

**Board of Natural Resources  
Minutes**

2 Martin Luther King, Jr. Drive  
Suite 1252 East Tower, S. E.  
Atlanta, GA 30334

**April 29, 2009**

**Attending:**

Board Members

Bill Carruth, Chairman  
Earl Barrs  
Gene Bishop  
Warren Budd  
Joe Hatfield  
Walter Hudson  
Phyllis Johnson  
Ray Lambert  
Bob Rutland  
Loyce Turner  
Jim Tysinger  
Jim Walters  
Tom Wheeler

Visitors

Andrew Schock, The Conservation Fund  
Ronny Just, Georgia Power  
Aaron Mitchell, Georgia Power  
Shana Udvardy, Georgia Conservancy  
Bettie Sleeth, Home Builders Association of Georgia  
Abit Massey, Georgia Poultry Federation

Staff Members

Chris Clark  
Carol Couch  
Susan Shipman  
Becky Kelley  
Dan Forster  
Marlin Gottschalk  
Ray Luce  
Becky Kelley  
Steve Friedman  
Jim Ussey  
Doralyn Kirkland  
David Crass  
Jeff Weaver  
Curtis Wright  
Terry West  
Lauren Curry  
Linda MacGregor  
Jennifer Kaduck  
James Capp  
Homer Bryson  
Connie Buck  
Sherry Crew-Jay  
Stephen Adams  
Spud Woodward  
Emily Hitchcock  
Mary Ann Evans  
Hellen Harris

The April 29, 2009 meeting of the Board of Natural Resources was called to order by Chairman Bill Carruth. Chairman Carruth called for a motion to approve the March 2009 meeting.

A motion was made by Mr. Walters, seconded by Mrs. Johnson and carried unanimously that the Board approve the minutes of the March 2009 meeting.

Chairman Carruth called on Chris Clark, Commissioner of the Department of Natural Resources for staff recognitions. Commissioner Clark presented Mary Ann Evans with a 30-year Faithful Service Award for her years of service to the State of Georgia.

Commissioner Clark asked Becky Kelley, Director of Parks, Recreation and Historic Sites Division (PRHSD) to come forward for presentation of the SCORP Excellence Award, which had been awarded to her by the National Park Service the day before. Director Kelley stated that this was the first ever award of this kind for park planning and is setting the standards for other states. She stated that a letter from the National Park Service would be sent to the Governor recognizing the leadership of the Department.

Chairman Carruth read a Resolution recognizing and commending Corporal Curtis Wright for 27 years of dedicated law enforcement service to the citizens of Georgia. He stated that on November 27, 2008, while alone on foot patrol in Chatham County responding to a complaint from a citizen of illegal hunting activity, Corporal Wright was shot with a high-powered rifle by a trespasser hunting in the area. He further stated that Corporal Wright used his years of training and experience to remain calm and assist with his own rescue. Chairman Carruth called for a vote to adopt the Resolution.

A motion was made by Mr. Budd, seconded by Mrs. Johnson and carried unanimously that the board adopt the Resolution recognizing and commending Corporal Curtis Wright for 27 years of dedicated law enforcement service to the citizens of Georgia. (Resolution attached hereto and made a part hereof)

Corporal Wright thanked the board for this prestigious award and shared insights into his life and career with DNR.

Chairman Carruth called on Commissioner Clark for his Commissioner's Report. Commissioner Clark called on Spud Woodward, Coastal Resources Division (CRD) Assistant Division Director of Marine Fisheries Section, for a briefing on their volunteer and partner-based projects.

Mr. Woodward stated that partnerships are important because they leverage human and fiscal resources, deliver more ideas, have a shared vision and a level of

accountability. He further stated that the Official Code of Georgia 27-1-3(c) 2 states, "The Department has the authority and responsibility to work with cooperating sportsmen, conservation groups, and others to encourage participation in hunting and fishing at a level to ensure continuation of such activities in perpetuity."

