

Minutes
Board of Natural Resources
Amicalola Falls Lodge
Oak Hall Ballroom
418 Amicalola Falls Lodge Road
Dawsonville, GA 30534

May 24, 2016

Attending:

Board Members

William Bagwell, Chairman
Aaron McWhorter, Vice Chairman
Bodine Sinyard, Secretary
Nancy Addison
Dwight Davis
Dwight Evans
Bill Jones
Ray Lambert, Jr.
Rob Leebern (via conference call)
Mark Mobley (via conference call)
Mike Phelps
Matt Sawhill
Brother Stewart
Philip Wilheit
Dee Yancey

Guests

Bryan Tolar, Georgia Agribusiness Council
Doug Fulle, Oglethorpe Power Corporation
Tommy Suter, Novartis
Catherine Fleming, Georgia Municipal Association

Staff Members

Mark Williams
Walter Rabon
Kyle Pearson
Wes Robinson
Terry West
Cathy Barnette
Taylor Brown
Melanie Johnson
Dave Crass
Dan Forster
Becky Kelley
Steve Friedman
Eddie Henderson
Cpl. Anne Britt
Cpl. Brian Hobbins
Spud Woodward
John Bowers
John Martin
Jud Turner
Mary Walker
Chuck Mueller
Doralyn Kirkland
Jac Capp
Jeff Cown
Bill Donohue
John Erbele

Minutes – Board of Natural Resources

May 24, 2016

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The May 24, 2016 meeting of the Board of Natural Resources was called to order by Board Chairman William Bagwell.

Chairman Bagwell called on Lori Vansickle, Director of Sales and Marketing at Amicalola Falls State Park, to welcome the Board.

Chairman Bagwell called on Colonel Eddie Henderson to introduce the Employee Focus speaker. Colonel Henderson thanked the Chairman and introduced Corporal Anne Britt.

Chairman Bagwell thanked Corporal Britt.

Chairman Bagwell adjourned the Board Meeting to move into Committee meetings.

Chairman Bagwell called the meeting of the Board of Natural Resources to order.

Chairman Bagwell called for a motion to approve the minutes of the April Board meeting.

A motion was made by Mr. Sinyard, seconded by Mr. Stewart to approve the minutes of the March Board meeting. (Minutes attached hereto and made a part thereof)

Chairman Bagwell called on Jud Turner, Director of the Environmental Protection Division, for his report.

Director Turner called on Mary Walker, Assistant Director of the Environmental Protection Division, who updated the Board on a health advisory promulgated by the EPA about Perfluorochemicals (PFCs).

Discussion ensued about PFCs.

Director Turner updated the Board on the Water Resources Development Act in the United States Congress; the export reports filed by Georgia on Friday May 20; and thanked the Board members, EPD staff, and DNR staff for their support during his tenure with EPD.

Chairman Bagwell thanked Director Turner for his commitment to the State of Georgia.

Chairman Bagwell called on Mark Williams, Commissioner of the Department of Natural Resources, for his report.

Commissioner Williams thanked Director Turner for his service and introduced the new Director of Public and Governmental Affairs, Wes Robinson. Commissioner Williams updated the Board on the Governor's Budget Signing on May 2 at Altama Planation Wildlife Management Area, and the recipient of the 2016 Rocky Wainwright Award, Corporal Brian Hobbins.

Commissioner Williams called on Dan Forster, Director of the Wildlife Resources Division, for his report.

Director Forster updated the Board on hunting, shooting, and fishing participation in Georgia and announced his upcoming retirement.

Commissioner Williams thanked Dan for his thirty years of service to the Department.

Commissioner Williams called on Spud Woodward, Director of the Coastal Resources Division, for his report.

Director Woodward updated the Board on the 2015 Coastal Ecosystem Report Card; the opening of shrimp season; the moratorium on harvest for red snapper in the South Atlantic; and thanked the CRD staff for help with the recent Leadership Georgia meeting in Brunswick.

Commissioner Williams called on Colonel Eddie Henderson, Director of the Law Enforcement Division, for his report.

Colonel Henderson updated the Board on the Turkey Team Up with the National Wild Turkey Foundation; the Stone Mountain Park protests; the boating season kick-off fly-around; the application period for hiring new rangers has opened; and the Memorial run on May 4 for 8 fallen DNR Conservation Rangers.

Commissioner Williams called on Dave Crass, Director of the Historic Preservation Division, for his report.

