

U. S. FISH & WILDLIFE SERVICE

PUBLIC MEETING

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 Taken before SAMANTHA E. NOBLE, a
Court Reporter and Commissioner for Alabama at Large,
at the Anniston City Meeting Center,
Anniston, Alabama, on the 1st day of November, 2005,
commencing at approximately 6:00 p.m.

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R E P O R T E R ' S I N D E X

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1 MR. KAHL FALLON: Good evening,
2 ladies and gentlemen. Good evening. My name is Kahl
3 Fallon. I'm an attorney in the Regional Solicitor's
4 Office in Atlanta. I'm the Deputy Regional Solicitor.
5 I've been asked to moderate this proceeding on behalf
6 of the Fish & Wildlife Service and the Secretary of
7 Interior this evening.

8 I apologize for not having a
9 microphone in front of me, but we had a malfunction,
10 and so we decided we'd leave the microphone for you,
11 the speakers. Hopefully, you can hear me. If you
12 cannot, please, let me know.

13 With me tonight is Steve Miller, who
14 is the refuge manager at Mountain Long Leaf
15 National Wildlife Refuge and Ricky Ingram, who is the
16 Refuge Supervisor from the Atlanta Office of
17 Fish & Wildlife Service. He supervises all the
18 refuges in Alabama, I believe.

19 MR. RICKY INGRAM: Right.

20 MR. KAHL FALLON: The purpose of the
21 hearing tonight is to receive public comments on the
22 proposed opening of Bains Gap Road and also to
23 consider comments that you may have concerning the

1 hours that this road may be opened, should it be
2 opened.

3 The comments we're taking tonight
4 are two forms; one will be the oral or statements that
5 you give by speaking; and two, we'll receive written
6 comments. As you may or may not know, written
7 comments will be received -- if you don't give them to
8 us tonight, they can be submitted through
9 November the 16th -- and if you do have written
10 comments that you would like to provide us tonight,
11 you can hand them to me, that would be fine.

12 The Fish & Wildlife Service is not
13 going to make a decision tonight. The purpose is
14 simply one of information gathering, to help them make
15 the decisions that they ultimately make.

16 This evening's hearing will be
17 conducted in three parts; the first part will be the
18 introductory, what I'm going to say to you, and then
19 Steve Miller is going to give you a brief history of
20 the Refuge and give a view on what's been happening
21 with the road, historically; second, we will receive
22 your comments; and third, we'll open it up for anyone
23 who might have some last thoughts, and then we will

1 conclude the hearing.

2 This hearing is scheduled to run
3 from 6:00 p.m., which is approximately now, until
4 you've concluded your comments. So, we'll be here, as
5 long as you need to give your comments.

6 The transcript will be available on
7 the web. You can go to the Mountain Long Leaf
8 National Wildlife Refuge website. I can't give you an
9 exact date of when that will be available. I think
10 it's partially determined by the length of the
11 hearing.

12 The ground rules for providing
13 comments tonight: We have a registration outside,
14 which I think most of you have visited on the way in.
15 If you would like to speak, we've asked that you fill
16 out a card and they will give it to me and then we
17 will use these cards to ask everyone to come forward.
18 If you haven't filled out a card and you would like to
19 speak, we'd ask that you fill out a card and they'll
20 give it to me.

21 The order of public comments are
22 going to be as follows: One for federal officials,
23 two for state officials, local officials, and then the

1 general public. And then, what I'm going to do, as
2 with the cards, as far as the general public goes, I'm
3 just going to shuffle them, and it will be random.

4 I would like to talk a little bit
5 about the atmosphere. I mean, we're a rather cozy
6 group, so I don't think this is really a very
7 important issue, but I'll say it, anyway. This is a
8 civil meeting, and I think that the comments made here
9 and your conduct should be conducted, accordingly.

10 I ask that you show courtesy to each
11 speaker. Providing comments can be a rather
12 intimidating exercise at times, and I'd ask that you
13 think of yourself up at that podium and treat those
14 people with the respect that you would want when you
15 speak.