Mr. Woodward stated that partnerships began in 1970s with Liberty ship deployments to create artificial reefs. He further stated that activity increased in the 1980s as saltwater anglers organized into clubs. He added that in the 1990s the REEF-EX project converted surplus military vehicles into fish habitat. He further added that in 2000, the old Sidney Lanier Bridge was placed on the seafloor instead of a landfill through a partnership with the Georgia Department of Transportation (GDOT).

Mr. Woodward gave a brief background of the deployment of surplus subway cars from New York to be used as artificial reefs, and stated that the Department will be in receipt of more subway cars in the near future.

Mr. Woodward gave a brief description of the Marine Sport Fish Carcass Recovery Project, which is supported by the Southern Company Foundation. He stated that this project allows CRD to acquire samples of fish from the entire coast. He further stated that over 28,000 fish carcasses have been donated over the life of the project.

Mr. Woodward gave a brief description of the partners who help to make Jekyll Island a premier saltwater fishing destination in coastal Georgia. He stated that several thousand hatchery-reared redfish have been tagged and released in the Jekyll area. He further stated that renovation of the boat ramp at Jekyll had been completed in 2008, which improved access to the park. He added that installation of a third fishing pier is underway and is funded from Federal Aid in Sport Fish Restoration.

Mr. Woodward stated that CRD is working with the University System of Georgia, the Jekyll Island Authority and 4-H Clubs to establish the feasibility of renovating the Tidelands Nature Center for a multi-use facility for research and education.

Mr. Woodward briefed the board on the Tripletail Research Project, which studies the habits of Tripletail fish. He stated that without partnerships, CRD would be unable to accomplish many of the activities in which they are involved. (Mr. Woodward's PowerPoint attached hereto and made a part hereof)

Commissioner Clark called on Emily Hitchcock, Executive Counsel, for a briefing on proposed changes to copying charges related to the Open Records Act.

Mrs. Hitchcock gave a brief background on the issue, stating that in 2001, at the Board's request, Commissioner Lonice Barrett convened a Public Involvement Task Force to identify activity areas that would particularly benefit from improved public participation and to develop recommendations for specific steps to improve public participation in DNR's decisions regarding Georgia's natural resources.

Mrs. Hitchcock stated that the report of the task force was submitted to the Board in 2003 for action. She further stated that a number of the task force's priority recommendations adopted by the Board related to improved public access to documents, including providing free copies of proposed action notices, providing up to 25 pages free and reducing subsequent copying costs from .25 cents to .10 cents per page of other documents.

Mrs. Hitchcock stated that under the Open Records Act, the statutory maximum that a state agency can charge for copying public documents is .25 cents per page. She further stated that today, DNR makes many documents available through its website and remains committed to making even more documents readily available through the Internet.

Mrs. Hitchcock stated that because the recommendations related to copying charges were adopted by Resolution of the Board, it will require Board action, after public comment, to change the copying costs. She further stated that due to current budget reductions, the Department plans to come back to the Board with two recommendations: First, that the amount charged for copying costs will be increased, and second, that the Department be instructed to periodically review its procedures related to copying costs and make appropriate adjustments to ensure that public access to documents is not impeded due to the copying charges.

Mrs. Hitchcock stated that the proposed changes would be presented to the Board for action in either May or June.

Commissioner Clark updated the board on the current budget situation. He stated that DNR's cut for FY-09 was 22 percent. He further stated that the cut for FY-10 was 24 percent, on top of reduced revenues in all sections.

Commissioner Clark stated that there were several new cuts that he would discuss. He further stated that DNR's Administration budget had been cut \$382,000 in FY-09 and \$500,000 in FY-10. He added that CRD received an additional cut of \$7,305 for maintenance and repair of their reef buoy program.

Commissioner Clark stated that HPD's Archaeology Program had been cut by \$179,195 for FY-10. He further stated that the cut was not as significant as first proposed and thanked Board members for their help in lobbying legislators for this important program.

Commissioner Clark stated that the largest cuts were in the Parks, Recreation and Historic Sites Division (PRHSD) budget. He further stated that reduced state funds for maintenance and repair for FY-10 totaled \$3 million. He added, however, that the Legislature did pass a \$5 million bond, which actually gives more funds for this purpose.