Director Crass updated the Board on a valuable meeting with the Center for Civic Innovation; the second phase of IT infrastructure redevelopment; the Ossabaw Island Cane Patch Area thesis being published; and the upcoming second session of the DNR Leadership Academy.

Commissioner Williams called on Becky Kelley, Director of the Parks, Recreation, and Historic Sites Division, for her update.

Director Kelley updated the Board on the CBS State Parks showcase; an advertisement in Georgia Trends magazine; the rise in bird watching; a partnership with AmeriCorps; and reservation numbers.

Chairman Bagwell called on Mr. Lambert for the Environmental Protection Committee report.

A motion was made by Mr. Lambert, seconded by Mr. Stewart and carried unanimously that the Board adopt the Resolution to approve the proposed amendments to Rules for Hazardous Waste Management, Chapter 391-3-11. (Proposed Amendments attached hereto and made a part thereof)

Chairman Bagwell called on Mr. McWhorter for the Wildlife Resources Committee report.

A motion was made by Mr. McWhorter, seconded by Mr. Evans and carried unanimously that the Board adopt the Resolution to approve the proposed amendments to Hunting Regulations for WMAs and Other State Lands, Chapter 391-4-2-.70. (Proposed Amendments attached hereto and made a part thereof)

A motion was made by Mr. McWhorter, seconded by Mr. Yancey and carried unanimously that the Board adopt the Resolution to approve the proposed amendments to Waterfowl and Late Season Migratory Bird Regulations, Chapters 391-4-2-.40 through 391-4-2-.56. (Proposed Amendments attached hereto and made a part thereof)

Chairman Bagwell called on Mr. Davis for the Land Committee report.

A motion was made by Mr. Davis, seconded by Mr. Sinyard and carried unanimously that the Board adopt the Resolution to authorize the Commissioner to seek State Properties Commission approval to acquire 117± acres from the Georgia Department of Transportation, Panola Mountain State Park, Rockdale and DeKalb Counties. (Resolution attached hereto and made a part thereof)

Mr. Davis stated that Mr. Phelps would recuse himself from this vote.

A motion was made by Mr. Davis, seconded by Mr. Jones and carried unanimously that the Board adopt the Resolution to authorize the Commissioner to seek State Properties Commission approval to amend the Intergovernmental Agreement with Gwinnett County due to a land exchange of 3.696±, Chattahoochee River-Gwinnett River Care. (Resolution attached hereto and made a part thereof)

Chairman Bagwell stated that the next Employee Focus for the June Board meeting would come from the EPD Land Protection Branch. He further stated that the North Georgia Mountains Authority would meet immediately following the Board meeting. He added that the next Board meeting is Tuesday and Wednesday, June 28 and 29, 2016, in the DNR Boardroom.

There being no further business, the meeting was adjourned.

William Bagwell, Jr., Chairman

ATTEST:

Jeff Bodine Sinyard, Secretary

Minutes
Environmental Protection Committee
Amicalola Falls Lodge
Oak Hall Ballroom
418 Amicalola Falls Lodge Road
Dawsonville, GA 30534

May 24, 2016

Attending:

Committee Members

Ray Lambert, Chairman
Dwight Evans, Vice Chairman
Dwight Davis
Rob Leebern (via conference call)
Aaron McWhorter
Mike Phelps
Brother Stewart
William Bagwell, Board Chair, ex-officio

Board Members

Nancy Addison
Bill Jones
Mark Mobley (via conference call)
Matt Sawhill
Bodine Sinyard
Philip Wilheit
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The May 24, 2016 meeting of the Environmental Protection Committee was called to order by Chairman William Bagwell.

Chairman Bagwell called on Ray Lambert, Chairman of the Environmental Protection Committee.

Mr. Lambert stated that there would be an action item and two briefings. He called on Jeff Cown, Chief of the Land Protection Branch of the Environmental Protection Division, to present the proposed amendments to Rules for Hazardous Waste Management, Chapter 391-3-11.

Mr. Cown stated that in order for the Environmental Protection Division (EPD) to retain primacy of our Hazardous Waste Programs, periodic updates of Chapter 391-3-11 are necessary to reflect new hazardous waste regulations published by the Environmental Protection Agency (EPA). He further stated that the proposed amendments today would incorporate by reference regulations promulgated by EPA in December of 2008 and July of 2015. He further stated that these amendments revise several recycling-related provisions within the rules to ensure that hazardous secondary material recycling is encouraged in a way that does not result in an increased risk to human health and the environment.