16 Please, keep in mind that the
17 court reporter will not record any comments made from
18 the audience. To say that another way, the only
19 comments that she is going to be recording are those
20 made at the microphone.

21 We have not a terribly large group
22 here tonight, but it's not small, either. I'm going
23 to ask that each of you limit your comments to ten

1 minutes. And I will give you a little high sign,
2 telling you that, when you've reached nine minutes,
3 should you go that long. And when I tell you that, I
4 would ask that you conclude your remarks within one
5 minute.

6 I would ask you to remember that
7 this is not a court case. This is a formal process
8 for obtaining your views about the merits of opening
9 the road and the hours that the road should be opened.

10 Please, be mindful that this is not
11 a forum for debate or dialogue. The comments or the
12 questions that are posed tonight will not be answered
13 by the Fish & Wildlife Service. What they're
14 instructed to do is, if you ask questions, what
15 they'll do is when they make their ultimate decision,
16 in that decision document what they will do is address
17 each of those questions in there.

18 I'd ask you to, please, direct your
19 comments to the proposals and the factors which you
20 believe are informative for the ultimate decision
21 makers when they decide what to do on opening the road
22 and the hours that the road will be opened.

23 I will tell you, as I do every time

1 I do this, I caution you that this is not an
2 opportunity to vilify or castigate individual
3 employees of the Fish & Wildlife Service or the
4 Government, for that matter, no matter how great the
5 temptation. These type of comments will not assist in
6 the decision-making process.

7 Part of my job this evening, as a
8 presiding official, is to ensure that we remain
9 focused on the focus of the hearing. And should you
10 venture over into that forbidden territory, I will
11 interrupt you and ask you that you end that line of
12 discourse.

13 First, I'm going to ask Steve Miller
14 if he'll get up and make a few comments, and then I'll
15 come up and we'll start getting yours. Thank you.

16 MR. STEVE MILLER: Thanks, Kahl.
17 Again, as Kahl said, my name is Steve Miller. I'm the
18 Manager of Mountain Long Leaf National Wildlife
19 Refuge.

20 What I thought I would like to do
21 tonight is to give you a brief history of where
22 Mountain Long Leaf National Wildlife Refuge falls in
23 the discussion on Bains Gap Road and to go over maybe

1 a brief part of the past history and then to go into
2 how we have treated Bains Gap Road in our documents
3 and try to bring to light some of the areas that we
4 think are contentious at this point and try to explain
5 our rationale for the proposal written the way it is.

6 Mountain Long Leaf National Wildlife
7 Refuge was established on May 29th, 2003. When the
8 Refuge was established, we got Bains Gap Road as a
9 closed road.

10 We have worked through the years to
11 open up the road. At first now, we've opened up from
12 the east side, all the way to the top of Bains Gap.
13 There is a gate right there that closes off the road.

14 Under the Army ownership, prior to
15 closure, which was in 1999, it was open during
16 daylight hours for the general public, and I've been
17 told that it was closed after dark for the general
18 public. Whereas, I talked to some military folks that
19 have said that they were able to go through the road
20 after dark, but the general public was not allowed at
21 that point in time. So, from 1999 to 2003 it was
22 closed.

23 2003, the Refuge was established.

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1 We inherited a closed road. Since then, we have
2 opened a portion of the road. And right now it's
3 closed at the top of Bains Gap.

4 In preparation for opening the road,
5 we have tasked the Federal Highway Administration to
6 look at the road to see what kind of improvements we
7 needed to do before we opened it up initially to the
8 public. We had done that at a volume of fifty to a
9 hundred vehicles per day.

10 And then we got a request from
11 Congressman Rogers' office to evaluate the road,
12 opening it for through traffic -- or for through
13 traffic at a higher volume of traffic. And we got
14 with the county to figure out what that volume should
15 be.

16 They provided that to us, and we
17 passed that on to Federal Highways. So, what we got
18 was a report from Federal Highways that gave the
19 scenario for two different volumes; one was fifty to a
20 hundred vehicles per day, the other was for up to two
21 thousand vehicles per day traffic.