Commissioner Clark stated that funds had been cut for the operation of eight swimming pools, which will not allow them to open this year. He added that PRHSD will open the other three pools.

Commissioner Clark stated that the most difficult area was the reduction of funds for operation of over \$4 million in FY-10. He added that these cuts are very serious and will alter how DNR operates facilities and how business is done on a day-to-day basis.

Commissioner Clark stated that most of the funds had been returned to the Wildlife Management Area (WMA) lease program, but some areas may not continue to be operated by DNR. He further stated that some funds had been returned for the management of flathead catfish, and thanked the Board for their help in this regard. He added that he would continue to update the Board on the budget situation when information becomes available.

Commissioner Clark stated that he has fully implemented the transition in DNR and showed the new organizational chart for the department. He further stated that our vision is to raise awareness, increase appreciation and participation, and create a culture of conservation and stewardship in Georgia. He added that it is going to be difficult to achieve these goals during the severe budget cuts, but feels DNR will come out stronger in the long run.

Commissioner Clark updated the board on the passage of SB 85, stating that this legislation combines under one Authority the five state agencies who have aviation programs. Those agencies are as follows: State Patrol, DNR, Forestry Commission, Department of Transportation and Board of Regents. He further stated that the POST certified employees of DNR, which are our three pilots, will remain DNR employees, and the mechanics will become employees of the Aviation Authority.

Commissioner Clark stated that he will serve on the Board of Directors for the Aviation Authority, along with the Commissioners of the other agencies and a couple of private sector individuals. He further stated that the Aviation Authority will give all state agencies access to more resources and be very beneficial in the long run.

Commissioner Clark updated the Board on the new tracking documents that will replace the current Monthly Expenditure Reports that have been included in the Board package. He stated that the first tracking document would be a simple Profit and Loss statement, and the other would be a Capital Projects List, that will show where bond monies and appropriated dollars are being spent. He added that this list will illustrate all projects and track them from the bid process until the project is complete.

Commissioner Clark stated that he will begin a Commissioner's Roundtable to get out and listen to staff as well as different constituent groups each month. He further stated that he would like to involve the Board in the constituent groups and asked for the Board's input. He added that the Diversity Task Force would begin in July to

consider diversity within the agency as well as programs we operate to be sure we have the correct mix for the demographics of the state.

Commissioner Clark stated that the Law Enforcement Communications and Technology Task Force had been implemented to consider communications within the law enforcement area. He further stated that Colonel Terry West is heading up that task force.

Commissioner Clark stated that Lauren Curry, Public and Governmental Affairs Director has been tasked with completing a Legislative Management Plan, which will include managing relationships with legislators, how to leverage the Board's relationships with legislators, and how to do a better job of communicating with the General Assembly. He further stated that he would be asking for the Board's input and feedback.

Commissioner Clark stated that a questionnaire would be sent to Board members with questions concerning the flow and type of information that they would like to receive. He further stated that he would like for Board members to speak with him or Mary Ann about their ideas on this subject.

Commissioner Clark introduced the new DNR Logo to the Board and called on Carol Couch, Director of Environmental Protection Division (EPD) to give an update on their budget.

Dr. Couch stated that there was a reduction on travel expenses for the EPD budget in the amount of \$400,000. She further stated that her staff would consider implementing a plan to use Federal dollars for travel expenses, but travel would be based on highest priority trips. She added that inspections, complaints, enforcement and traveling to sites for normal permitting would be affected.

Dr. Couch stated that she would like to brief the Board on the report that had been released last week entitled, "The State of Georgia's Environment." She further stated that EPD protects and restores Georgia's environment and takes the lead in ensuring clean air, water and land. She added that working with partners, EPD pursues a sustainable environment that provides a foundation for a vibrant economy and healthy communities.

Dr. Couch stated EPD works to administer 26 State and four Federal laws. She further stated that the primary objectives for environmental management are to protect human health, sustain healthy ecosystems and ensure resources to support a growing economy.

