



1 BOARD MEMBERS PRESENT:

2 Commissioner Christopher M. Blankenship, Chairman  
3 Mr. David Wright  
4 Mr. Raymond B. Jones, Jr.  
5 Mr. Rick Oates  
6 Dr. Patricia Sims  
7 Dr. Lori Tolley-Jordan  
8 Dr. James B. McClintock  
9 Mr. Reginald N. Holloway  
10 Mr. James "Mickey" Childers

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12 CHAIRMAN BLANKENSHIP: Good morning. Welcome  
13 to the May Forever Wild Board Meeting  
14 here in beautiful Huntsville, Alabama.  
15 First I'll call the roll and make sure  
16 we have a quorum. Please indicate your  
17 presence when I call your name.

18

Chris Blankenship is here.

19

Jack Darnall?

20

(No response.)

21

CHAIRMAN BLANKENSHIP: Mr. Holloway?

22

MR. HOLLOWAY: Here.

23

CHAIRMAN BLANKENSHIP: Mr. Jones?

1 MR. JONES: Here.

2 CHAIRMAN BLANKENSHIP: Mr. Oates?

3 MR. OATES: Here.

4 CHAIRMAN BLANKENSHIP: Mr. Satterfield?

5 (No response.)

6 CHAIRMAN BLANKENSHIP: Dr. Tolley-Jordan?

7 DR. TOLLEY-JORDAN: Here.

8 CHAIRMAN BLANKENSHIP: Mr. Childers?

9 MR. CHILDERS: Here.

10 CHAIRMAN BLANKENSHIP: Dr. McClintock?

11 DR. McCLINTOCK: Here.

12 CHAIRMAN BLANKENSHIP: Dr. Sims?

13 DR. SIMS: Here.

14 CHAIRMAN BLANKENSHIP: Mr. Wright?

15 MR. WRIGHT: Here.

16 CHAIRMAN BLANKENSHIP: Dr. Valentine?

17 (No response.)

18 CHAIRMAN BLANKENSHIP: Dr. Neumann?

19 (No response.)

20 CHAIRMAN BLANKENSHIP: Dr. Powers?

21 (No response.)

22 CHAIRMAN BLANKENSHIP: Dr. Saloom?

23 (No response.)

1 CHAIRMAN BLANKENSHIP: We have nine. We have  
2 a quorum.

3 So, again, welcome to our meeting  
4 here in Huntsville at the EarlyWorks  
5 Children's Museum. It's about my level  
6 of learning, so I have really enjoyed  
7 being here. So far, since we got here  
8 this morning, I've walked around and  
9 read about all the presidents. I took  
10 several pictures of interesting facts so  
11 that I can share those with my wife when  
12 I get home. I think she'll really  
13 appreciate that.

14 But I do appreciate you guys setting  
15 this up, Raymond and Dr. Sims, for us to  
16 have a meeting here in Huntsville.

17 Would you like to say anything about the  
18 facility or --

19 MR. JONES: Not particularly. Just welcome to  
20 Huntsville.

21 CHAIRMAN BLANKENSHIP: Thank you. Glad to be  
22 here.

23 I was also going to recognize Parks

1 Director Greg Lein's birthday, but he's  
2 under the weather today. So he's not  
3 here. So he misses out on his big  
4 recognition.

5 I don't have any other opening  
6 comments. I don't see anyone else.  
7 We'll go ahead and start with the public  
8 comment portion of the meeting.

9 We only have a few speakers. So if  
10 you would like to speak and you just  
11 haven't filled out one of the green  
12 slips, please raise your hand and Jo or  
13 one of the staff members will get you a  
14 piece of paper to fill out to speak.

15 But we'll go ahead and get started  
16 with the first speaker, Brooks Wall,  
17 speaking on the Hollins WMA, Tab 3-B,  
18 page 6. 3-B, page 6.

19 Give them just a second to find  
20 that.

21 All right. Go ahead.

22 MR. WALL: All right. Thanks, guys. I  
23 appreciate you letting me come here

1           today. Thank you for moving forward  
2           with the first appraisal. It should be  
3           in your packets, and you'll see that.

4           I'm really here today to talk about  
5           why I would love for you guys to move  
6           forward with this today to make a motion  
7           to make an offer and move to the second  
8           appraisal, and that primarily involves  
9           different management goals between you  
10          guys and us.

11          I'm the forester for these  
12          landowners, and we have goals that are a  
13          little different than you guys. And, of  
14          course, that affects my decision as a  
15          forester on what I do. And so I'm  
16          trying to decide what to do at this  
17          point in time compared to what I know  
18          you guys would want done if you were to  
19          get this property.

20          For instance, we need to do some  
21          site prep this summer on about  
22          350 acres. That's something that's  
23          beneficial for both of us. I don't see

1 a problem in moving forward with that.  
2 But if we don't go for the second  
3 appraisal this time and wait till next,  
4 by then it could be too late to order  
5 seedlings.

6 I'm only going to plant loblolly,  
7 because for my clients, that's what's  
8 best for them and their management  
9 decision from an economic standpoint.  
10 You guys are going to want longleaf for  
11 the diversity and what you're all about.  
12 That's fine. But you have to order  
13 these trees well in advance. So in  
14 order for us to do this, we kind of need  
15 to know.

16 And I know this -- you guys have a  
17 big decision to make and you can't --  
18 you know, you're not going to change  
19 that based on what I'm saying  
20 necessarily right now. But this would  
21 be a great time based on, you know,  
22 moving forward -- be beneficial for  
23 everybody if you could.

1           So I just wanted to bring that up.  
2           And thank you for your time, and, again,  
3           thank you for the first appraisal. And  
4           I hope you guys decide to move forward  
5           with the second. Thank you so much.

6           CHAIRMAN BLANKENSHIP: Thank you, sir.

7                           Any questions?

8                                   (No response.)

9           CHAIRMAN BLANKENSHIP: No questions. Thank  
10           you.

11                           The next speaker is Reba Hicks on  
12           Natural Bridge Park. That's Tab 4-B,  
13           page 17. 4-B, 17.

14           MS. HICKS: I'm really just here to represent  
15           the Denton family on the Natural Bridge  
16           Park. They really wanted to be here but  
17           were unable to because of health issues.  
18           But I wanted to make --

19           MS. McCURDY: I'm sorry. Could you speak more  
20           into the microphone?

21           MS. HICKS: Anyway, they were unable to attend  
22           but are really wanting to talk. And any  
23           questions that any of the Board members

1           might have, if you have any, then I  
2           could take them back to them and then  
3           certainly get back in touch with you.

4                     But I just really wanted to  
5           represent them. And I knew that the  
6           Board and some of the -- Patti had sent  
7           some workers and that they had viewed  
8           the park -- and just make sure that you  
9           know that there is interest.

10           CHAIRMAN BLANKENSHIP: Any questions?

11           MS. HICKS: If anybody has any questions, I'll  
12                     be glad to get the questions to them and  
13                     answered back to you.

14           CHAIRMAN BLANKENSHIP: Any questions?

15                     (No response.)

16           CHAIRMAN BLANKENSHIP: All right. I don't see  
17                     any. Thank you.

18                     The next speaker is Mr. Jimmy Lanier  
19                     from CRATA. It's Tab 5-E with a memo,  
20                     but it's about the land at the Yates  
21                     WMA.

22                     Yes, sir. Go ahead.

23           MR. LANIER: At the February Forever Wild

1 Board Meeting I made a request that the  
2 Cherokee Ridge Alpine Trail Association  
3 be allowed to purchase two small parcels  
4 of property near the Yates WMA parking  
5 lot. As I stated in February, CRATA, or  
6 the Cherokee Ridge Alpine Trail  
7 Association, needs an information  
8 outpost for hikers --

9 We have trails in four different  
10 locations. Most of them are fairly well  
11 close to each other.

12 -- to be able to consolidate all the  
13 information in one location. Hikers  
14 will have the ability to ask questions  
15 about the length and difficulty and  
16 description of each location of our  
17 trails, plus review large maps of each  
18 trail. And adjacent to the outpost, we  
19 propose to erect a fire lookout tower as  
20 a viewing platform that will be one of  
21 the most scenic views in the state of  
22 Alabama.

23 Most Forever Wild Board members at

1           that meeting had some concerns as to  
2           what would happen to the property should  
3           CRATA cease to assist as a 501(c)(3). I  
4           stated in the February meeting that  
5           CRATA -- at CRATA's January 27th board  
6           meeting we passed a resolution that  
7           states that if CRATA fails to complete  
8           the proposed building project within ten  
9           years of purchase of the property or if  
10          CRATA ceases to exist at any time as a  
11          nonprofit 501(c)(3) organization, the  
12          property would revert back to Forever  
13          Wild as a donation and be so stated in  
14          any purchase agreement made with Forever  
15          Wild or any resulting deed.

16                 Some of the Forever Wild Board  
17          members voiced concern as to what type  
18          building we would build for the hiker  
19          outpost. Some stated they didn't want  
20          to see a so-called tarpaper shack.  
21          Well, you have been provided floor plans  
22          and elevations for the proposed hiker  
23          information outpost.