Mr. Cown stated that the Board was briefed in February and that a public hearing/public comment period took place from March through April. He further stated that they received one comment that was in support of the rule. He added that today he comes before you with this action item to adopt these proposed amendments and asks for your favorable consideration

Mr. Lambert called for a roll call vote. The following Board members indicated they were present for the vote: Mr. Dwight Evans, Mr. Dwight Davis, Mr. Mike Phelps, Mr. Aaron McWhorter, and Mr. Brother Stewart.

Mr. Lambert called for a motion.

A motion was made by Mr. Evans, seconded by Mr. Davis and carried unanimously that the Committee recommend that the Board adopt the Resolution to approve the proposed amendments to Rules for Hazardous Waste Management, Chapter 391-3-11, as presented.

Mr. Lambert called on Jeff Cown, Chief of the Land Protection Branch of the Environmental Protection Division, to brief the Board on the proposed amendments to Rules for Solid Waste Management, Chapter 391-3-4.

Mr. Cown stated that under existing rules, the options are limited in rural counties for disposal of leaf, limb, and other debris accumulated from roadway maintenance. He further stated that in order to address this hardship, EPD is proposing two changes in the solid waste rules; one would be a revision to the recovered materials portion of the rule to allow for more flexibility when storing materials that will be recycled or reused and the other would be the addition of a new category of landfill. He added that the definition of yard trimmings is defined as leaves, brush, grass clippings, shrub and tree prunings,

discarded Christmas trees, nursery and greenhouse vegetative residuals, and vegetative matter resulting from landscaping development and maintenance other than mining, agricultural, and silvicultural operations.

Mr. Cown stated that this is hard for local governments to deal with. He further stated that EPD is first proposing to revise the “recovered materials” section to allow for a longer period in which materials may be stored to accommodate the efficient reuse of such materials. He added that they are also proposing to add a new category of landfill called “Yard Trimmings Waste Landfill Operations” to the Permit by Rule section to allow for disposal of yard trimmings in landfills with disposal areas of five acres or less located in counties with a population of less than 65,000.

Mr. Cown stated the rulemaking timeline includes the Board briefing today, a public hearing and comment period in June, and that he would be returning to the Board to request adoption of rule revisions in August.

Mr. Lambert called on Jac Capp, Chief of the Air Protection Branch of the Environmental Protection Division, to re-brief the Board on the proposed amendments to rules for Dam Safety, Chapter 391-3-8.

Mr. Capp stated that under the Safe Dams statute in Georgia to be considered a dam it has to be either 25 feet tall or impound at least 100 acre-feet. He further stated that there are a couple of exemptions to that; if the dam is owned and operated by the federal government, it is not regulated under our state statute and if the structure stores less than 15 acre-feet regardless of how high it is or if it is less than 6 feet tall regardless of how much it stores, it is not considered a dam. He added that dams are used for a variety of purposes: drinking water, recreation, flood control, irrigation, power generation, and waste containment.

Mr. Capp stated that our state breaks down the dams into two categories. He further stated that Category 1 dams, which means that if this dam were to catastrophically fail, there would be a probable loss of life. He added that Category 2 dams are ones where there is no probable loss of life.

Mr. Capp stated that the statute defines how you measure a dam. He further stated that essentially it is from the top of maximum water storage down to the natural stream bed. He added that the EPD staff uses this definition to measure and survey dams.

Mr. Capp stated that what they are trying to do in the program right now is promptly identifying potential Category 1 dams and categorizing them appropriately. He further stated that they are working to ensure all Category 1 dams are permitted, routinely inspected, and that they all have Emergency Action Plans. He added that in addition to the rulemaking he is speaking of, EPD has been doing a lot of increased outreach, and that the legislature increased the staff for these initiatives.

Mr. Capp stated that the proposal he is briefing the board on is an amendment to the inspection section of the rule. He further stated that currently the rule states that the dam owner is required to do routine maintenance and inspections. He added that they have received variable and sporadic compliance with this regulation so they are proposing a more definitive schedule for inspections.

Mr. Capp stated that the schedule would require all Category 1 dams to complete a quarterly inspection form. He further stated that every two years, all Category 1 dams must have an inspection performed by an engineer. He added that Category 1 dams less than 50 feet may be extended to every four years if compliance history is good.

Mr. Capp stated that the next proposed change is in regards to Emergency Action Plans (EAPs). He further stated that dams classified as Category 1 on or after October 1, 2016 will be required to complete EAPs as part of the application for a safe dams permit. He added that dams classified as Category 1 before October 1, 2016 will have to submit their EAP by July 1, 2017.

