

**Minutes**  
**Board of Natural Resources**  
2 Martin Luther King, Jr. Drive, S. E.  
Suite 1252 East Tower  
Atlanta, GA 30334

**March 29, 2006**  
**10:00 a.m.**

**Attending:**

Board Members

Walter Hudson, Chairman  
Earl Barrs  
Sally Bethea  
Jenny Lynn Bradley  
Warren Budd  
Sara Clark  
Cader Cox  
Mabel Jenkins  
Bob Rutland  
Loyce Turner  
Jim Tysinger  
Tom Wheeler

Visitors

Larry Mindler, Cherokee  
Brad Spooner, Municipal Electric Authority of Georgia Power  
Susan Varlomoff, University of Georgia  
Abit Massey, Georgia Poultry Federation  
Michael Reilley, The Conservation Fund  
Bettie Sleeth, Home Builders Association of Georgia  
Tyler Newman, Home Builders Association of Georgia  
Thomas Farmer, The Nature Conservancy  
Angie Fiese, Senate Research Office  
Gardner Sapp, House Research Office  
Doug Cloud, Alston & Bird  
Julie Mayfield, The Georgia Conservancy  
Bryan Tolar, Georgia Agribusiness Council  
Scott Messer, University of Georgia, Athens  
Dorothy Leland, Georgia College and State University, Milledgeville  
Bob Haney, Georgia College and State University, Milledgeville  
Harry E. Keim, Georgia College and State University, Milledgeville

Staff Members

Noel Holcomb  
Carol Couch  
Paul Burkhalter  
Dan Forster  
Becky Kelley  
Ray Luce  
Susan Shipman  
Bob Donaghue  
Steve Friedman  
Jim Ussery  
John Biagi  
Doralyn Kirkland  
Karen Cordova  
Chuck Coomer  
Paul Nelson  
Dave Crass  
Mary Ann Eaddy  
Jeanne Cyriaque  
Becky Marshall  
Bill Fletcher  
Todd Holbrook  
Melinda Vasquez  
Emily Hitchcock  
Mary Ann Evans  
Hellen Harris

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George Smith, Southwestern University, Americus

The March 29, 2006 meeting of the Board of Natural Resources was called to order by Chairman Walter Hudson.

Chairman Hudson called for a motion to approve the minutes of the February 22, 2006 meeting.

A motion was made by Mr. Rutland, seconded by Mr. Turner, and carried unanimously that the Board approve the minutes of the February 22, 2006 meeting.

Chairman Hudson called on Noel Holcomb, Commissioner of the Department of Natural Resources (DNR), for the Commissioner's Report.

Commissioner Holcomb called attention to the Monthly Expenditure Report and the Division Monthly Reports.

Commissioner Holcomb presented Emily Hitchcock, Legal Executive Assistant, the Faithful Service Award for twenty years of service in state employment and expressed appreciation for the excellent work she was doing. He also presented Becky Marshall, Communications Program Manager, the Faithful Service Award for thirty years of service for the state and expressed appreciation for her work in DNR. He gave special recognition to her many accomplishments in national and international film production and television.

Commissioner Holcomb called on Dan Forster, Director Wildlife Resources Division (WRD), to brief the Board on legislative issues and items of interest relating to WRD. Mr. Forster stated that most of the Department sponsored bills passed favorably and awaited the Governor's signature; some of the bills included: HB 338, Primitive Weapons with Scopes; HB 1488, Remote Hunting Bill; HB 1489, Proactive Importation Ban; HB 1424, Deer Dog Amendments; and HB 1490, Boating Registration Amendment. He further stated that he expected HB1211 to pass, a bill entitled Brook Trout/State Cold Water Game Fish. He added that some bills had not made it out of Committee and a few others had been tabled.

Mr. Forster stated that the original nongame license plate bill had died; but a new bill, HB 1564 CA, would seek a Constitutional Amendment, which would restructure allocation of license plate receipts. He further stated that the amendment would provide for nongame license plates to receive a \$25 per year fee, rather than a one-time fee; and funds would go directly to Nongame Wildlife and Natural Heritage as usual. He added that in states which charged the per year fee, the number of plates sold had decreased but receipts had increased.

Mr. Forster reviewed the status of the sunken log harvest issue and stated that WRD was still pursuing the Section 10 permit and awaiting comments from interested persons on the impact that harvesting sunken logs would have on the shortnose sturgeon. He further stated that WRD was in the process of preparing a response to the

U.S. Fish and Wildlife Service regarding related issues and added that the permitting process was still moving forward.

Mr. Forster stated that the price structure was of concern, and that the advice received from the Attorney General's office with respect to WRD's method of pricing had suggested obtaining third-party audits. He further stated that the comments received from the State Auditor regarding WRD's method of pricing suggested that the pricing of \$1.28 per board foot was too low and should be increased. He added that WRD would do additional research and determine whether to return to the Board with a price per foot increase.

Discussion ensued.

Commissioner Holcomb called on Becky Kelley, Director of Parks and Historic Sites Division (PHSD), to brief the Board on legislative issues and items of interest to the PHSD.