1 CRATA has built a reputation for  
2 building quality trails for the public  
3 enjoyment that are some of the most  
4 scenic in the state and has been  
5 recognized by the Alabama Trails  
6 Commission as one of the most successful  
7 501(c) (3) nonprofits in the state.

8 CRATA owns Smith Mountain near Lake  
9 Martin. And the fire tower atop the  
10 mountain has been recognized by the  
11 National Lookout Association as the best  
12 restored Aermotor LS-40 in the nation,  
13 especially safety features, and there  
14 are hundreds of towers nationwide. The  
15 Smith Mountain Fire Tower also has been  
16 recognized by a prominent national  
17 outdoor organization as the number four  
18 out of six outstanding towers in the  
19 nation that you must climb.

20 CRATA is again asking for your  
21 support in approving the request that  
22 will help create an outstanding addition  
23 to what CRATA has already established

1 for the citizens of Alabama. We will be  
2 glad to take you to Smith Mountain and  
3 other CRATA sites and show you what  
4 we've established.

5 We thank you for your consideration,  
6 and I will be happy to try to answer any  
7 questions that you may have.

8 CHAIRMAN BLANKENSHIP: Any questions?

9 Mr. Lanier, I really appreciated the  
10 opportunity to come out and you and  
11 Steve and Walt to take me around and  
12 show me some of the ideas that you have  
13 down there. I appreciate the work y'all  
14 have done. Any day that I can get out  
15 of the office and spend it in the woods  
16 is a good day. So thank you for your  
17 hospitality and sharing your thoughts  
18 and ideas and your passion for that area  
19 down there to really make more  
20 opportunities for outdoor recreation.

21 I know we've talked about some  
22 options internally inside the  
23 Department. Would you like to cover



1           Is there anybody else that wanted to  
2           speak that didn't have a chance to fill  
3           out the card? Anybody?

4                           (No response.)

5           CHAIRMAN BLANKENSHIP: All right. Well,  
6           appreciate the speakers we've had. Now  
7           it's time to recess for an Executive  
8           Session to discuss tract values.

9                           By regulation, appraisal values are  
10           confidential during periods of  
11           negotiation. Accordingly, in order to  
12           discuss tract appraisal values, the  
13           Board will need to go into recess for an  
14           Executive Session.

15                           Is there a motion for the Board to  
16           now recess to attend the Executive  
17           Session?

18           MR. JONES: So moved.

19           DR. McCLINTOCK: Second.

20           CHAIRMAN BLANKENSHIP: So moved by Mr. Jones  
21           and seconded by Dr. McClintock.

22                           As I call your name, please state  
23           your position on this motion to recess.

1           Those in favor, please indicate by  
2           saying "aye" and those opposed by saying  
3           "nay."

4           Chris Blankenship, aye.

5           Mr. Holloway?

6           MR. HOLLOWAY: Aye.

7           CHAIRMAN BLANKENSHIP: Mr. Jones?

8           MR. JONES: Aye.

9           CHAIRMAN BLANKENSHIP: Mr. Oates?

10          MR. OATES: Aye.

11          CHAIRMAN BLANKENSHIP: Dr. Tolley-Jordan?

12          DR. TOLLEY-JORDAN: Aye.

13          CHAIRMAN BLANKENSHIP: Mr. Childers?

14          MR. CHILDERS: Aye.

15          CHAIRMAN BLANKENSHIP: Dr. McClintock?

16          DR. McCLINTOCK: Aye.

17          CHAIRMAN BLANKENSHIP: Dr. Sims?

18          DR. SIMS: Aye.

19          CHAIRMAN BLANKENSHIP: Mr. Wright?

20          MR. WRIGHT: Aye.

21          CHAIRMAN BLANKENSHIP: All are in favor.

22                   It is now 10:13. We'll take  
23           approximately a 20-minute recess and be

1 back a little bit after 10:30.

2 **(Recess for Executive Session was**  
3 **taken at approximately 10:13 a.m.**  
4 **and the meeting was called back to**  
5 **order at approximately 10:44 a.m.)**

6 CHAIRMAN BLANKENSHIP: All right. We have  
7 everybody back from Executive Session.  
8 We're back in regular session at 10:44.

9 So the next item of business are the  
10 program status reports.

11 Ms. McCurdy, are you going to cover  
12 that?

13 MS. McCURDY: I am. And it's hard for me to  
14 see everybody sort of spread out. So if  
15 I miss your hand go up and you have a  
16 question, please do speak up.

17 For the benefit of those here at the  
18 meeting, I'm Patti McCurdy, Director of  
19 the State Lands Division. And this is  
20 the portion of the meeting where we run  
21 through some updates on the financial  
22 status and give the Board that feedback  
23 and, also, for the benefit of the

1 public.

2 What I'd first like to do is run  
3 through the tracts that are currently in  
4 some form or some stage of the closing  
5 process due to a Board motion for staff  
6 to proceed to closing. So I want to  
7 update the Board on where we are on  
8 those closings. That also helps us  
9 understand what the available balance is  
10 for further actions if the Board desires  
11 to take them. So I will run through  
12 those now.

13 Cedar Creek SOA-Elm Bluff Addition.  
14 And actually we are hoping that that one  
15 is able to close May 10th. That's a  
16 little tentative, but we're working  
17 toward May 10th. So that one is very  
18 close.

19 MTD-The Cutoff Tract, Baldwin  
20 County. Thigpen Hill Option A Phase II,  
21 Butler County. Red Hills-Parris Trust  
22 Addition, Monroe County. And Cedar  
23 Creek SOA Addition, Dallas County.

1           And we recently got some additional  
2 title work on the Cedar Creek SOA  
3 Addition. So that one should be moving  
4 a little faster now.

5           Right now, with all of those  
6 totalled, including the 15 percent  
7 stewardship transfer that must accompany  
8 any Forever Wild purchase that goes into  
9 the stewardship account, you are at a  
10 total of approximately -- you have a  
11 little over \$8 million currently in  
12 closing leaving an unencumbered balance  
13 of about \$17 million. You are within --  
14 still at that amount within the  
15 budgetary spending authority. So we  
16 don't have to go into that discussion  
17 for this meeting. We are good.

18           And so the reason, also, that that  
19 amount is a little higher this time is  
20 due to some declinations that we had  
21 from offers that the Board asked us to  
22 present. So -- and I'm sorry. I forgot  
23 to say that was in Tab 2-A.

1           If you'll look at the second page of  
2           Tab 2-A, this is where we detail and I  
3           recap at each meeting for this fiscal  
4           year, which began October 1st, the  
5           status of offers -- excuse me --  
6           properties closed and offers that were  
7           declined. So basically this tells you  
8           whether or not that a property closed or  
9           we now know that it will not close for  
10          one reason or another.

11          So this fiscal year transactions  
12          that have closed or have been declined  
13          include Coldwater Mountain-Young  
14          Addition, which was declined; D'Olive  
15          Bay, which has closed; Joe Wheeler State  
16          Park-Page Branch Addition, declined;  
17          Little River State Forest Addition,  
18          closed; Mill Creek, declined; Perdido  
19          WMA-McNeill Addition, closed; and  
20          Thigpen Hill Option A Phase I, closed.

21          So that's the status of the tracts  
22          that are either known closed or known  
23          declined at this time. Are there any



1 by the next meeting.

2 But we're still in good shape.

3 We're not aware of any reason currently  
4 that we will not -- that we'll have any  
5 need that we can't fulfill from that  
6 \$1.5 for this fiscal year.

7 The net assets of the account -- or  
8 the stewardship account is valued at  
9 just over \$46 million. That is a figure  
10 as of March 31st. Our State Treasurer's  
11 office helps us with that reporting, and  
12 you'll see some additional detail on  
13 that in Tab 2-C.

14 Any questions from the Board on the  
15 stewardship account?

16 (No response.)

17 MS. McCURDY: All right. If there are no  
18 questions, I will go ahead and move into  
19 Tab 3 and go to Tab 3-A.

20 This is the portion of the meeting  
21 which I report back on the status of  
22 whether or not we have received  
23 appraisals from the various motions for

1 first appraisals that the Board has made  
2 at past meetings. These properties that  
3 have appraisals in are the properties  
4 that would be available to the Board if  
5 they desire for a motion for second  
6 appraisal and to proceed to purchase.

7 And so I will -- I'm going to run  
8 through those now. Again, please do  
9 speak up if you have a question along  
10 the way.

11 The appraisals that have been  
12 received by staff include Coldwater  
13 Mountain-Carroll Addition, Calhoun  
14 County; Coldwater Mountain-McVey  
15 Addition; D'Olive Bay Addition, Baldwin  
16 County.

17 We have received an appraisal report  
18 on D'Olive Bay-Barnhill Addition, but I  
19 need to let the Board know that I'm  
20 still working with the appraiser on that  
21 one. I had some questions that have  
22 come up, and so I don't really -- I  
23 don't consider that appraisal final but

1 obviously very close. We have it in  
2 hand, but we're doing some additional  
3 work on that one.

