

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

May 21, 2013

Attending:

Board Members

Rob Leebern, Chairman
Philip Wilheit, Vice Chairman
Ray Lambert, Secretary
Nancy Addison
William Bagwell
Dwight Davis
Walter Hudson
Duncan Johnson
Phyllis Johnson
Bill Jones
Aaron McWhorter
Mark Mobley
Mike Phelps
Paul Shailendra
Bodine Sinyard
Mark Smith
Dee Yancey

Visitors

Fred Granitz
Max Zygmunt, MZCZ Law
Alex Watson, Trout Unlimited
Maggie Lee, Macon Telegraph
Keith Perry, Georgia Beverage Association
Arnie Page, Georgia State Parks
Karl Gross, Georgia DNR Golf
Billy Rousey, Georgia DNR Golf
Todd Voyles, Georgia DNR Golf
Chris Manganiello, Georgia River Network
Rep. Debbie Buckner
Todd Holbrook, Georgia Wildlife Federation
Harold Reheis
David Waller
Larry McSwain

Staff Members

Mark Williams
Jud Turner
Homer Bryson
Dan Forster
Becky Kelley
Eddie Henderson
Steve Friedman
Kyle Pearson
Lauren Curry
Zachary Harris
Cathy Barnette
Doug Haymans
Jac Capp
John Bowers
Jenifer Hancock
Mike Harris
John Martin
Terry West
Wally Woods
David Clark
Billy Rousey
Todd Voyles
Brian Richardson
Suzanne Passmore
Arnie Page
Karl Gross
Joe Yeager

The May 21, 2013 meeting of the Board of Natural Resources was called to order by Chairman Rob Leebern.

Chairman Leebern called for a motion to approve the minutes of the April 2013 meeting.

A motion was made by Ms. Johnson, seconded by Mr. Wilheit and carried unanimously that the Board approve the minutes of the April 2013 meeting.

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

Commissioner Williams gave a report which included an update on the ribbon cutting ceremony at the Howell Tract; Colonel Eddie Henderson's media tour covering SB 136 and Operation Dry Water; and Terry West's new position as Director of Administrative Services.

Commissioner Williams called on Homer Bryson, Deputy Commissioner of the Department of Natural Resources, for a briefing on proposed rulemaking.

Deputy Commissioner Bryson stated he would be briefing the Board on proposed amendments of Rule 391-1-1-.01, "Organization," and the proposed repeal of Rule 391-1-1-.02, "Descriptions and Duties of the Commissioner's Office and Divisions."

Deputy Commissioner Bryson stated the purpose of this proposed rulemaking was to update and consolidate the description of the Department to reflect its current organizational structure.

- **Rule 391-1-1-.01 "Organization":** The current rule does not accurately reflect the structure of the Department as organized by the Commissioner. The amended rule correctly describes the current organizational structure of the Department.

Deputy Commissioner Bryson stated the amended rule would eliminate the reference to the Pollution Prevention Assistance Division and the Program Support Division, and it would add the Law Enforcement Division.

- **Rule 391-1-1-.02 "Description and Duties of the Commissioner's Office and Divisions":** The current rule contains out-of-date descriptions of the organizational structure and is generally duplicative of Rule 391-1-1-.01. For these reasons, the rule is recommended for repeal.

Deputy Commissioner Bryson stated the proposed amendments to Rule 391-1-1-.01 and the proposed repeal of Rule 391-1-1-.02 would be presented to the Board at the June 2013 Board Meeting following a thirty day public comment period.

Chairman Leebern called on Todd Holbrook, Georgia Wildlife Federation, to speak on the proposed rulemaking.

Mr. Holbrook spoke in opposition to the proposed reorganization of the Department, citing hunters, anglers, and park visitors were not included as stakeholders. He asked the Board to not move forward with the proposed rulemaking and postpone the July 1, 2013 creation of the Law Enforcement Division. (Copy of Georgia Wildlife Federation's comments included in Board Package)

Chairman Leebern called on Larry McSwain to speak on the proposed rulemaking.