Dr. Couch showed a chart indicating the populating growth in Georgia from 1990, which was approximately 2 million to the current population of approximately 10.2 million. She stated that the rate of population growth is tremendous, and as a result,

focus on appropriate environmental protection and development and application of environmental programs and regulations is of great importance.

Dr. Couch stated that one of the challenges that this report highlights is the extent to which we need to take in hand how Georgia's landscape is being transformed and preserved. She showed a snapshot of the current land cover data in Georgia that indicates where high and low density urban development exists. She added that urban development is taking place throughout the state of Georgia as a part of a healthy and robust economy. She further added that the choices that are made locally and how parcels are developed do have consequential impact on water quality.

Dr. Couch stated that with the removal of lead from gasoline a dramatic change had been observed in lead air concentration. She further stated that the standard has been lowered, but there is still a need for monitoring, especially in industrial locations.

Dr. Couch briefed the board on the ozone levels and displayed charts showing standards in several areas throughout the state from 1991 to 2007. She also displayed a chart showing the sources of nitrogen oxides from stationary and mobile sources from 1990 to 2005.

Dr. Couch displayed a map of Georgia showing percent of impervious surface cover in small watersheds in 1992 and 2005, stating that impervious surface is the most consequential factor to focus on as it is determined where to add homes, businesses and other structures necessary to support another 10 million Georgians in the next 30 years.

Dr. Couch displayed a map of Georgia showing watersheds with limits on additional wastewater discharges. She invited Board members to give her comments on the report and thanked individual contributors to the report.

Discussion ensued.

Chairman Carruth called on Walter Hudson, Chairman of the Environmental Protection Committee.

A motion was made by Mr. Hudson, seconded by Mr. Walters and carried unanimously that the Board adopt the Resolution to approve the proposed amendments to the Rules for Safe Drinking Water, Chapter 391-3-5, pertaining to Federal requirements. (Resolution attached hereto and made a part hereof)

A motion was made by Mrs. Johnson, seconded by Mr. Walters and carried unanimously that the Board adopt the Resolution to approve the Proposed FY-09 Spending Plan for the Solid Waste Trust Fund. (Resolution attached hereto and made a part hereof)

Chairman Carruth called on Loyce Turner, Chairman of the Parks, Recreation and Historic Sites Committee.

A motion was made by Dr. Turner, seconded by Mr. Bishop and carried unanimously that the Board approve the proposed amendments to the ParkPass Rule, Chapter 391-5-1-.03. (ParkPass Rule Change attached hereto and made a part hereof.)

Chairman Carruth called on Warren Budd, Chairman of the Land Acquisition Committee.

A motion was made by Mr. Budd, seconded by Dr. Turner and carried unanimously that the Board adopt the Resolution to authorize the Commissioner to seek State Properties Commission approval for the acquisition (purchase) of 1,767± acres of real property, Lake Seminole Wildlife Management Area, International Paper Company, Inc., (Silver Lake Tract Phase III) via The Conservation Fund, Decatur County. (Resolution attached hereto and made a part hereof)

A motion was made by Mr. Budd, seconded by Mr. Walters and carried unanimously that the Board adopt the Resolution to authorize the Commissioner to seek State Properties Commission approval to enter into a twenty-five (25) year Sublease Agreement with Clay County for 21.29± acres of real property at the Lake Walter F. George Boating and Fishing Facility, Pataula Creek Park, Go Fish Georgia Program, Clay County. (Resolution attached hereto and made a part hereof)

A motion was made by Mr. Budd, seconded by Mr. Hatfield and carried unanimously that the Board approve the proposed amendments to the Rules for the Georgia Conservation Tax Credit Program, Chapter 391-1-6-.01 through 391-1-6-0.5. (Amendments to Georgia Conservation Tax Credit Program attached hereto and made a part hereof)

There being no further business, the meeting was adjourned.

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Bill Carruth, Chairman

ATTEST:

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Earl D. Barrs, Secretary