4 We have received the Hollins WMA  
5 Addition 2020. That's Clay County.

6 And we have the appraisal work  
7 completed on the Oak Mountain State  
8 Park-Belcher Lake Addition. As we've  
9 talked about before, that tract is -- we  
10 have a grant application pending on that  
11 tract that could impact basically if we  
12 get an award and, if so, how much the  
13 Forever Wild contribution if the Board  
14 wanted to proceed.

15 So I mention that because taking  
16 into account -- oh, I'm sorry. Let me  
17 also mention an additional appraisal  
18 that the Board did not motion on but  
19 that DCNR proceeded obtaining due to a  
20 grant award we received on the Styx  
21 River Wetlands Tract after our last  
22 meeting. Went ahead with that to have  
23 position for the grant should the Board

1 elect to continue so we would know for  
2 sure how much of that money and that we  
3 had enough grant money for that tract.

4 So with all of that taken into  
5 account, just in sort of round numbers,  
6 you're over \$7 million currently as we  
7 figure, but, again, that is with Oak  
8 Mountain State Park conservatively  
9 estimated, the best case scenario, 75/25  
10 on that grant. So I just want to note  
11 to the Board, it doesn't sound as high  
12 as it sometimes has in the past, but  
13 it's also a little bit of a moving  
14 target number right now. But, anyway,  
15 so you've got a range on that.

16 Any questions on the appraisals that  
17 we've received and that I've just run  
18 through?

19 (No response.)

20 MS. McCURDY: Okay. Well, we'll move out of  
21 Tab 3 and move on to our grants status  
22 report. That will be Tab 5-A in your  
23 packet. I'll give you a second to get

1           there and you can follow along.

2                   And for the benefit of the public  
3 here today, this is the portion of the  
4 meeting that we detail the various  
5 grants that either we have received or  
6 that we have specific tracts identified  
7 that we are seeking grant funds on or  
8 sometimes just partnership and  
9 leveraging-fund-type transactions. So I  
10 want to run through the status of all  
11 those for the Board.

12                   Of the tracts that are already in  
13 the closing process, we've mentioned the  
14 two Cedar Creek transactions. Those are  
15 75/25 approximate splits with the  
16 federal Pittman-Robertson money that our  
17 Wildlife and Freshwater Fisheries  
18 Division receives and that Forever Wild  
19 provides the required  
20 state-funding-source match on those.  
21 But those that I just detailed are in  
22 the process of closing and are moving  
23 along fine.

1           We also have the MTD-Cutoff Tract  
2           that I mentioned in closing. The grant  
3           award on that one would be approximately  
4           52 percent offset of the acquisition.

5           We had previously talked about the  
6           use of PR funds to support acquisition  
7           of the Mill Creek Tract. As I  
8           mentioned, the landowners have declined  
9           that one. So it's no -- Chuck was not  
10          able to be here today, but he is -- he  
11          may talk to you at the next meeting  
12          about some additional opportunities  
13          looking forward with the PR money that  
14          had not been utilized then. But he's  
15          having to reshift that analysis, but I'm  
16          sure he'll tell you more at the next  
17          meeting.

18          I mentioned the appraised  
19          nominations that have some grant  
20          leveraging funds.

21          I mentioned Oak Mountain before.  
22          There's a U.S. Forest Service grant,  
23          Forest Legacy Program, that the -- I



1           We'll now go backwards just a hair  
2           to Tab 4. And what I'd like to do now,  
3           if you'll go to Tab 4-B, is run  
4           through -- similar to how I did with the  
5           appraisal tracts, I want to run through  
6           the tracts that have been through our  
7           nomination process, meaning we have a  
8           confirmed "willing seller" letter. The  
9           tracts have each been scored in the four  
10          programmatic categories set forth in the  
11          Constitutional Amendment 543, and those  
12          are state park, wildlife management  
13          areas, recreation, and habitat/nature  
14          preserve categories.

15          So the list available to you is in  
16          alphabetical order in Tab 4-A, but Tab  
17          4-B gives a brief description of the  
18          property and a map of that property for  
19          the Board to review. So these are the  
20          properties that would be available for a  
21          first appraisal.

22          So we have the Bon Secour River  
23          Addition, Baldwin County. Coldwater

1 Mountain-Robertson Addition, Calhoun.  
2 Coosa WMA-Hatchet Creek Addition.  
3 Cypress Creek Tract, Lauderdale County.  
4 Lowndes WMA-Fuzzell Addition, Lowndes  
5 County. Martin Slough Tract, Hale  
6 County. Minamac Wildflower Bog, Baldwin  
7 County. Natural Park Bridge, Winston  
8 County. Perdido Headwaters-Brushy  
9 Creek, Baldwin County. Perdido  
10 WMA-Snowden Branch Addition, Baldwin  
11 County. Saginaw Swamp in Shelby County.  
12 Sedgefield Tract, Dallas County. Styx  
13 River Wetlands, Baldwin County. Walls  
14 of Jericho-Woodall Addition, Jackson  
15 County.

16 So, again, those are the tracts that  
17 are available to the Board for first  
18 appraisal due to their ranking on the  
19 short list -- putting them on the short  
20 list after the scoring process. Any  
21 questions on the short list tracts?

22 (No response.)

23 MS. McCURDY: Commissioner, that's all of the

1 normal, routine scheduled reports. So  
2 I'll turn it back to you for the general  
3 discussion session of the agenda.

4 CHAIRMAN BLANKENSHIP: All right. Thank you.

5 So now we'll enter the general  
6 discussion. It's the part where the  
7 Board, at their pleasure -- if they want  
8 to make any motions for first or second  
9 appraisals or move to purchase, this is  
10 where that generally occurs. And so  
11 I'll give the Board a minute if they  
12 have any motions they would like to make  
13 or discussion on any of the parcels.

14 MR. WRIGHT: Mr. Chairman?

15 CHAIRMAN BLANKENSHIP: Mr. Wright.

16 MR. WRIGHT: I'd like a motion for a second  
17 appraisal and move to purchase on the  
18 Coldwater Mountain-Carroll Addition  
19 which is 43 acres that is an inholding  
20 within Forever Wild property already.

21 CHAIRMAN BLANKENSHIP: So that's a motion by  
22 Mr. Wright. Is there a second?

23 MR. HOLLOWAY: Second.

1 CHAIRMAN BLANKENSHIP: Seconded by

2 Mr. Holloway.

3 So the motion is for a second  
4 appraisal and move to purchase on the  
5 Coldwater Mountain-Carroll Addition. Is  
6 there any discussion or questions?

7 (No response.)

8 CHAIRMAN BLANKENSHIP: All those in favor say

9 "aye."

10 (All Board members present respond

11 "aye.")

12 CHAIRMAN BLANKENSHIP: All those opposed say

13 "no."

14 (No response.)

15 CHAIRMAN BLANKENSHIP: The motion carries.

16 Just a reminder today since we do  
17 have only nine of us here and it takes  
18 nine affirmative votes for us to conduct  
19 business, just please make sure that you  
20 voice your vote, please, so I can make  
21 sure that everyone voted. Y'all did  
22 good. I just wanted to remind you of  
23 that as we move forward. Thank you.

1                   Anybody else?

2           DR. McCLINTOCK: Mr. Commissioner, I'd like to  
3                   do a nomination of the Styx River  
4                   Wetlands. And I'll read the language:  
5                   I made a motion -- I make a motion for  
6                   the Board to adopt the appraisal  
7                   obtained by DCNR as the first appraisal  
8                   and for staff to proceed with the second  
9                   appraisal and purchase of the Styx River  
10                  Wetlands nomination.

11          CHAIRMAN BLANKENSHIP: Is there a second?

12          DR. TOLLEY-JORDAN: Second.

13          CHAIRMAN BLANKENSHIP: Seconded by  
14                  Dr. Tolley-Jordan.

15                  This is for the Styx River, to  
16                  accept the first appraisal and then move  
17                  for a second appraisal and move to  
18                  purchase the Styx River parcel.

19                  Is there any discussion, any  
20                  questions?

21          MR. WRIGHT: Commissioner?

22          CHAIRMAN BLANKENSHIP: I saw Mr. Jones first  
23                  and then Mr. Wright.

1 MR. JONES: I was just curious about -- I see  
2 this has a homeowner easement. It has a  
3 house that's there, an access easement.  
4 This seems like a fairly complex piece  
5 of property. And we also -- I don't  
6 know what else is going on around it.  
7 And, you know, it seems -- seems kind of  
8 small for what we're doing. And so I'm  
9 just curious about how we're handling  
10 all that.

11 MS. McCURDY: And I can let -- the  
12 Commissioner may want to add something  
13 about the Department plans. I will add,  
14 too, you know, that's one thing we can  
15 do with the Board is any additional  
16 information or any questions that anyone  
17 has, you know, we can take those back  
18 after today.

19 From a management standpoint for us,  
20 we have other acreage in the area, so  
21 it's not as complex as some. We have  
22 resolved the concern we had as to the  
23 access to the tract.

1           But it is -- but at any time you  
2           have -- that house is like any tract  
3           with an inholding and you do have a  
4           homeowner on it. And so, yes, that is  
5           additional coordination and  
6           additional -- us also trying to be a  
7           good neighbor to that landowner.