Mr. McSwain spoke in opposition to the proposed rulemaking, stating loss of on-site officers in state parks, Wildlife Management Areas, and public fishing areas would not be beneficial to Georgia residents. He further stated he would urge the Board to postpone the reorganization of the Department until complete public input could be solicited. (Copy of Mr. McSwain's comments included in Board Package)

Chairman Leebern called on David Waller to speak on the proposed rulemaking.

Mr. Waller spoke in opposition of the new Law Enforcement Division.

Chairman Leebern called on Commissioner Williams, who called on Kyle Pearson, Executive Counsel, to present an action item on the sale of General Obligation Bonds.

Mr. Pearson stated the General Appropriations Act for FY2013-FY2014 included items for DNR totaling \$26.5 million. He further stated the Georgia State Financing and Investment Commission (GSFIC) has scheduled a sale for June 2013 that includes all \$26.5 million for DNR. He added the types of projects DNR will fund with the proceeds of this include \$300,000 for replacement vehicles, \$800,000 for facility repair and sustainment, \$6,570,000 for facility improvements and renovations, \$11,460,000 for land acquisition for Wildlife Management Areas and State Parks, \$370,000 for miscellaneous new construction at State Parks, and \$7,000,000 for land acquisition for Historic Preservation.

Mr. Pearson stated that all bonds (excluding the \$300,000 for vehicle replacement) will be issued as federally taxable bonds meaning they can be used for projects at state owned facilities that are privately operated.

Mr. Pearson stated he would request the Board approve the Resolution for the sale of the General Obligation Bonds as presented.

Mr. Davis expressed concern over Section 1 of the Resolution because the projects that the Board is approving and authorizing have not yet been named.

Mr. Pearson stated the Board is not approving the actual individual projects, but they are authorizing the sale of the General Obligation Bonds. He further stated if the projects were the type that needed Board approval, then the proposed project would be brought back before the Board for approval before the money was spent.

Mr. Davis asked that this be noted in the minutes.

A motion was made by Mr. Wilheit, seconded by Mr. McWhorter and carried unanimously that the Board adopt the Resolution to authorize the sale of General Obligation Bonds pursuant to the FY2013-FY2014 General Appropriations Act, as presented (Resolution attached hereto and made a part hereof)

Commissioner Williams called on Becky Kelley, Director of Parks, Recreation, and Historic Sites, for a division update.

Director Kelley recognized and congratulated Billy Rousey, Golf Course Superintendent of the Year; Todd Voyles, Golf Course Manager of the Year; Brian Richardson, Ranger of the Year; and Suzanne Passmore, Park Manager of the Year. She also recognized Arnie Page, Golf Region Manager; Karl Gross, Assistant Golf Region Manager; and Joe Yeager, Region Manager, for their efforts and dedication.

Director Kelley gave a division update on the ongoing transition of Lodge Parks to North Georgia Mountain Authority and meetings between local communities and State Parks focusing on the importance of state parks and historic sites.

Commissioner Williams stated with no further business, his report was concluded.

Chairman Leebern welcomed new board member Duncan Johnson, Jr.

Chairman Leebern called on Ray Lambert, Chairman of the Environmental Protection Committee, for his report.

A motion was made by Mr. Lambert, seconded by Ms. Addison and carried unanimously that the Board adopt the Resolution to approve the proposed amendments to Chapter 391-3-1, Rules for Air Quality Control, pertaining to miscellaneous updates. (Copy of proposed amendments attached hereto and made a part hereof)

A motion was made by Mr. Lambert, seconded by Ms. Johnson and carried unanimously that the Board adopt the Resolution to approve the proposed repeal of Chapter 391-3-9, Rules for Radioactive Waste Material Disposal. (Copy of proposed repeal attached hereto and made a part hereof)

A motion was made by Mr. Lambert, seconded by Mr. Yancey and carried unanimously that the Board adopt the Resolution to approve the proposed Grant Criteria for Award of Section 319(h) Nonpoint Source Implementation Grants FY2014. (Copy of proposed Grant Criteria attached hereto and made a part hereof)

Chairman Lambert called on Philip Wilheit, Chairman of the Wildlife Resources Committee, for his report.

