 favor of the motion say "aye."

16 (All board members present respond  
17 "aye.")

18 COMMISSIONER GUY: All opposed?

19 (No response.)

20 COMMISSIONER GUY: Sorry for that  
21 confusion. Any other motions, whether first  
22 or second appraisals? I'm sorry I wasn't more  
23 specific.

1 (No response.)

2 COMMISSIONER GUY: Now, looking and  
3 seeing no hands, we will proceed to the next  
4 item. My bad on that. Sorry about that.

5 All right. So let me get back to -- so  
6 we're under Item 7, miscellaneous reports from  
7 our staff and Mr. Smith. I've got you down  
8 for that. And this is going to require some  
9 motions as well, so y'all be attentive.

10 MR. SMITH: All right. Closing in on  
11 a few final items. We have a few  
12 miscellaneous things to discuss, and they're  
13 located in Tab 4 of your packet. And I'm just  
14 going to kind of explain the memos that were  
15 sent in your packet, and if there's any  
16 questions, I'll be happy to answer them. But,  
17 basically, the first item in Tab 4A, this is  
18 associated with the nomination. And you have  
19 motion to get a second appraisal and proceed  
20 to purchase, and it has moved into the closing  
21 phase. And during that closing phase, it was  
22 brought to the attention, to our attention, by  
23 the seller that there was a slight acreage

1 difference. It was erroneously represented to  
2 us as 1,339 acres. They said it was actually,  
3 in fact, 1,352. We checked their mapping  
4 information and came to agreement that we did  
5 in fact agree that this doesn't change the  
6 footprint or how it appeared on the map or  
7 anything like that. This is just a survey  
8 difference, a GIS difference acreage.

9 And so since this impacted the -- it does  
10 not -- we talked to the appraiser, we got an  
11 update on the appraisal. It does not impact  
12 the per acre purchase price. But since it is  
13 an increase in acreage, it does increase the  
14 amount that the board had a motion to spend.  
15 And so we wanted to bring this to the board's  
16 attention, and if -- be happy to answer any  
17 questions. And if the board is in agreement  
18 with this, we would need a board motion to  
19 then continue to proceed with purchase of this  
20 nomination.

21 COMMISSIONER GUY: All right. We  
22 need a motion. Mr. Ball?

23 MR. BALL: Yes. I move to the --

1 MR. SMITH: Proceed with purchase --

2 MR. BALL: Yes.

3 MR. SMITH: -- considering the change  
4 in acreage and change in value.

5 MR. BALL: Yes.

6 COMMISSIONER GUY: Okay. And there's  
7 a second by Mr. Cauthen. Verbalize it,  
8 Mr. Cauthen, for the record.

9 MR. CAUTHEN: I second that motion.

10 COMMISSIONER GUY: All right. Any  
11 discussion on the motion?

12 (No response.)

13 COMMISSIONER GUY: All in favor say  
14 "aye."

15 (All board members present respond  
16 "aye.")

17 COMMISSIONER GUY: All opposed?

18 (No response.)

19 MR. SMITH: Tab 4B, kind of a similar  
20 situation. We have a nomination here, Post  
21 Oak Flat-Shiflett addition where the board had  
22 a motion to get a second and proceed to  
23 purchase. An offer was made. The landowner



1       decided that, considering that offer, did not  
2       want to sell the entire 237 acres that was  
3       originally presented in the nomination and has  
4       decided to change that nomination footprint to  
5       160 acres. You'll see on -- you'll see the  
6       memo and then you'll see a map accompanying  
7       that memo. That map illustrates the -- what  
8       was outlined -- what is outlined in yellow was  
9       the original nomination. What is filled in in  
10      red is a -- the adjusted acreage or reduction  
11      in acreage. So since this, again, is a change  
12      in what was represented to the board, change  
13      in what the board had motion to proceed with,  
14      we wanted to point this out to the board. And  
15      if the board would like to continue to proceed  
16      to purchase, we would give an update of the  
17      appraisals reflecting this acreage change and  
18      then go back to re-offering that to the  
19      landowner if that in fact is what the board  
20      wants to do.

21                    COMMISSIONER GUY: Dr. Sims?

22                    DR. SIMS: So move.

23                    COMMISSIONER GUY: Okay. So it looks

1           like the motion is to allow staff to proceed  
2           towards purchase with the -- in consideration  
3           of the acreage reduction.

4                   MR. SMITH: Acreage reduction and  
5           updated appraisal.

6                   MR. CAUTHEN: I'll second that.

7                   COMMISSIONER GUY: Do we have a  
8           second? Okay.

9                   MR. CAUTHEN: Second.

10                   COMMISSIONER GUY: Okay. I think  
11           that was Mr. Cauthen again?

12                   MR. CAUTHEN: Yes, sir.

13                   COMMISSIONER GUY: Any discussion on  
14           the motion?

15                   MR. RUNYAN: Chris, is there any  
16           chance that, just looking at this map, we  
17           might get an easement to join the -- your  
18           yellow box within the green box there on the  
19           south end? The way the map looks now --

20                   COMMISSIONER GUY: Where?

21                   MR. RUNYAN: The original purchase  
22           would have had access to that southeastern  
23           block; now there's not. Would there be any

1 chance in maybe an easement?