8           But I'll be happy to answer any  
9           questions. And we've got time on that  
10          grant. I will say, Commissioner, the  
11          deadline -- that is a recently awarded  
12          grant. So we have time for follow-up  
13          for anything the Board would like to  
14          know.

15         MR. JONES: Well, what's the deal with -- I'm  
16                 sorry. But on Old Spanish Road, you've  
17                 got this odd cutout on the -- that's not  
18                 part of the --

19         CHAIRMAN BLANKENSHIP: I think that's a DOT  
20                 right of way. There's a bridge there.

21         MR. JONES: Okay.

22         CHAIRMAN BLANKENSHIP: I think that's a DOT  
23                 right of way on both sides of that

1           little section, if I'm not mistaken.

2       MS. McCURDY:   And I don't know if it's right  
3           of way or an inholding to be honest with  
4           you.  It's simply not part of the  
5           acreage that would be titled to us.  We  
6           do have access -- road access, but ...

7       MR. JONES:   Okay.  Then we have additional  
8           tracts -- two additional tracts that are  
9           further south from the house and they're  
10          not connected.

11      MS. McCURDY:   Right.

12      MR. JONES:   I'm just trying to -- why would we  
13           want -- I'm just trying to figure out  
14           what --

15      MS. McCURDY:   And we could certainly cut out  
16           whatever the -- with that water  
17           access -- we do have various water-based  
18           trails on properties that are only water  
19           access.  Here we actually do have access  
20           from the upland portion to those if we  
21           wanted to utilize it, but it also does  
22           have water access.

23                    But you are correct.  It is a tract

1           with an intermediate owner that is like  
2           an inholding except we have access to --  
3           it's an inholding, but we do have  
4           access. But, yes, it is a different --  
5           a little different tract than we  
6           normally see.

7           CHAIRMAN BLANKENSHIP: Mr. Wright, did you  
8           have anything?

9           MR. WRIGHT: Yes.

10          MS. McCURDY: Just speak into the microphone,  
11          if you would, Mr. Wright. Your  
12          microphone. Speak up a little.

13          MR. WRIGHT: Yes. I'm just concerned, and I  
14          don't see enough information here to  
15          move on this motion today. I didn't say  
16          next meeting, now.

17          MS. McCURDY: Sure.

18          MR. WRIGHT: But I would like to see it tabled  
19          for today and let's do a little bit -- I  
20          would like to do some more research on  
21          it.

22          MS. McCURDY: And, again, if the Board  
23          ultimately wants to move forward and

1           utilize the grant funds on this tract,  
2           we have plenty of time on this award.

3           It was just received.

4       MR. WRIGHT: That's what I would like to do.

5       MS. McCURDY: That's no problem whatsoever.

6       CHAIRMAN BLANKENSHIP: All right. So we do  
7           have a motion and a second.

8       DR. McCLINTOCK: I can amend my motion to  
9           gather further information about this  
10          property.

11      CHAIRMAN BLANKENSHIP: If you would do that  
12          and Dr. Tolley-Jordan is okay with that,  
13          then we'll -- we can just --

14      DR. TOLLEY-JORDAN: I second that.

15      CHAIRMAN BLANKENSHIP: We can just set this  
16          aside for today and bring some more  
17          information back to the next meeting in  
18          August.

19      DR. McCLINTOCK: Sounds good.

20      CHAIRMAN BLANKENSHIP: Thank you.

21      MS. McCURDY: And, also, we'll get a little  
22          additional information. But I will say,  
23          also, if Mr. Wright or anyone would like

1           to, you know, go with staff to the  
2           tract --

3       MR. WRIGHT: I would like to.

4       MS. McCURDY: -- at any time -- and I will say  
5           this: Anytime any Board member would  
6           like to go onto the tract, you know,  
7           we'll coordinate access or obviously  
8           staff can go with you. So that is --  
9           I'd much rather you be comfortable with  
10          the tracts and have the information that  
11          you need than us proceed just because  
12          there's grant funding available. We  
13          need to want the tract regardless of  
14          grant money. Thank y'all for your  
15          questions and input.

16                 Yes, sir.

17       CHAIRMAN BLANKENSHIP: Mr. Childers.

18       MR. CHILDERS: We had a motion and an  
19                 amendment on the motion and a second on  
20                 the amendment.

21       CHAIRMAN BLANKENSHIP: Well, I think we  
22                 just -- sure. From what I understood,  
23                 we just --

1 MR. CHILDERS: And we had a motion on the  
2 table, so where do we go?

3 CHAIRMAN BLANKENSHIP: So my -- how I  
4 interpreted that was that Dr. McClintock  
5 was just making a motion to withdraw  
6 that motion and the seconder agreed with  
7 that --

8 MR. CHILDERS: Okay.

9 CHAIRMAN BLANKENSHIP: -- just to pull that  
10 motion.

11 MR. CHILDERS: I just wanted a point of  
12 clarification. Thank you.

13 CHAIRMAN BLANKENSHIP: Yes, sir.

14 Any other discussion or any other  
15 motions?

16 MS. TOLLEY-JORDAN: Mr. Chairman?

17 CHAIRMAN BLANKENSHIP: Yes, ma'am.

18 DR. TOLLEY-JORDAN: I'd like to motion for a  
19 first appraisal of the Perdido Wildlife  
20 Management Area-Snowden Branch Addition  
21 in Baldwin County.

22 MS. McCURDY: And that is 4-B, page 21.

23 Perdido WMA-Snowden Branch Addition, Tab

1 4-B, page 21.

2 CHAIRMAN BLANKENSHIP: All right. Is there a  
3 second?

4 DR. McCLINTOCK: I'll second that.

5 CHAIRMAN BLANKENSHIP: All right.

6 Dr. McClintock seconded.

7 Any discussion on that?

8 (No response.)

9 CHAIRMAN BLANKENSHIP: All right. All those  
10 in favor of the first appraisal on the  
11 Perdido-Snowden Branch Addition, please  
12 say "aye."

13 (All Board members present respond  
14 "aye.")

15 CHAIRMAN BLANKENSHIP: Any opposed?

16 (No response.)

17 CHAIRMAN BLANKENSHIP: None opposed. The  
18 motion carries.

19 MR. WRIGHT: Mr. Chairman?

20 CHAIRMAN BLANKENSHIP: Yes, sir, Mr. Wright.

21 MR. WRIGHT: I'd like to make a motion for  
22 second appraisal and move to purchase on  
23 the Coldwater Mountain-McVey Addition

1           which is 56 acres that is also an  
2           inholding within Forever Wild's existing  
3           properties.

4           CHAIRMAN BLANKENSHIP: Is there a second?

5           DR. TOLLEY-JORDAN: Second.

6           CHAIRMAN BLANKENSHIP: Seconded by

7           Dr. Tolley-Jordan.

8                        So it's a motion for a second  
9           appraisal and move to purchase on the  
10          Coldwater Mountain-McVey Addition. Any  
11          questions or discussion?

12                       (No response.)

13          CHAIRMAN BLANKENSHIP: All those in favor say

14          "aye."

15                       (All Board members present respond

16          "aye.")

17          CHAIRMAN BLANKENSHIP: Any opposed?

18                       (No response.)

19          CHAIRMAN BLANKENSHIP: None opposed. Motion

20          carries.

21          MR. McCLINTOCK: Mr. Commissioner, I would

22          like to make a first -- a motion to get

23          a first appraisal on the Bon Secour

1 River Addition. It's on page 3. It's  
2 87 acres in Baldwin County.

3 MS. McCURDY: It's Bon Secour River Addition.  
4 It's the first property in 4-B. 4-B,  
5 page 3.

6 CHAIRMAN BLANKENSHIP: All right. So there's  
7 a motion for first appraisal on Bon  
8 Secour River Addition. Is there a  
9 second?

10 DR. TOLLEY-JORDAN: Second.

11 CHAIRMAN BLANKENSHIP: Seconded by  
12 Dr. Tolley-Jordan.

13 Any questions or discussion on that?

14 MR. CHILDERS: Is this the first appraisal?

15 CHAIRMAN BLANKENSHIP: Yes, sir, first  
16 appraisal.

17 All those in favor say "aye."

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

20 CHAIRMAN BLANKENSHIP: Any opposed?

21 (No response.)

22 CHAIRMAN BLANKENSHIP: None opposed. Motion  
23 carries.

1 Any other discussion?

2 (No response.)

3 CHAIRMAN BLANKENSHIP: All right. Seeing  
4 none, we'll move into miscellaneous  
5 reports.

6 Ms. McCurdy.

7 MS. McCURDY: If the Board would turn to -- it  
8 will be Tab 5-B of your packet. There  
9 will also be a couple of green-folder  
10 items that I'll refer to. I'll prompt  
11 you, but have your green folder ready  
12 and your Tab 5 ready.

13 The first is really more of a  
14 procedural matter. Pursuant to previous  
15 motions by the Board, I wanted to alert  
16 the Board that we do have a short-list  
17 nomination that will roll off due to  
18 lack of Board action unless there's a  
19 request by a Board member to keep it on  
20 the list. And this time there's only  
21 one. It's on the short list, Coosa  
22 WMA-Hatchet Creek Addition, Coosa  
23 County.

