

Minutes
Land Acquisition Committee

Unicoi State Park Lodge
Master's Hall 3 & 4
1788 Highway 356
Helen, GA 30545

May 25, 2011

Attending:

Committee Members

Loyce Turner, Chairman
Bill Carruth, Vice Chairman
Warren Budd
Joe Hatfield
Walter Hudson
Duncan Johnson
Rob Leebern
Earl Barrs, Board Chairman, ex-officio

Board Members

Dennis Billew
Mabel Jenkins
Ray Lambert
Aaron McWhorter
Jim Walters
Philip Wilheit
Steven Woodruff

Visitors

Wanda Barrs, Chair, Department of Education Board
Daniel Groce, Georgia Agribusiness Council
Karl Ledford, Georgia Transmission
Mike Giles, Georgia Poultry Federation
Scott Tanner, Joe Tanner & Associates

Staff Members

Mark Williams
Todd Holbrook
Spud Woodward
Dan Forster
Dave Crass
Emily Hitchcock
Kyle Pearson
Homer Bryson
John Bowers
Steve Friedman
Jim Ussery
Linda MacGregor
Lauren Curry
Cathy Barnette
Paul Nelson
Wally Woods
Mary Ann Evans

The May 25, 2011 meeting of the Land Acquisition Committee was called to order by Board Chairman Earl Barrs. Chairman Barrs called on Loyce Turner, Chairman of the Land Acquisition Committee.

Dr. Turner called on Steve Friedman, Chief of Real Estate for presentation of five items.

Mr. Friedman stated that the first item for consideration was disposition (Supplemental Agreement #1) of 300± acres of real property, owned by the U.S. Army Corps of Engineers (COE), Coosawattee – Carters Lake Wildlife Management Area (WMA), Murray and Gilmer Counties. He further stated that the State of Georgia has been asked by COE to remove 300± acres in Gilmer County from its license agreement DACW01-3-03-0104.

Mr. Friedman stated that on July 16, 2004, the Department of Natural Resources (DNR) entered into a lease with COE to operate and manage 3,200± acres located at Coosawattee – Carters Lake WMA in Murray and Gilmer Counties. He further stated that approximately 300 acres were included in the lease on an interim basis with the stipulation that the owner of the subject property could remove any or all of the interim lands with 90 days' notice to DNR. He added that COE has requested the removal of all of the 300± acres from the current lease for the purpose of expanding the Carters Lake Marina and Resort.

Mr. Friedman stated that although DNR will not manage this portion, it will still be available to the public. He further stated that DNR will continue to manage and operate the remaining 2,900± acres of land in Gilmer and Murray Counties.

Mr. Friedman stated that he would like to request that the Committee recommend that the Board adopt the Resolution regarding disposition of these acres as proposed.

A motion was made by Mr. Carruth, seconded by Mr. Hudson 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 disposition of 300± acres of real property, owned by the U. S. Army Corps of Engineers, Coosawattee – Carters Lake Wildlife Management Area, Murray and Gilmer Counties. (Resolution attached hereto and made a part hereof)

Mr. Friedman stated that the next item for consideration was a request to transfer via Quit Claim Deed 97± acres of real property from DNR to the Oconee River Greenway Authority, Berry Farm conservation Area, Baldwin County. He further stated that the Oconee River Greenway Authority is a State authority administratively attached to DNR charged with the development, preservation and/or restoration of projects involving greenspaces along the Oconee River corridor.

Mr. Friedman stated that should DNR agree to transfer the Berry Farm Conservation Area to the Authority, the Authority intends to use it as a public park and will continue to name it after the Berry family. He further stated that this acquisition by the Authority would tie into other conservation projects they have completed up the river.

Mr. Friedman stated that he would like to request that the Committee recommend that the Board adopt the Resolution regarding the transfer as presented.