Mrs. Kelley stated that SB 392, the proposed waiver of park pass access for dependents and unmarried spouses of veterans who were deceased since 911, did not reach the floor for a vote. She stated further that PHSD was currently showcasing and selling Georgia wines as gift sets in lodge gift shops. She added that the Division would be promoting Georgia products and looking to see how other Georgia products could be showcased and sold.

Mrs. Kelley introduced Paul Nelson as the new Assistant Director of PHSD and cited his 19-year tenure in the Parks Division, his experience in the parks and recreation field prior to his work with the State, and his extended degrees in public administration and urban studies as background and preparation for his new role.

Mrs. Kelley stated that recent media events had occurred relating to American Indian concerns regarding accommodations of Pow-Wows on State parks. She further stated that her staff had met with Mr. Mindler, who represented the American Indian issue and had sought counsel from the Georgia Council for American Indian Concerns (GCAIC). She added that these issues were moving forward in a positive way by clarifying accommodations at State parks to rentals of facilities for functions such as special events and Pow-Wows. She further added that she was seeking the advice of the GCAIC regarding standards for functions and events sanctioned by PHSD to ensure that the Parks system proceeds with respectful and appropriate interpretation of American Indian heritage.

Mrs. Kelley stated that she would defer support for the historic marker program to the Commissioner as a part of his budget.

Mrs. Kelley called attention to handouts regarding PHSD 75<sup>th</sup> Anniversary and special anniversary events scheduled in various parks. She also called attention to Parks' quarterly report, *Natural Enquirer*.

Commissioner Holcomb called on Susan Shipman, Director Coastal Resources Division (CRD), to brief the Board on issues and items of interest relating to CRD. Mrs. Shipman stated that HB 1085, Tripletail Finfish, passed and would reduce the creel limit from five to two. She further stated that HB 1211, Brook Trout/State Cold Water Game Fish was expected to pass, and one of the provisions of the bill would designate the Red Drum as the official State saltwater fish. She added that HB 1460, Shrimp Reform legislation, did not pass out of Senate Committee; time expired before a vote could be taken. She further added that HB 1123 did not pass, which would have lowered the rental rate for water bottoms leases to \$1.00 a year for all entities.

Mrs. Shipman stated that House Resolution 1435 did not make it out of Committee. She further stated that this resolution would have provided for a Constitutional Amendment to establish a Coastal Georgia Beach Preservation Trust Fund from shared State and Federal funding for beach nourishment.

Commissioner Holcomb called on Carol Couch, Director Environmental Protection Division (EPD), to brief the Board on legislative issues and items of interest relating to EPD.

Dr. Couch reviewed two pieces of legislation, SB 510 and SB 191. She stated that SB 510, Minimum Standards River Corridors, if passed would direct EPD to establish buffer variances and develop storm water ordinances.

Dr. Couch stated that SB 191, EPD/Expedited Review, would develop a process by which EPD would identify external consulting professionals to expedite water withdrawal permits. She further stated that after a meeting with the Governor and leadership from Southwest Georgia on the impact of the bill on farmers in the Flint River basin, the language of the bill was changed and improved; and the bill passed, awaiting the Governor's signature.

Discussion ensued.

Commissioner Holcomb called on Ray Luce, Director of Historic Preservation Division (HPD), for an update on legislative issues and item of interest relating to HPD.

Dr. Luce stated that he would be presenting several State Stewardship Program awards, designed for state employees who deal with State resources. He presented the Governor's Award for Excellence in Historic Preservation to Dr. Dorothy Leland, president of Georgia College and State University in Milledgeville, for her dedication in dealing with Historic Preservation and her efforts with Georgia College to put together a new plan for historic preservation as part of the Master Plan.

Dr. Luce presented four Governor's Awards for Leadership as part of the State Stewardship Program. He presented the first Governor's Award for Leadership to Todd Holbrook, Assistant Director WRD, for his leadership in the Ossabaw Island Management Plan relating to both cultural and natural resources. He presented the

second Governor's Award for Leadership to Harry Keim, Vice President for Business and Finance at Georgia College and State University in Milledgeville, for his work in preserving and adapting for use the old Governor's Mansion, the train depot, and old Methodist church.

Dr. Luce presented the third Governor's Award for Leadership to Dr. Michael L. Hanes, president of Georgia Southwestern University in Americus, for his leadership in preserving the historic buildings at the university. In the absence of Dr. Hanes, the award was accepted by George Smith, Director of Plant Operations at Georgia Southwestern.

Dr. Luce presented the fourth Governor's Award for Leadership to Scott Messer, Preservation Planner at the University of Georgia, Athens, for his leadership in the historic preservation of several buildings on campus, and the most recent historic Candler Hall project.

Dr. Luce stated that in recent months the Historic Preservation Division had received two national awards: the Preserve America Award in the amount of \$86,000 for the purpose of cemetery preservation and an award for HPD's African American Program which the Board would be hearing more about later.