Mr. Capp stated that the amendments will seek to clarify that a governmental entity that has an easement from a land owner for a dam is the dam owner or operator. He further stated that the land owner is not responsible for operating, maintaining, and/or inspecting the dam in such situations.

Mr. Capp stated that the proposed schedule includes the briefing today, public notice period in June with a public hearing in July. He further stated that he would return to the Board for action at the August meeting.

Discussion ensued concerning the categorization of dams in addition to the details of the required inspections.

Mr. Lambert thanked Director Jud Turner and Assistant Director Mary Walker for their service to the state of Georgia.

There being no further business, the meeting was adjourned.

Minutes
Technology Committee
Amicalola Falls Lodge
Oak Hall Ballroom
418 Amicalola Falls Lodge Road
Dawsonville, GA 30534

May 24, 2016

Attending:

Committee Members

Dee Yancey, Chairman
Philip Wilheit, Vice Chairman
Rob Leebern (via conference call)
Aaron McWhorter
Matt Sawhill
William Bagwell, Board Chair, ex-officio

Board Members

Nancy Addison
Dwight Davis
Dwight Evans
Bill Jones
Ray Lambert, Jr.
Mark Mobley (via conference call)
Mike Phelps
Bodine Sinyard
Brother Stewart

Guests

Bryan Tolar, Georgia Agribusiness Council
Doug Fulle, Oglethorpe Power Corporation
Tommy Suter, Novartis
Catherine Fleming, Georgia Municipal Association

Staff Members

Mark Williams
Walter Rabon
Kyle Pearson
Wes Robinson
Terry West
Cathy Barnette
Taylor Brown
Melanie Johnson
Dave Crass
Dan Forster
Becky Kelley
Steve Friedman
Eddie Henderson
Cpl. Anne Britt
Cpl. Brian Hobbins
Spud Woodward
John Bowers
John Martin
Jud Turner
Mary Walker
Chuck Mueller
Doralyn Kirkland
Jac Capp
Jeff Cown
Bill Donohue
John Erbele

The May 24, 2016 meeting of the Technology Committee was called to order by Chairman William Bagwell.

Chairman Bagwell called on Dee Yancey, Chair of Technology Committee. Chairman Yancey called on John Martin, Chief Information Officer, who gave a presentation on updates in DNR Information Technology.

There being no further business, the meeting was adjourned.

Minutes
Wildlife Resources Committee
Amicalola Falls Lodge
Oak Hall Ballroom
418 Amicalola Falls Lodge Road
Dawsonville, GA 30534

May 24, 2016

Attending:

Committee Members

Aaron McWhorter, Chairman
Brother Stewart, Vice Chairman
Dwight Davis
Dwight Evans
Mark Mobley (via conference call)
Mike Phelps
Philp Wilheit
Dee Yancey
William Bagwell, Board Chair, ex-officio

Board Members

Nancy Addison
Bill Jones
Ray Lambert, Jr.
Rob Leebern (via conference call)
Matt Sawhill
Bodine Sinyard

Guests

Bryan Tolar, Georgia Agribusiness Council
Doug Fulle, Oglethorpe Power Corporation
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Jac Capp
Jeff Cown
Bill Donohue

The May 24, 2016 meeting of the Wildlife Resources Committee was called to order by Chairman William Bagwell.

Chairman Bagwell called on Aaron McWhorter, Chair of the Wildlife Resources Committee.

Mr. McWhorter called on John Bowers, Chief of Game Management of the Wildlife Resources Division, to present the proposed amendments to Hunting Regulations for Wildlife Management Areas (WMAs) and Other State Lands and Waterfowl and Late Season Migratory Bird Regulations.

John Bowers stated that he would be briefing the Board on two items located in Tab D of the Board package. He further stated that Item A is the proposed amendments to Hunting Regulations for WMAs and Other State Lands to establish hunting opportunities on the Buck Shoals Wildlife Management Area. He added that this area is about 550 acres of property that is located in White County.

Mr. Bowers stated that the small size of this area makes it ideal to focus on hunter recruitment and retention efforts. He further stated that it provides adult/child hunts and hunt-and-learn opportunities. He added that a public hearing was held in April and the comments received were favorable.

Mr. Bowers asked for the Board's favorable consideration of the proposed amendments.

A motion was made by Mr. Evans, seconded by Mr. Davis and carried unanimously that the Committee recommend that the Board adopt the Resolution to approve the proposed amendments to Hunting Regulations for WMAs and Other State Lands, Chapter 391-4-2-.70, as presented.