2 MR. SMITH: There very well might be.  
3 I mean, this landowner is very interested in  
4 working with Forever Wild and has no intention  
5 of selling any of their land, at least what  
6 they have expressed to me, to anybody else.  
7 But as, you know, they, I guess, decided to  
8 make changes in life and retire, they're  
9 interested to start selling some. And they  
10 seem to be very workable landowners, so I  
11 would -- my speculative assumption would be  
12 yes.

13 COMMISSIONER GUY: Okay. Can you  
14 even tell -- and I'm not -- maps are so hard  
15 to read. Does that adjoin there, actually?

16 MR. SMITH: Those corners meet. What  
17 you see in the hashed area, the green is part  
18 of the Post Oak Flat Forever Wild purchase  
19 that occurred in the past. And one thing,  
20 too, is that sometimes what you see on the  
21 map, you know, what our GIS folks draw out,  
22 could be just a little bit off what you see on  
23 the ground. But, theoretically, those corners

1 of that red and corners of what we already  
2 own, what you already own, should touch. Do  
3 you see what I'm talking about?

4 COMMISSIONER GUY: So we have a  
5 motion and a second. And it sounds like if --  
6 Dr. Sims, is that all right, he'll check on  
7 that as he moves forward? It won't hold up  
8 your motion or anything.

9 DR. SIMS: Yes.

10 COMMISSIONER GUY: We have a motion  
11 and a second. Any other discussions?

12 (No response.)

13 COMMISSIONER GUY: All in favor of  
14 the motion say "aye."

15 (All board members present respond  
16 "aye.")

17 COMMISSIONER GUY: All opposed?

18 (No response.)

19 COMMISSIONER GUY: All right. Motion  
20 carries.

21 MR. SMITH: Thank you. Tab 4C  
22 involves a memorandum of understanding between  
23 the Forever Wild Land Trust and the wildlife

1 and freshwater fisheries division within the  
2 department of conservation. And this is in  
3 association with a maintenance building that  
4 the wildlife section has been -- received  
5 approval and federal funding to build on the  
6 Perdido Wildlife Management Area. And, you  
7 know, this is on Forever Wild Land Trust  
8 property, and so the US Fish and Wildlife  
9 requires an MOU to go along with this grant  
10 award to allow for this building to be built  
11 on property that the wildlife section does not  
12 own. And hopefully you've had an opportunity  
13 to review this over the last couple weeks.  
14 And be happy to answer any questions if you  
15 have any.

16 COMMISSIONER GUY: And I think on  
17 page 2, the MOU is not a contractual or  
18 financial obligation. It looks like it's just  
19 an understanding of what will happen.

20 MR. SMITH: That is correct. It just  
21 lays out what will happen. Like, for example,  
22 it lays out if the wildlife section was to no  
23 longer need it or operate it, you know, this

1 building would then revert to Forever Wild  
2 Land Trust.

3 COMMISSIONER GUY: All right. So it  
4 looks like we need a motion approving  
5 execution of the MOU. Do I have a motion?

6 MR. HORN: I move we approve.

7 COMMISSIONER GUY: Mr. Horn. Is  
8 there a second?

9 MR. ALLEN: Second.

10 COMMISSIONER GUY: Second from  
11 Mr. Leo Allen. Any discussion on the motion?

12 (No response.)

13 COMMISSIONER GUY: All in favor say  
14 "aye."

15 (All board members present respond  
16 "aye.")

17 COMMISSIONER GUY: All opposed?

18 (No response.)

19 COMMISSIONER GUY: Motion carries.

20 MR. SMITH: All right. Thank you.

21 The next item is -- I think I'm going to turn  
22 it over to Will Brantley.

23 COMMISSIONER GUY: Mr. Ellis has got

1 to leave, so if you'll just note that for the  
2 record. We still have a quorum.

3 (Mr. Frank Ellis exits the room.)

4 MR. BRANTLEY: Commissioner, the next  
5 item, 4D, relates to our annual request for  
6 board approval to undertake various forest  
7 management activities on these Forever Wild  
8 pieces of land. We've got -- we've identified  
9 nine tracts this year that we want to do  
10 various things on, including timber harvest  
11 and some reforestation efforts. All of these  
12 activities that we propose support the  
13 restoration goals of these tracts. So with  
14 your consideration, we would appreciate a  
15 motion to do that.

16 COMMISSIONER GUY: All right. So it  
17 looks like that they've set it out right here  
18 for the board. We need a motion the board  
19 authorizes the state land commission to  
20 implement the recommended forest management  
21 activities described in this memorandum on  
22 Forever Wild Land Trust properties for the  
23 2015-2016 fiscal year. Do I have a motion on

1 that?