Dr. Luce announced the design for the new HPD license plate and stated that the money from the license plates would go to HPD's grants program for local governments and nonprofits for historic resources. He further stated that the building pictured on the new HPD plate was a train station in Savannah.

Commissioner Holcomb briefly reviewed the property issue relating to Georgia Sheriff's Youth Homes and the advice received from the Attorney General's office. He stated that Emily Hitchcock, Legal Executive Assistant, would explain the advice from the Attorney General's office regarding the charitable trust issue at the next Board meeting.

Commissioner Holcomb stated that DNR continues to support the Governor's budget and that there were unanticipated cuts on the Senate side and unexpected additions on the House side. He further stated that he was optimistic about the outcome.

Chairman Hudson called on Tom Wheeler, Chairman of the Environmental Protection Committee.

Mr. Wheeler called on Mr. Budd, who asked about a news article that described millions of gallons of wastewater being dumped from a Claxton chicken plant into the river.

Dr. Couch stated that she was not familiar with the article but that the article may have come from a report on a hearing on a proposed permit application. She further stated that the Claxton chicken plant permit application was for a land application

system, but EPD's basic concern was about adding more contaminated water on top of already existing contaminated ground water. She added that public comments and additional data would need to be examined comprehensively. She further added that the policies in the State and EPD's Antidegradation Rule had been to promote land application over direct discharge, and a solution regarding the Claxton permit application would be based on environmental and economic considerations.

Mrs. Bradley requested that Dr. Couch state who would determine the Claxton chicken plant permit application since DNR did not have a say-so in the permit.

Dr. Couch stated that permits were issued under the authority of the Director of the Environmental Protection Division; and in executing that authority, those permits needed to be developed consistent with the Rules adopted by the DNR Board and policies that are inherent both in those Rules and State statutes. She further stated that the Board itself did not have a decision-making role in the issuance of specific permits.

Discussion ensued.

Dr. Couch stated that she would like the Board to consider an action item on proposed amendments to Rules for Air Quality, Chapter 391-3-1, relating to New Source Review.

A motion was made by Mr. Wheeler, seconded by Mrs. Jenkins, and carried unanimously that the Board adopt the resolution regarding the proposed amendments to Rules for Air Quality Control, Chapter 391-3-1, relating to New Source Review. (Resolution attached hereto and made a part hereof)

Chairman Hudson called on Bob Rutland, Acting Chairman of the Coastal Committee, in the absence of Chairman Phyllis Johnson.

A motion was made by Mr. Rutland, seconded by Mrs. Bradley, and carried unanimously that the Board adopt the resolution to direct the Department of Natural Resources to convene a citizens' study group to develop recommendations and undertake Rulemaking for Coastal Marshlands Protection. (Resolution attached hereto and made a part hereof)

Chairman Hudson called on Earl Barrs, Acting Chairman of the Land Acquisition Committee, in the absence of Chairman Bill Carruth.

A motion was made by Mr. Barrs, seconded by Mr. Cox, and carried unanimously that the Board adopt the resolution to authorize the Commissioner to seek State Properties Commission approval for the acquisition (purchase) of 9.8± acres of real property, Dawson Forest Wildlife Management Area, Phillips, et al Tract, Dawson County. (Resolution attached hereto and made a part hereof)

A motion was made by Mr. Barrs, seconded by Mr. Budd, and carried unanimously that the Board adopt the resolution to authorize the Commissioner to execute the assent agreement requested by the Georgia Department of Transportation for temporary highway encroachment on U.S. 280 at the entrance to Gordonia-Alatamaha State Park, 0.201 of an acre, Tattnall County. (Resolution attached hereto and made a part hereof)

Chairman Hudson called on Steve Friedman, Chief of Real Estate, who called attention to a handout, announcing a dedication planned to commemorate the establishment of the 3,597-acre Flat Tub Wildlife Management Area in Georgia's Coffee and Jeff Davis Counties. He stated that the event would take place on Wednesday, April 19, at 10:30 a.m. and encouraged the Board to attend. He further stated that this was an opportunity to see the area and thank the Federal partners who provided much of the funding.

Commissioner Holcomb stated that the Nature Conservancy had made an announcement this week that the International Paper Company was ready to make available about 25,000 acres in Townsend County, an area that had been a military bombing range. He further stated that DNR Real Estate Unit and The Nature Conservancy would be working together to acquire some of the land.

Chairman Hudson called on Susan Varlomoff from the University of Georgia College of Agricultural and Environmental Sciences (CAES) who handed out the college's *2006 Environmental Report*, highlighting some of the largest environmental issues in the state. Ms. Varlomoff stated that UGA engineers were looking at ways to change biomass waste into refined, renewal fuels for Georgia's vehicles. She further stated that using its biorefinery, CAES was in the process of producing ethanol from by-product flour for its fleet cars, and biodiesel from peanut oil for its trucks and buses.

There being no further business, the meeting was adjourned.

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Walter A. Hudson, Chairman

ATTEST:

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Cader B. Cox, III, Secretary