1           So unless I hear otherwise from the  
2           Board now, that one will roll off.

3                           (No response.)

4       MS. McCURDY: All right. Consider it rolled  
5       off.

6           Okay. And then if you will move to  
7       Tab 5-C -- you should have a packet 5-C  
8       and then you will also see a green  
9       folder 5-C that is just some additional  
10      information that I received after  
11      mailing of the packet. And this is a  
12      request related to the Beaver Swamp  
13      Tract actually up in our area now.

14           That tract was purchased previously  
15      by the Board and in large part due to  
16      additive protection in that area to the  
17      Spring Pygmy Sunfish -- and this is an  
18      area right by the Mazda-Toyota  
19      facility -- in an effort on their part,  
20      the Land Trust of North Alabama, and  
21      also Forever Wild to ensure adequate  
22      coverage in that area and protection for  
23      the habitat of that species.

1           We've recently received a request  
2           from Mazda-Toyota. And if you'll look  
3           in Tab 5-C, you'll see -- and you might  
4           want to look at your -- the maps  
5           attached to your packet 5-C sort of  
6           detail the location of the tract but  
7           also give you some habitat orientation  
8           and information.

9           The map attached to 5-C will show  
10          you a road, Powell Road, that runs  
11          adjacent to our property, down the side  
12          basically of our property, and has  
13          previously served as a significant  
14          access route for Mazda-Toyota during its  
15          construction. Now that those activities  
16          have come close to ceasing and the heavy  
17          traffic on there -- it's no longer  
18          needed for the certain equipment that  
19          needed to go in that direction,  
20          Mazda-Toyota contacted us about their  
21          desire to do two things: One, they  
22          would like to move -- work with local  
23          governments to have vacation of the

1 road, and then they would like also to  
2 enter into a shared road agreement with  
3 Forever Wild over that vacation should  
4 it occur.

5 Toyota-Mazda -- excuse me.

6 Mazda-Toyota has done the survey or is  
7 in the process of completing the survey  
8 work that would be necessary for that  
9 road. And their request to us is for a  
10 shared road reciprocal easement  
11 agreement.

12 Under the agreement, there's no  
13 obligation to Forever Wild to take on  
14 any road maintenance. We have the right  
15 to do so at our cost just as  
16 Mazda-Toyota would have it at their cost  
17 if they want to make any improvements on  
18 the road. Their other interest is  
19 putting an access gate up for security  
20 purposes for control of that road and  
21 that area and potential traffic.

22 State Lands is also in favor -- and  
23 that would be Mazda-Toyota doing that at

1           their cost down the road. We would be  
2           in favor of that. Due to the  
3           configuration of this property, our best  
4           access point actually runs east to west  
5           at the top of the property. And we  
6           would actually -- similarly, for safety  
7           and enforcement purposes, would be in  
8           favor of that gate down the road.

9           So the agreement doesn't obligate  
10          the Board to do anything other than to  
11          allow the usage and the maintenance that  
12          Mazda-Toyota may want to perform with  
13          their own money and us all agreeing to  
14          installing the gate. And it's no cost  
15          to the program, but I did want to bring  
16          it to the Board for approval.

17          You see attached to Tab 5-C in your  
18          green folder the current draft  
19          agreement. This agreement is frankly, I  
20          think, final in its negotiations. We're  
21          comfortable with it. Mazda-Toyota is  
22          comfortable with it. But we do not yet  
23          have from them the legal description

1           that would be needed for Exhibit C.

2           And so I wanted to see if the Board  
3           had any questions about the requested  
4           agreement. If not or if you're ready to  
5           proceed with working toward finalizing  
6           that agreement with Mazda-Toyota, I  
7           would need a motion from the Board, and  
8           you have one in Tab 5-C.

9           MR. JONES: Mr. Chairman?

10          CHAIRMAN BLANKENSHIP: Mr. Jones.

11          MR. JONES: I would like to make a motion that  
12                the Board approve staff proceeding with  
13                efforts to finalize a shared road  
14                reciprocal easement agreement with  
15                Mazda-Toyota in a form substantially  
16                similar to the draft agreement described  
17                in the memo dated May 6, 2021.

18          CHAIRMAN BLANKENSHIP: All right. Is there a  
19                second?

20          MR. CHILDERS: Second.

21          DR. SIMS: Second.

22          CHAIRMAN BLANKENSHIP: Seconded by  
23                Mr. Childers.

1                   Any questions for Patti?

2           MR. WRIGHT: I have a question.

3           DR. McCLINTOCK: Who decides who has access to  
4                   the road?

5           MS. McCURDY: It would be Mazda-Toyota and  
6                   Forever Wild. The agreement states and  
7                   already provides for employees, agents,  
8                   contractors, and also for the Land Trust  
9                   of North Alabama. And there would be  
10                  some other usage. There were certain  
11                  restrictive covenants that also include  
12                  other entities that would be allowed to  
13                  come on for research purposes and  
14                  habitat-protection purposes. But it  
15                  provides what we need for the access.  
16                  It just controls the uncontrolled public  
17                  access down the road.

18          DR. McCLINTOCK: Thank you.

19          CHAIRMAN BLANKENSHIP: Mr. Wright.

20          MR. WRIGHT: We are talking about the west  
21                  road on this; right?

22          CHAIRMAN BLANKENSHIP: Yes. Yeah. The  
23                  western side of the property.

1 MR. WRIGHT: The whole west road?

2 MS. McCURDY: Yes.

3 CHAIRMAN BLANKENSHIP: Any other questions?

4 (No response.)

5 CHAIRMAN BLANKENSHIP: All those in favor say

6 "aye."

7 (All Board members present respond

8 "aye.")

9 CHAIRMAN BLANKENSHIP: Any opposed?

10 (No response.)

11 CHAIRMAN BLANKENSHIP: None opposed. Motion

12 carries.

13 MS. McCURDY: If you will look at Tab 5-D, we  
14 have received a request --

15 And, Evan, is it Boddie?

16 Okay. I got worried after looking  
17 at two Ds that I've been saying it  
18 wrong. But it is Boddie.

19 So Mr. Warren Boddie contacted us,  
20 and he has requested an access easement  
21 that would impact the Forever Wild's  
22 Lauderdale and Freedom Hills WMA tracts.  
23 And you will see there is a map attached

1 showing you those tracts and location  
2 that they're requesting easement.

3 Historically Mr. Boddie has worked  
4 with our Wildlife and Freshwater  
5 Fisheries Division and has accessed his  
6 property with no issue through a WMA  
7 road. The change in circumstances that  
8 Mr. Boddie is currently in the process  
9 of trying to sell his property and the  
10 potential buyer that he has secured, the  
11 mortgage lender is requiring Mr. Boddie  
12 to demonstrate that there is an easement  
13 securing access to that property.

14 And we did talk with Mr. Boddie, and  
15 we tried to work through an agreement to  
16 have some type of evidence of a permit,  
17 that a permit is revokable, and the  
18 mortgage lender was not comfortable with  
19 a revokable permit, so hence the request  
20 for an easement.

21 It's approximately a little over  
22 half a mile by 30 feet -- would be the  
23 length and width of the easement. There

1 is a portion of it that goes -- before  
2 you get to our property, there's also a  
3 third party, a Packaging Corporation of  
4 America, that Mr. Boddie will have to  
5 cross. He does have written permission  
6 from them and provided that to us. So  
7 they have agreed with this.

8 Mr. Boddie has -- well, back up. I  
9 think the total acreage would be  
10 approximately 1.92 acres. Mr. Boddie  
11 has agreed to pay for the appraised  
12 value of the interest that would be  
13 transferred and the associated appraisal  
14 and survey work that would be necessary.

15 And he has also agreed at staff  
16 request to restrictions providing that  
17 parking would not be allowed along the  
18 easement and that, also, in the future  
19 if the tract is subdivided in any manner  
20 or there's any commercial use of the  
21 property, that that will not be allowed.  
22 So basically the easement will be  
23 related to residential purposes access

1           only.

2                     And so I wanted to also let the  
3           Board know that State Lands has reviewed  
4           the request. We reviewed it also in  
5           consultation with Chuck's division. And  
6           with the restrictions that we have noted  
7           to Mr. Boddie, we are comfortable with  
8           the easement. But I would like to  
9           answer any questions from the Board.  
10          And I'll call Keith up if there are any  
11          detail area questions. But anything  
12          additional the Board would like to know  
13          or any questions?

14                     Mr. Oates.

15          MR. OATES: Patti, we're looking at something  
16          similar to this on one of our Little  
17          River properties and doing an easement  
18          like this for a landowner. And it may  
19          not work at all with Forever Wild with  
20          our process, but we're actually putting  
21          a first right of refusal if that  
22          landowner ever sells the property to  
23          give us the first right of refusal of

1           that.  Would that be something that we  
2           might want to include in here?

3           MS. McCURDY:  So let me be sure I understand.  
4           So for what I'm going to call the  
5           residential property, including in your  
6           easement transaction a right for first  
7           right of refusal?