A motion was made by Mr. Carruth, seconded by Mr. Hatfield and carried unanimously that the Committee recommends that the Board adopt the Resolution to authorize the Commissioner to transfer via Quit Claim Deed 97± acres of real property from the Department of Natural Resources to the Oconee River Greenway Authority, Berry Farm Conservation Area, Baldwin County. (Resolution attached hereto and made a part hereof)

Mr. Friedman stated that the next item for consideration was for the granting of a revocable license and permanent easement over 0.057± acres by the State Properties Commission and the General Assembly to Georgia Power Company for construction and maintenance of an early warning system, Altamaha River Moody Forest Wildlife Management Area, Appling County. He further stated that in an effort to comply with Nuclear Energy Regulatory Commission regulations, Georgia Power Company contacted DNR to request this revocable license and permanent easement to maintain and install an early warning system for the power generation plant known at Plant Hatch.

Mr. Friedman stated that there would be an easement located within the Altamaha River Moody Forest WMA and would be no larger than 2,500 square feet. He further stated that the siren would be placed at the top of a 50-foot, self-supporting pole. He added that the siren on State property is a part of a larger system of sirens, which Georgia Power will be installing in the area.

Mr. Friedman stated that no adverse impact of any interest of DNR has been identified relative to operations. He further stated that the revocable license would be converted to a permanent easement by the General Assembly.

Mr. Friedman stated that he would like to request that the Committee recommend that the Board adopt the Resolution regarding the revocable license and permanent easement as presented.

A motion was made by Mr. Carruth, seconded by Mr. Hatfield and carried unanimously that the Committee recommends that the Board adopt the Resolution to authorize the Commissioner to seek State Properties Commission and General Assembly approval to issue a revocable license and permanent easement over 0.057± acres of real property to the Georgia Power Company for construction and maintenance of an early warning system, Altamaha River Moody Forest Wildlife Management Area, Appling County. (Resolution attached hereto and made a part hereof)

Mr. Friedman stated that the next item for consideration was granting of a permanent easement by the State Properties Commission and the General Assembly for a maximum of 0.03± acres of real property for the purpose of reconstructing the interchange improvement at I-75 Interchange and SR 136, Georgia Department of Transportation (DOT), Resaca Battlefield Historic Site, Gordon County. He further stated that DOT contacted DNR in March 2011 regarding this permanent easement. He added that DOT needs this right-of-way to construct and maintain slopes along SR 136 and that the subject property is not currently under any Federal or Heritage Preserve restrictions.

Mr. Friedman stated that he would like to request that the Committee recommend that the Board adopt the Resolution regarding this permanent easement as presented.

A motion was made by Mr. Carruth, seconded by Mr. Hatfield and carried unanimously that the Committee recommends that the Board adopt the Resolution to authorize the Commissioner to seek State Properties Commission and General Assembly approval to issue a revocable license and permanent easement over 0.03± acres of real property to the Department of Transportation for the purpose of reconstructing the interchange improvement at I-75 and SR-136, Resaca Battlefield Historic Site, Gordon County. (Resolution attached hereto and made a part hereof)

Mr. Friedman stated that the next item was a briefing on the Notice of Rule Making for Procedures for Change of Use or Conveyance of Heritage Preserves. He further stated that the Georgia Heritage Trust Act of 1975 provides that any State-owned land which DNR manages and the Board of Natural Resources identifies as having significant historical, natural or cultural value may be dedicated by the Governor as a Heritage Preserve. He added that this dedication is done by an Executive Order which designates the best and most important uses to which the land is to be put use. He further added that Heritage Preserve lands cannot be used for purposes other than those in the dedication without approval by the General Assembly and the Governor.

Mr. Friedman stated that O.C.G.A. § 12-3-76 provides the procedure where a change of use can be considered. He further stated that in addition, the General Assembly recently passed HB 90, which makes it possible to transfer a Heritage Preserve property to a county or city, subject to a conservation easement. He added that DNR staff has found that there needs to be rules promulgated to address these two items.

Mr. Friedman stated that the rule will be sent out for public comment, and a public hearing will be held in Atlanta and Carrollton on June 8. He further stated that all written comments are due on June 10, and that the rule will be presented to the Board for action at the June meeting.

Discussion ensued.

There being no further business, the meeting was adjourned.