Mr. Bowers stated that Item B is the proposed amendments to Waterfowl and Late Season Migratory Bird Regulations. He further stated that the proposals establish hunting seasons and regulations for federally regulated migratory birds for the 2016-2017 season. He added that in summary the proposals provide a 60 day season, a 6 duck bag limit, within the federal frameworks offered by the US Fish and Wildlife Service.

Mr. Bowers asked for the Board's favorable consideration of the proposed amendments.

A motion was made by Mr. Stewart, seconded by Mr. Evans and carried unanimously that the Committee recommend that the Board adopt the Resolution to approve the proposed amendments to Hunting Regulations for Waterfowl and Late Season Migratory Bird Regulations, Chapter 391-4-2-.40 through 391-4-2-.56, as presented.

There being no further business, the meeting was adjourned.

Minutes
Land Committee
Amicalola Falls Lodge
Oak Hall Ballroom
418 Amicalola Falls Lodge Road
Dawsonville, GA 30534

May 24, 2016

Attending:

Committee Members

Dwight Davis, Vice Chairman
Dwight Evans
Bill Jones
Ray Lambert, Jr.
Rob Leebern (via conference call)
Mark Mobley (via conference call)
Mike Phelps
William Bagwell, Board Chair, ex-officio

Board Members

Nancy Addison
Aaron McWhorter
Matt Sawhill
Bodine Sinyard
Brother Stewart
Philip Wilheit
Dee Yancey

Guests

Bryan Tolar, Georgia Agribusiness Council
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Jac Capp
Jeff Cown
Bill Donohue
John Erbele

The May 24, 2016 meeting of the Land Committee was called to order by William Bagwell, Chairman of the Board of Natural Resources.

Chairman Bagwell called on Dwight Davis, Vice Chairman of the Land Committee, who called on Steve Friedman, Chief of Real Estate.

Mr. Friedman stated that Item A is the acquisition of 117± acres in Rockdale and DeKalb Counties from the Georgia Department of Transportation (GDOT) as part of Panola Mountain State Park. He further stated that we have managed these lands under a memorandum of agreement (MOA) since 2008. He added that there are two lakes on this property; one on DNR property and one on GDOT property.

Mr. Friedman stated that since GDOT has decided not to pursue the stream mitigation plan, they have agreed to quit claim the property to DNR if DNR will provide the funding to repair both the dam on our property and the dam on GDOT property. He further stated that we do have bond money to repair both dams.

Mr. Friedman stated he would request the Committee recommend that the Board approve the item as presented.

Mr. Sinyard asked for the value of the property and the cost to repair the dams.

Mr. Friedman stated that we did not do an appraisal for the property. He further stated that the cost to repair the dams is unknown because the project has not gone out to bid.

A motion was made by Mr. Phelps, seconded by Mr. Lambert and carried unanimously that the Committee recommend that the Board adopt the Resolution to authorize the Commissioner to seek State Properties Commission approval to acquire 117± acres from the Georgia Department of Transportation, Panola Mountain State Park, Rockdale and DeKalb Counties, as presented.

Mr. Davis stated that Mr. Phelps would recuse himself from the next action item.

Mr. Friedman stated that the next item is seeking approval to amend an Intergovernmental Agreement (IGA) with Gwinnett County. Mr. Friedman further stated that this is tied to an item the Board saw in January of this year to exchange 3.696± acres of state land for the same amount of acres that would come from the Bowen family. He added that each tract is valued at \$300,000, but the tract coming to the DNR is considered more valuable because it will provide more protection for the Chattahoochee River, which is why the property was acquired to begin with.

Mr. Friedman stated that the tract that we are exchanging is part of a 51± acre tract acquired in 2001. He further stated that in 2003, we entered into a 50 year IGA with Gwinnett County to manage all of the land and to make it available for public recreation. He added that in April of 2016, Gwinnett County agreed to amend the IGA to reflect the acreage exchange.

Mr. Friedman stated he would request the Committee recommend that the Board approve the item as presented.

A motion was made by Mr. Jones, seconded by Mr. Lambert and carried unanimously that the Committee recommend that the Board adopt the Resolution to authorize the Commissioner to seek State Properties Commission approval to amend the Intergovernmental Agreement with Gwinnett County due to a land exchange, Chattahoochee River-Gwinnett River Care, 3.696± acres, as presented

There being no further business, the meeting was adjourned.