8           MR. OATES:  Yeah.  So if he ever wants to sell  
9           it, we get the first right to purchase  
10          it.  Because it's surrounded by our  
11          property on three sides, so --

12          MS. McCURDY:  And we can inquire if the -- if  
13          Mr. Boddie and the lender would accept  
14          that.  Let me first ask if that is an  
15          option -- is a possibility that one  
16          might would be interested in.

17                   And Keith is telling me "yes."

18                   Oh, I forgot.  He's here.  He told  
19          me he would be here, and I totally  
20          forgot.

21                   So let's see what the other question  
22          is.  But, Mr. Boddie, if you would, come  
23          on up.  So let's hold that.  I think I

1 saw another hand.

2 Okay. We'll cover this question.  
3 Come on up here just so they can hear  
4 you.

5 CHAIRMAN BLANKENSHIP: So the question was  
6 would he -- would you entertain the  
7 thought of giving the Forever Wild  
8 Board -- or the Department of  
9 Conservation the first right of refusal  
10 on the property if it was sold after --  
11 but it --

12 MR. BODDIE: My 149 acres.

13 CHAIRMAN BLANKENSHIP: Yes.

14 MR. BODDIE: If the current person that's  
15 interested doesn't want it at the  
16 current price -- I mean, she's  
17 offering --

18 MS. McCURDY: I think what you would be  
19 contemplating would be in the future if  
20 you proceed with the purchase -- or the  
21 sale as you currently have planned but  
22 that -- as part of the easement  
23 transaction would require of the new --

1           the purchaser a right of first refusal  
2           to the program.  If your new purchaser  
3           then sells in the future -- obviously  
4           it's going to have to be, also, a  
5           question of whether the buyer would and  
6           whether the lender is okay with that.

7           But let's -- but the first step is  
8           would that be something that you would  
9           consider.  And let me first raise it as  
10          in if your potential buyer accepted  
11          that, the lender accepted that, would  
12          you be willing to further restrict and  
13          include that first -- right of first  
14          refusal.

15         MR. BODDIE:  Okay.  If I understand this, I  
16           mean, if they backed out, I would be  
17           more than willing to put that in  
18           writing.  I'm hesitant at this stage to  
19           include that to my potential buyer.  I  
20           don't know how that would affect them  
21           because they have family and stuff like  
22           that.

23         CHAIRMAN BLANKENSHIP:  I understand.

1 MR. BODDIE: And I will say this: Seven or  
2 eight years ago I let Freedom Hills come  
3 out there and survey it because I  
4 thought about I might have to sell it  
5 because my dad went in assisted living  
6 and didn't have to sell it.

7 But, anyway, don't know about that.  
8 That's scary to me, that part.

9 CHAIRMAN BLANKENSHIP: Yes, sir.

10 MR. JONES: I understand.

11 MR. BODDIE: I would want to think about that  
12 a little bit.

13 MR. OATES: It was just a question.

14 CHAIRMAN BLANKENSHIP: Okay. Mr. Childers.

15 MR. CHILDERS: Is this going to open that  
16 property up for development?

17 MS. McCURDY: I'm sorry. I was talking and  
18 missed your questions.

19 MR. CHILDERS: It looks on the map like this  
20 land is landlocked.

21 MR. BODDIE: Yes, sir.

22 MR. CHILDERS: This would be the only access?

23 MR. BODDIE: It is.

1 MR. CHILDERS: Is this going to be developed  
2 into housing developments and all?

3 MR. BODDIE: No, sir. I've had it for 23  
4 years to hunt on, and the person that's  
5 buying it is -- and it's like a  
6 checkerboard in its northeast corner.  
7 And they've recently purchased that  
8 property, and they want it to hunt on.  
9 They're hunters.

10 MR. CHILDERS: I would just be concerned about  
11 opening up a four-lane highway to  
12 housing development in the future.

13 MS. McCURDY: And that's a restriction in  
14 there. The easement would be -- would  
15 not allow access to a subdivision of any  
16 type -- subdivided period.

17 MR. CHILDERS: All right.

18 MS. McCURDY: I say subdivision.

19 MR. CHILDERS: All right. That's good.

20 CHAIRMAN BLANKENSHIP: All right. Are there  
21 any other questions?

22 (No response.)

23 CHAIRMAN BLANKENSHIP: If there's not any

1           questions, there is a draft motion if  
2           somebody is interested in moving forward  
3           with that.

4           MR. CHILDERS: I make the motion that we adopt  
5           the draft motion as written in the book.  
6           Do I need to read it?

7           CHAIRMAN BLANKENSHIP: Yes, sir, please.

8           MR. CHILDERS: Oh.

9           MS. McCURDY: We're making you work today.

10          MR. CHILDERS: The Board approves staff  
11           proceeding with granting an easement  
12           related to the Lauderdale and Freedom  
13           Hills WMA Tract Additions requested by  
14           Warren Boddie as described in the memo  
15           dated May 6, 2021, pursuant to the  
16           conditions that Mr. Boddie agrees to use  
17           restrictions related to parking and  
18           single-family residential usage and also  
19           pays for appraisal and survey costs in  
20           addition to the appraised value of the  
21           interest to be transferred.

22          CHAIRMAN BLANKENSHIP: All right. So that's  
23           the motion. Is there a second?

1 DR. TOLLEY-JORDAN: Second.

2 CHAIRMAN BLANKENSHIP: Seconded by  
3 Dr. Tolley-Jordan.

4 Any other questions on that? Is  
5 that clear in what we're doing?

6 (No response.)

7 CHAIRMAN BLANKENSHIP: All right. All those  
8 in favor say "aye."

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

11 CHAIRMAN BLANKENSHIP: Any opposed?

12 (No response.)

13 CHAIRMAN BLANKENSHIP: None opposed. Motion  
14 carries.

15 MS. McCURDY: Commissioner, we have some  
16 additional sort of more routine matters.  
17 Would you like to move on to the CRATA  
18 discussion, or would you like --

19 CHAIRMAN BLANKENSHIP: Yeah. Let's go ahead  
20 and do CRATA in order here. That would  
21 be fine.

22 MS. McCURDY: All right. For everyone, if you  
23 will look in your packet and in your

1 green folder -- this is another -- you  
2 should have two 5-Es. And your packet  
3 5-E kind of details, again, the  
4 request -- copies -- gives you another  
5 copy of the information that has been  
6 provided by CRATA to the Board such as  
7 the site plan -- I'm sorry -- the site  
8 plan that you'll see attached, the  
9 minutes, and the offer by CRATA to allow  
10 a reversion. You'll see the copy of the  
11 minutes that Mr. Lanier referred to.  
12 And you will see several maps.

13 The request relates to a parcel for  
14 a visitor outpost that would have a  
15 portion that provides public access and  
16 the exhibits and the amenities that  
17 Mr. Lanier described. Another portion  
18 of the building would be privately used  
19 by CRATA as a headquarters and also to  
20 store some equipment. There's also the  
21 fire tower transfer and installation on  
22 the second parcel. So 5-E details that  
23 as well as, again, the site plans.

1           Your green folder Tab 5-E contains  
2           some additional information about a  
3           process that evolved. You know, in our  
4           last meeting staff said that we would  
5           work to develop some potential purchase  
6           and sale agreement terms for the Board  
7           to consider -- for CRATA to consider,  
8           the Board to consider, and kind of a  
9           bullet-point listing of what it would  
10          include in a purchase and sale  
11          agreement, almost like a term sheet.

12           In working with Legal on that and in  
13          discussing, also, the offer of the  
14          reversionary clause, the more detail  
15          that we got into, there was concern that  
16          has been expressed regarding the  
17          difficulty of enforcing reversionary  
18          clauses and increased difficulty from  
19          the court. They are disfavored. And  
20          we've had on some other transactions not  
21          related to this one some discussions  
22          also with the Attorney General's office  
23          on reversionary provisions and whether

1           they can be relied on to accomplish the  
2           goals. So that led to a further  
3           analysis of, you know, how to both serve  
4           the interests of the group, allow them  
5           to proceed, but also provide the Board  
6           with a mechanism -- agreement type with  
7           the most flexibility possible.

8           And so DCNR's Legal section -- you  
9           know, I'm a lawyer, but in our -- DCNR's  
10          Legal section is who is reviewing this  
11          with us. And they recommend entering  
12          into, if the Board would like to proceed  
13          with CRATA, a license agreement. That  
14          is a revokable license that would allow  
15          them the access and allow them  
16          construction with certain restrictions.  
17          But if the Board did at some point elect  
18          to terminate either due to construction  
19          not being completed in the time frame  
20          agreed upon or for another reason, then  
21          CRATA would be reimbursed the costs or,  
22          if construction has been completed, the  
23          fair market value of the interest.

1           This is a -- kind of some new  
2           information and new recommendation from  
3           Legal. So I know this is coming to the  
4           Board -- this is new to the Board, new  
5           to CRATA. And so I know there will be  
6           several questions. But I wanted to  
7           mention those aspects, note those items  
8           in your packet.

9           I think I'll pause for a second  
10          before going into great detail. Let me  
11          pause for a minute to see what questions  
12          you might have, and then I can continue  
13          with some additional discussion. But  
14          let me pause for a second.