2 MR. CAUTHEN: I'll make it.

3 COMMISSIONER GUY: Mr. Cauthen.

4 DR. HEPP: Second.

5 COMMISSIONER GUY: Second by

6 Dr. Hepp. Any discussion?

7 (No response.)

8 COMMISSIONER GUY: All in favor of

9 the motion say "aye."

10 (All board members present respond

11 "aye.")

12 COMMISSIONER GUY: All opposed?

13 (No response.)

14 COMMISSIONER GUY: Motion carries.

15 Thank you, Mr. Brantley. Did a great job. It

16 looks like --

17 MS. POWELL: I'm stepping in for

18 Chris.

19 COMMISSIONER GUY: Okay. Stepping in

20 for Chris, Ms. Powell.

21 MS. POWELL: Just wanted -- we

22 normally take a few minutes, but due to how

23 long we're running, we're not going to today



1 to review the annual activity reports from  
2 each of the state land division staff sections  
3 that work on the Forever Wild program.

4 They're in your packet. And so we're not  
5 going to take time today to run through that.

6 But I wanted to come up instead of Chris  
7 because I just wanted to personally thank the  
8 staff. And if you're on the staff and also  
9 the other divisions that help us, too, so DCNR  
10 staff, if you would stand a second.

11 COMMISSIONER GUY: Don't be afraid.  
12 Stand up. Marine resources.

13 (Applause.)

14 MS. POWELL: In addition to the hard  
15 work reflected in your packet materials from  
16 my staff, other divisions, Chuck's division,  
17 marine resources, Chris Blankenship's  
18 division, Greg Lyons, state parks division,  
19 they all give us a lot of support, too. And  
20 she didn't stand up, but our legal section,  
21 Jennifer and David, Greg, all them help us,  
22 too.

23 So, anyway, please just review those. It

1 does reflect a lot of hard work that has gone  
2 on. But they're in your packet. And then the  
3 last item is other -- we didn't have anything  
4 else, did we, Chris? So unless you --

5 COMMISSIONER GUY: Tentative dates.  
6 Do you want to speak to that?

7 MS. POWELL: That's the next item.  
8 That's not a --

9 COMMISSIONER GUY: No. That's the  
10 next item. That's other by somebody else.

11 MS. POWELL: Does anybody else have  
12 an other?

13 (No response.)

14 MS. POWELL: The tentative dates  
15 we're looking at, I believe you have  
16 December 10th in your packet as our next date.  
17 I will tell you in advance we have an oil-  
18 spill meeting that butts up against that. I  
19 think the 10th would still be fine, but that's  
20 one reason leading us to suggest, in addition  
21 to loving to go to the southern counties, that  
22 we may need to head toward the Mobile area so  
23 that we can be sure to get to the meeting in

1 time. So staff will be working on that. Any  
2 suggestions as to specific locations in the  
3 coastal area? We were thinking somewhere  
4 around Mobile for that meeting. And so I will  
5 throw the -- unless somebody has an objection  
6 to that, if that presents an issue.

7 COMMISSIONER GUY: Why don't we just  
8 address this before I get approval of the  
9 minutes. I'll just mention about Dr. Lawton.  
10 Is this going to be his last meeting?

11 MS. POWELL: It will be Dr. Lawton's  
12 last meeting. He rotates off. And we have a  
13 plaque for him, but he couldn't be here today.  
14 So we're going to miss him and thank him.  
15 He'll probably need to come back and just  
16 visit with us and give us a softball question  
17 maybe.

18 COMMISSIONER GUY: And so we have a  
19 plaque that you'll make a presentation to him?

20 MS. POWELL: Yeah. And we will -- if  
21 he was not able to join us at a later meeting  
22 where we can do it with everyone here, we'll  
23 get that to him ourselves. We'll try to bring

1           him back, though, see if he'll come visit so  
2           we can do it in front of everybody.

3                    COMMISSIONER GUY: All right. Thank  
4           you. Last item before we adjourn is approval  
5           of the minutes of June 25, 2015. Is there any  
6           additions or corrections needed to those  
7           minutes? If not, can I have a motion to  
8           approve?

9                    MR. BALL: So move.

10                   COMMISSIONER GUY: Mr. Ball.

11                   MR. HORN: Second.

12                   COMMISSIONER GUY: Second Mr. Horn.

13           Any discussion?

14                    (No response.)

15                   COMMISSIONER GUY: All in favor say  
16           "aye."

17                    (All board members present respond  
18           "aye.")

19                   COMMISSIONER GUY: All opposed?

20                    (No response.)

21                   COMMISSIONER GUY: Motion carries.

22           Unless there's any other business, we stand  
23           adjourned. Thank y'all very much.

1 (Meeting adjourned at approximately  
2 1:35 p.m.)

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