

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

April 28, 2009

Attending:

Committee Members

Warren Budd, Chairman
Earl Barrs
Gene Bishop
Walter Hudson
Bob Rutland
Loyce Turner
Tom Wheeler
Bill Carruth, Board Chairman, ex-officio

Board Members

Joe Hatfield
Phyllis Johnson
Ray Lambert
Jim Tysinger
Jim Walters

Visitors

Phil Zinsmester, Sierra Club
Josh Stancil, Georgia Forestry Association
Ronny Just, Georgia Power
Steve Ewald, Georgia Power
Jim Stokes, Sustainable Solutions of Georgia
Doug Fulle, Oglethorpe Power

Staff Members

Chris Clark
Carol Couch
Todd Holbrook
Paul Burkhalter
Susan Shipman
Dan Forster
Marlin Gottschalk
Ray Luce
Jim Ussery
Spud Woodward
Linda MacGregor
David Crass
Steve Friedman
Doralyn Kirkland
Wally Woods
Jennifer Kaduck
Connie Buck
Lon Revall
Mark Whitney
Paul Nelson
Mark Whitney
James Capp
Jimmy Johnston
Emily Hitchcock
Alexandra Cleary
Sarah Dearman
Mary Ann Evans
Hellen Harris

The April 28, 2009 meeting of the Land Acquisition Committee was called to order by Board Chairman Bill Carruth.

Chairman Carruth called on Warren Budd, Chairman of the Land Acquisition Committee. Mr. Budd called on Steve Friedman, Chief of Real Estate, for presentation of three items for action by the Committee.

Mr. Friedman stated that the first item for consideration was acquisition (purchase) of 1,767± acres of real property, Lake Seminole Wildlife Management Area (WMA), International Paper Company, Inc. (Silver Lake Tract Phase III) via The Conservation Fund (TCF), Decatur County. He further stated that this would be the final phase of the Silver Lake Tract. He added that he would like to commend The Conservation Fund for taking a risk in 2007 to acquire the property when the State did not have the money, and then hold the property until the State was able to obtain funds for acquisition.

Mr. Friedman stated that the Department acquired 3,790± acres of the 8,401 acres of Silver Lake as Tract I in January 2008, and 2,840± acres as Tract II in July 2008. He further stated that Silver Lake has been managed to promote the recovery of the federally-protected red-cockaded woodpecker and that this management has created a beautiful tract with mature longleaf pine and native ground cover, along with creating exceptional recreational value. He added that touching this tract is a portion of the Lake Seminole WMA, which the Department leases from the U. S. Army Corps of Engineers.

Mr. Friedman thanked everyone who played a part in this recent acquisition.

A motion was made by Dr. Turner, seconded by Mr. Rutland and carried unanimously that the Committee recommends 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)

Mr. Friedman stated that the next item for consideration was a request for approval to enter into a twenty-five year Sublease Agreement with Clay County for 21.29± acres of real property at Lake Walter F. George Boating and Fishing Facility, Pataula Creek Park, Go Fish Georgia Program, Clay County. He further stated that Clay County has entered into an intergovernmental agreement with the Department to construct, operate, maintain and market a large fishing tournament facility at the Lake Walter F. George Boating and Fishing Facility. He added that the County currently leases the land from the U. S. Army Corps of Engineers.

Mr. Friedman stated that this project is part of the Go Fish Georgia initiative to promote and enhance boating and fishing tourism, boost economic development in communities across the state and encourage a conservation ethic.

A motion was made by Dr. Turner, seconded by Mr. Barrs and carried unanimously that the Committee recommends 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)

Mr. Friedman stated that the last item for consideration was action on proposed adoption of amendments to Rules for the Georgia Conservation Tax Credit Program, chapter 391-1-6-.01 through 391-1-6-.05. He further stated that he had briefed the Committee and Board in January and February on the proposed changes.

Mr. Friedman stated that the Department is revising these Rules for the purpose of addressing and incorporating changes made to the Conservation Tax Credit Program with the passage of HB 1274, which amended the conservation tax credit provided for in Code Section 48-7-29.12. He further stated that the following changes were made by HB 1274 and are addressed and incorporated into the Rule revisions: (1) defines fair market value by an appraisal that meets IRS requirements; (2) allow donations to Federal government to qualify; (3) allows bargain sales to qualify; (4) extends carryover period from 5 to 10 years; (5) specifies that partnerships are subject to a \$1 million aggregate cap; and (6) eligible conservation purposes will be defined by DNR.

Mr. Friedman stated that these changes would reflect that donations under this program must meet stricter guidelines and afford a greater level of protection to the natural resources than currently required by the IRS for Federal deduction purposes. He further stated that as a result, these changes should reduce certification denials and appeals by providing clear guidelines on eligible conservation purposes for landowners and land trusts, thereby reducing staff time and appeal costs for the Department. He added that the State's natural resources will also be better protected through more restrictive guidelines, and better ensuring that only quality conservation projects are certified.

A motion was made by Dr. Turner, seconded by Mr. Wheeler and carried unanimously that the Committee recommends 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.