15         DR. McCLINTOCK: I have a question.

16                 So under insurance, CRATA is going  
17                 to carry general liability insurance.  
18                 Is there any special type insurance the  
19                 tower requires? I mean, I imagine with  
20                 people going up hundreds of feet --

21         MS. McCURDY: Yeah. And let me pause you  
22                 there for a couple of things.

23                 What is in the overview of these

1 potential terms do not necessarily  
2 represent what CRATA has agreed to yet.  
3 They are a 501(c)(3), but in our  
4 transactions, especially a construction  
5 project, we generally do require general  
6 liability and some other types of  
7 insurance.

8 As to any particulars for a fire  
9 tower, I would have to ask, you know,  
10 Mr. Lanier if they've done anything like  
11 that in the past. I do think that all  
12 of our properties, you know, have  
13 certain -- certain aspects of recreation  
14 that just -- you know, whether it be on  
15 a mountain and hiking or being careful  
16 not to fall off a -- you know, a cliff  
17 or whatever -- there are certain  
18 inherent dangers in recreation.

19 But I will -- but it would be our  
20 request that would be consistent with  
21 past requests to non-profits to obtain  
22 general liability insurance. But I  
23 don't know that there's anything special

1           as to the fire tower, but I will -- and  
2           I don't believe, Mr. Lanier, that CRATA  
3           has in the past pursued specific  
4           insurance on fire towers.

5       MR. LANIER:    No.

6       MS. McCURDY:   And he said "no."

7       DR. McCLINTOCK:  Thank you.

8       MS. McCURDY:    You're welcome.

9       MR. JONES:    I'm assuming we would be named as  
10           additional insureds.

11       MS. McCURDY:   Correct.  The program and  
12           Department, our standard requirements on  
13           that.

14                    Commissioner, anything that you want  
15           to ask Jimmy for any more details on the  
16           potential agreement, or what do you --  
17           tell me where you want to go next.

18       CHAIRMAN BLANKENSHIP:  Well, I think with the  
19           memo that's been provided today, it was,  
20           you know, short notice right before --  
21           just getting at the meeting.  It would  
22           be difficult, I think, for the Board to  
23           make an informed decision today.

1 MS. McCURDY: Right.

2 CHAIRMAN BLANKENSHIP: What I would

3 recommend -- and I think Mr. Wright and

4 I have had some conversations, and I

5 think he is willing -- maybe willing to

6 talk with CRATA before the next meeting

7 and talk through the purchase --

8 fee-simple purchase versus a license and

9 what requirements would be needed and

10 see if CRATA would be in favor of that

11 and see if we can come back at the

12 August meeting with something --

13 MS. McCURDY: And some of the terms would be

14 the same regardless of the --

15 CHAIRMAN BLANKENSHIP: Yeah. Let's see if we

16 can come back to the August meeting with

17 a more hashed-out agreement working with

18 CRATA on whether the license aspect or

19 the fee-simple -- which they would be in

20 favor of and if we can work out some of

21 those terms and come back and bring that

22 to the August meeting, if that suits the

23 Board.

1                   And, Mr. Wright, would you mind  
2                   taking an interest -- I know you have an  
3                   interest in it. Would you mind taking a  
4                   role in talking with Mr. Lanier and  
5                   Steve and --

6           MR. WRIGHT: Yes, I will do that.

7           CHAIRMAN BLANKENSHIP: -- and see if we can  
8                   help mediate a good agreement to come  
9                   back in August so we can either move  
10                  forward or not and the Board have all  
11                  the information they would need.

12          MS. McCURDY: And that would be great,  
13                  Mr. Wright. We appreciate that. That  
14                  would give us some real-time, you know,  
15                  Board feedback as -- because this is a  
16                  complex transaction and sort of a case  
17                  of first impression, so to speak, for  
18                  the Board. The prior purchases have  
19                  related to, you know, just easements or  
20                  access. You know, it's not been this  
21                  type of inholding.

22                  So I think that would be great to  
23                  have some real-time Board feedback for

1           the staff. I welcome that, Mr. Wright.

2           Thank you.

3           CHAIRMAN BLANKENSHIP: All right.

4           MS. McCURDY: And if there's -- and I would  
5           also ask if there are any Board members  
6           that -- and I'm not saying it's going  
7           to -- you'll think of it right now. But  
8           as you think about this and have  
9           particular questions or thoughts, if you  
10          would let me know or let Mr. Wright know so  
11          that we can anticipate -- try to cover  
12          those questions and have information  
13          ready for you.

14          So thank you, Mr. Wright.

15          CHAIRMAN BLANKENSHIP: Okay.

16          MS. McCURDY: Okay. So we'll move into some  
17          of the, I guess, more routine procedural  
18          type matters.

19          If you'll look in your packet, we'll  
20          now move to Tab 5-F, and these are the  
21          management plans that we would like  
22          Board approval on. We're required by  
23          the law to at least have a management

1 plan initiated on each tract within a  
2 year of acquisition. We normally come  
3 to you, if we can -- we prefer to come  
4 to you a meeting in advance of the  
5 meeting it would be required just in  
6 case we don't have a quorum or that the  
7 Board has any questions and would like  
8 those answers before approval.

9 But for today, the management plans  
10 that we're bringing forward, again, are  
11 attached in 5-F. And they would include  
12 taking action on the Perdido River  
13 WMA-McNeill Addition. This would  
14 actually be -- what we're referencing is  
15 adding that tract to an existing  
16 management plan related to Perdido due  
17 to the location and similar use and  
18 characteristics.

19 We then are recommending development  
20 and adoption of a new management plan  
21 for the D'Olive Forever Wild Tract in  
22 Baldwin County. Due to its location and  
23 its uniqueness, we think that an

1 individual plan for that tract would be  
2 most beneficial.

3 So the plans were attached to the  
4 memo provided in your packet. I will  
5 pause and see if there are any questions  
6 prior to Board motion. We would need a  
7 motion for approval, but I want to be  
8 sure there are no questions.

9 (No response.)

10 CHAIRMAN BLANKENSHIP: No questions.

11 Is there a motion to --

12 DR. McCLINTOCK: I move to approve it.

13 MR. HOLLOWAY: Second.

14 CHAIRMAN BLANKENSHIP: So the motion is to  
15 approve -- make sure I have this for the  
16 minutes.

17 The motion is to approve the State  
18 Lands Division proceeding with the  
19 inclusion of the Perdido River  
20 WMA-McNeill Addition into an existing  
21 management plan and development of a new  
22 management plan for the D'Olive Forever  
23 Wild Tract as set forth in the memo



1 making those expenditures. So it's  
2 really a form of reimbursement to State  
3 Lands. We also have to address the  
4 stewardship account, and that's done  
5 looking forward to the next fiscal year.  
6 But I will get to that in a minute. We  
7 used to do them at separate meetings,  
8 and I never can decide if it's better to  
9 do it separate or together.

10 But, nonetheless, the memo I  
11 supplied to the Board is a request for  
12 level funding to State Lands in the  
13 amount of \$900,000 for the  
14 administrative tasks with management of  
15 the program and those tasks associated  
16 with the approximately 280,000 acres  
17 currently maintained by the program.  
18 I did provide the Board just as context  
19 from the prior fiscal year some  
20 information on expenditures.

21 I'm happy to answer any Board  
22 questions. This is level funding and,  
23 again, the annual request that we make

1           for this. If the Board approves that, I  
2           would need a motion from the Board, and  
3           there is a motion set forth in 5-G to  
4           assist.

5       MR. HOLLOWAY: Mr. Chairman?

6       CHAIRMAN BLANKENSHIP: Mr. Holloway.

7       MR. HOLLOWAY: I move that the Board approves  
8           the State Lands Division staff to  
9           proceed with the requested  
10          administrative transfer in the amount of  
11          \$900,000 for fiscal year 2021  
12          administrative support provided by the  
13          State Lands Division.

14      MR. CHILDERS: Second.

15      CHAIRMAN BLANKENSHIP: Seconded by  
16          Mr. Childers.

17                    Any questions on that?

18                    (No response.)

19      CHAIRMAN BLANKENSHIP: All those in favor say  
20          "aye."

21                    (All Board members present respond  
22                    "aye.")

23      CHAIRMAN BLANKENSHIP: Any opposed?

1 (No response.)

2 CHAIRMAN BLANKENSHIP: None opposed. The  
3 motion carries.

4 MS. McCURDY: Okay. If you will look at  
5 Tab 5-H. And, again, this is looking  
6 forward into the upcoming fiscal year.

7 By law, the Board is required to  
8 approve expenditures from the  
9 stewardship account in advance of a  
10 fiscal year. And this memo details how  
11 we try to work with both State Parks  
12 staff, Wildlife and Freshwater Fisheries  
13 Division staff, all of our State Lands  
14 staff and try to anticipate what we  
15 refer to as more routine land management  
16 activities. And those can include many  
17 things, but to give you a few examples,  
18 you know, road repairs, maintenance on  
19 the roads, additional access points,  
20 boundary line maintenance,  
21 recreation-type projects, and also the  
22 ongoing invasive species work that we  
23 have to do.