A motion was made by Mr. Yancey, seconded by Mr. McWhorter and carried unanimously that the Board adopt the Resolution to approve the proposed amendments to Hunting Regulations, Chapter 391-4-2, and Firing Ranges, Rule 391-4-9-.02. (Copy of proposed amendments attached hereto and made a part hereof)

A motion was made by Mr. Sinyard, seconded by Mr. Bagwell and carried unanimously that the Board adopt the Resolution to approve the adoption of proposed Rule 391-4-9-.07, Falconry Permits. (Copy of proposed rule attached hereto and made a part hereof)

Chairman Leebern called on William Bagwell, Chairman of the Land Acquisition Committee, for his report.

A motion was made by Mr. Bagwell, seconded by Mr. Yancey and carried unanimously that the Board adopt the Resolution to authorize the Commissioner to seek State Properties Commission approval to approve to subgrant Civil War Battlefield Land Acquisition Grant through the National Park Service to the Civil War Trust through subgrant agreement to allow the Civil War Trust to purchase and donate a conservation easement over the 102.7± acre Holland Tract, Catoosa County (Resolution attached hereto and made a part hereof)

A motion was made by Mr. Bagwell, seconded by Mr. Davis and carried unanimously that the Board adopt the Resolution to authorize the Commissioner to seek State Properties Commission approval to approve to subgrant Civil War Battlefield Land Acquisition Grant through the National Park Service to the Civil War Trust through subgrant agreement to allow the Civil War Trust to purchase and donate a conservation easement over the 7.2± acre Powell Tract, Catoosa County (Resolution attached hereto and made a part hereof)

A motion was made by Mr. Bagwell, seconded by Mr. Wilheit and carried unanimously that the Board adopt the Resolution to authorize the Commissioner to seek State Properties Commission approval for acquisition (purchase) of 1,118± acres of real property, Griffin Ridge Wildlife Management Area, Morgan Lake via The Nature Conservancy (TNC), Long County (Resolution attached hereto and made a part hereof)

A motion was made by Mr. Bagwell, seconded by Ms. Addison and carried unanimously that the Board adopt the Resolution to authorize the Commissioner to seek State Properties Commission approval for renewal of License No. DACW21-1-13-2021 for Recreational Purposes (10-Year License Agreement), U.S. Department of Army, Corps of Engineers (COE), 147.45± acres of real property at Hart State Park, Hart County (Resolution attached hereto and made a part hereof)

A motion was made by Mr. Bagwell, seconded by Ms. Addison and carried unanimously that they Board adopt the Resolution to authorize the Commissioner to seek State Properties Commission approve for renewal of License No. DACW21-1-12-2022 for Public Park and Recreational Purposes (25-Year License Agreement), U.S. Department of Army, Crops of Engineers (COE), 393± acres of real property at Tugaloo State Park, Franklin County (Resolution attached hereto and made a part hereof)

Chairman Leebern recognized Representative Debbie Buckner and thanked her for her attendance.

Mr. Wilheit stated Weekend for Wildlife would be held January 31, 2014 and requested that all board members attend. He further stated he would like to personally welcome Duncan Johnson to the Board.

Ms. Johnson stated she would like to thank Mr. Lambert and his wife for their hospitality.

Chairman Leebern announced the June board meeting would be held in Statesboro, Georgia at Georgia Southern University.

There being no further business, the meeting was adjourned.

Robert D. Leebern, Jr., Chairman

ATTEST:

Ray P. Lambert, Jr., Secretary