1           Then we may have  
2           non-routine-tract -- what we call  
3           tract-specific. Now, mainly because  
4           they fall outside of those everyday-type  
5           actions that we know we're going to  
6           need, a lot of times what we consider  
7           falling into this category are very  
8           tract-specific forestry actions,  
9           reforestation, reforest work --  
10          reforesting work that we need to do.

11           So you'll see detailed in your memo  
12          in an attachment that provides a  
13          breakdown of that and also how we try to  
14          estimate the tract-specific  
15          reforestation activities.

16           As we've talked about before, 15  
17          percent of each purchase is transferred  
18          into this account. As the Board has --  
19          we've discussed in more detail, this  
20          account is being managed, you know, for  
21          the value that we see and that we  
22          discussed before. By law, if --  
23          therefore the interest earnings are not

1 high enough to cover the routine --  
2 these routine practices. So by law, we  
3 have to have a designation made by  
4 Commissioner that funds from the corpus  
5 will need to be used to cover those  
6 stewardship needs.

7 So you will see in the memo the  
8 Commissioner's designation, as from last  
9 year, designating that there are not  
10 sufficient funds within the meaning of  
11 the act to pull from interest and so we  
12 would need it from the corpus.

13 Also, because we really cannot fully  
14 anticipate a fiscal year in advance what  
15 the needs will be, we have asked for  
16 some flexibility. So despite the fact  
17 that our best estimate at the  
18 expenditures that we need would be about  
19 \$1,483,000, we are requesting the  
20 standard \$1.5 million to give us a  
21 little room there in case we need it.

22 So if the Board -- I want to answer  
23 any questions that the Board may have.

1           If there are no questions and the Board  
2           desires to approve that expenditure for  
3           the stewardship account, we would need a  
4           motion as in the memo on the second  
5           page. But first let me answer any  
6           questions.

7           CHAIRMAN BLANKENSHIP: Any questions on that?

8   (No response.)

9           DR. SIMS: Mr. Chairman?

10          CHAIRMAN BLANKENSHIP: Dr. Sims.

11          DR. SIMS: I would like to make a motion that  
12                   the Board authorizes ADCNR, after  
13                   exhausting available interest income  
14                   from the stewardship account, to expend  
15                   funds from the corpus of the stewardship  
16                   account up to the amount that when added  
17                   to the available interest income does  
18                   not exceed \$1.5 million.

19          CHAIRMAN BLANKENSHIP: Thank you. Is there a  
20                   second?

21          MR. HOLLOWAY: Second.

22          CHAIRMAN BLANKENSHIP: Seconded by  
23                   Mr. Holloway.

1                   Any discussion on that?

2                   Just a reminder from -- since we  
3                   have changed the stewardship fund to a  
4                   diversified portfolio: The interest --  
5                   the investment income has been more than  
6                   the \$1.5 million, but because of the way  
7                   the constitutional amendment is wording  
8                   it, it says specifically "interest."  
9                   And so since it doesn't account for  
10                  investment income, that's why we do the  
11                  insufficiency. But I just wanted to  
12                  assure the Board that the stewardship  
13                  fund is appreciating at more than  
14                  \$1.5 million per year. Make sure that  
15                  was clear to everybody.

16                  Any questions on that?

17                                 (No response.)

18                  CHAIRMAN BLANKENSHIP: All right. Seeing  
19                  none, all those in favor say "aye."

20                                 (All Board members present respond  
21                                 "aye.")

22                  CHAIRMAN BLANKENSHIP: Any opposed?

23                                 (No response.)

1 CHAIRMAN BLANKENSHIP: None opposed. Motion  
2 carries.

3 MS. McCURDY: Commissioner, I have one  
4 miscellaneous item I'd just like to  
5 mention.

6 You'll see in your packet -- this is  
7 purely informational, but it's just a  
8 memo. I wanted to just provide you an  
9 update -- I get questions sometimes  
10 about how our acreage is being managed  
11 and I know you get questions sometimes  
12 about is our acreage being managed.  
13 Some people think Forever Wild means we  
14 don't manage it, so -- but we actively  
15 do between the fire work that we're  
16 doing, the management of various  
17 thinning and clear-cuts and various  
18 things.

19 So this isn't exhaustive, but I also  
20 feel bad sometimes because I stand up  
21 here and you don't see the work that  
22 goes on behind the scenes very  
23 diligently by my staff. So I've

1 included some information, just one  
2 example from each district, detailing  
3 all the work that goes on in the field,  
4 including today while we're standing  
5 here.

6 And I'm going to provide the usual  
7 annual activity reports at the next  
8 meeting as we always do in August. But  
9 I just wanted to thank my staff,  
10 especially my field staff, for the work  
11 they do every day and wanted to let you  
12 know a lot of burning has been going on  
13 and a lot of work has been happening.

14 So you'll find that in your packet,  
15 but it's not meeting related. It's just  
16 information and an update to the Board.

17 CHAIRMAN BLANKENSHIP: And while we're talking  
18 about it, I would like to express my  
19 appreciation for the partnerships that  
20 we have with the Alabama Forestry  
21 Commission and The Nature Conservancy  
22 and partnership with the State Lands  
23 Division. We're doing a lot of activity

1           around the state and burning a lot more  
2           than we could if it was just our staff.  
3           And appreciate those partnerships.

4                     And I think that's good government.  
5           That's good work, working with NGOs and  
6           with other state agencies to be as  
7           efficient and effective as possible.  
8           Don't want to miss an opportunity to  
9           thank our friends. So thank you-all.

10       MR. HOLLOWAY: Mr. Chairman?

11       CHAIRMAN BLANKENSHIP: Yes, sir, Mr. Holloway.

12       MR. HOLLOWAY: If I could, I would just like  
13           to follow up on Ms. McCurdy's statement  
14           about the staff.

15                     There's no way in the world that all  
16           the work that we receive from the staff  
17           and from Ms. McCurdy -- we know that  
18           they are working very, very hard. It  
19           just goes without saying that we know  
20           what they're doing based on a lot of the  
21           information that you're providing to us  
22           and the accuracy of that as it's being  
23           provided to us. So thank you and thank

1           your staff for all the work that they  
2           do.

3           MS. McCURDY: Well, thank you very much.

4           I have a great staff.

5           MR. CHILDERS: I'll second that.

6           DR. McCLINTOCK: I'll second that.

7           MS. McCURDY: Thank y'all.

8           Unless somebody else has a  
9           miscellaneous item, that's all.

10          CHAIRMAN BLANKENSHIP: All right. Thank you  
11          for providing that information on some  
12          of the work that's going on in each of  
13          the districts.

14          The next order of business is to  
15          approve the minutes from the  
16          February 4th, 2021, meeting. Those were  
17          in your packet. Is there a motion to  
18          approve those minutes?

19          DR. SIMS: So move, Mr. Chairman.

20          CHAIRMAN BLANKENSHIP: Dr. Sims, a motion to  
21          approve the minutes.

22          DR. McCLINTOCK: Second.

23          CHAIRMAN BLANKENSHIP: Seconded by

1 Dr. McClintock.

2 Any corrections, changes, additions?

3 (No response.)

4 CHAIRMAN BLANKENSHIP: Seeing none, all those

5 in favor of approving the minutes,

6 please say "aye."

7 (All Board members present respond

8 "aye.")

9 CHAIRMAN BLANKENSHIP: Any opposed?

10 (No response.)

11 CHAIRMAN BLANKENSHIP: None opposed. Motion

12 carries.

13 All right. The next meeting date

14 will be August the 8th. August the 8th.

15 MR. JONES: It says August 5th. The 8th is a

16 Sunday.

17 CHAIRMAN BLANKENSHIP: August 5th. Okay.

18 The next meeting will be on a

19 Thursday. I don't think we want to do

20 this on the Lord's day.

21 MS. McCURDY: I think we're blessed in many

22 other ways.

23 CHAIRMAN BLANKENSHIP: That's right.

1                   So with that, is there a motion to  
2                   adjourn?

3       MR. JONES:    So moved.

4       CHAIRMAN BLANKENSHIP:  Is there a second?

5       DR. SIMS:     Second.

6       CHAIRMAN BLANKENSHIP:  All those in favor say  
7                   "aye."

8                   (All Board members present respond  
9                   "aye.")

10      CHAIRMAN BLANKENSHIP:  We are adjourned.

11                   Thank you.

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15                   (Meeting adjourned at approximately  
16                   11:35 a.m.)

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REPORTER'S CERTIFICATE

\* \* \* \* \*

STATE OF ALABAMA:

MONTGOMERY COUNTY:

I, Tracye Sadler Blackwell, Certified Court Reporter and Commissioner for the State of Alabama at Large, do hereby certify that I reported the foregoing proceedings of the Forever Wild Board Meeting on May 6, 2021.

The foregoing 86 computer-printed pages contain a true and correct transcript of the proceedings held.

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

This 19th day of July 2021.

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Tracye S. Blackwell, CCR, RPR  
ACCR No. 294  
Expiration date: 9-30-2021  
Certified Court Reporter  
and Commissioner for the State  
of Alabama at Large