22 We met with Federal Highways on site
23 in June 2004 to evaluate opening the road. They

1 provided their report in July of 2004. We got with
2 the Joint Powers Authority and the County in
3 September of 2004 to go over this report and to figure
4 out our next course of action.

5 And according to
6 Fish & Wildlife Service and the Refuge, the next
7 course of action would have been for the
8 Joint Powers Authority, who owns a portion of the
9 closed area on the road, to go ahead and vote or to
10 propose in writing that they would go ahead and open
11 their portion of the road.

12 Then in October of 2004, we got
13 another request from Congressman Rogers' office to
14 give us an update on opening the road, and then the
15 steps that we saw that needed to be done for the road
16 to be opened. And we did provide those to the
17 Congressman.

18 And from December until
19 June of 2005, no other work was done towards opening
20 the road. In June of 2005, the JPA board voted to
21 open their portion of the road.

22 And then in July of 2005, we had a
23 meeting in Washington with Senator Sessions' office.

1 And then in August 2005, we produced these documents.

2 The issues with dealing with
3 Bains Gap Road within these documents, there were
4 primarily four concerns we had on opening the road.
5 The first was public safety, public safety of the
6 people that were traveling to use the road, and we
7 handled that through our
8 Federal Highway Administration, the report they did.

9 The second was the safety of the
10 Refuge visiting public. For all of you that have been
11 up on the road at the top of Bains Gap, you have two
12 public use roads, one that goes south and one that
13 goes north, and they're both located right over the
14 crest of a blind hill. And that's a big concern for
15 us, especially if we increase the volume of traffic.
16 And, of course, if we open it to through traffic from
17 both the east and the west, it will, just by nature,
18 it will lead to increased traffic.

19 So, we're hoping to handle the
20 safety portion to the Refuge visitors through the
21 speed limit, enforcement of the speed limit, which
22 we're proposing as twenty-five miles per hour, and
23 also, through the design of some traffic control

1 devices, whether it's -- they've told me stop signs
2 aren't going to work up there, so I don't know exactly
3 what we're going to wind up having at the top of the
4 hill there. But that is a big concern of ours.

5 The next concern we had was hours of
6 operation. We're proposing daylight hours, which I
7 know a lot of people have strong feelings about that
8 in this room. I'll try to lay out our reasoning for
9 why we're proposing that.

10 The purpose of the Refuge was to
11 provide for protection of the long leaf pine
12 ecosystem, and then along with that, we are to provide
13 public uses. And most refuges, their public uses are
14 day uses, as it occurs on Mountain Long Leaf National
15 Wildlife Refuge.

16 So, there is really no direct
17 benefit to our Refuge visitors or Refuge Management to
18 have twenty-four hour access. There is that indirect
19 benefit of better community relations, if we open it
20 for twenty-four hours, but for day use, all of our day
21 uses, all it's going to require would be access during
22 the daylight hours.

23 Most Refuge roads, which this is a

1 Refuge road, it's not a county road, it's not a state
2 road, most Refuge roads are only open during daylight
3 hours. There are exceptions, but most are.

4 It would actually require us to
5 divert resources from myself and my one other staff
6 person in order to control some of the litter, the
7 trespass and those other kind of violations. Of
8 course, as I said, the indirect benefit would be in
9 community relations.

10 The next reason we proposed daylight
11 hours only is just past history. The Army, when they
12 had the road open, it was open to the public during
13 daylight hours only, at least in recent history.

14 And then the third reason we are
15 proposing daylight hours only is because of other
16 agreements we have. When we established the Refuge,
17 we had to sign agreements with the Army on what we
18 would allow to occur.

19 The Army limited our use to daylight
20 hours only, and we had to sign an agreement, so if
21 that changes, we're going to have to go back and
22 re-negotiate with the Army to see if that's even
23 acceptable.

1 I know a lot of people are concerned
2 about the evacuation route. We didn't address that in
3 these documents. These documents were meant to meet
4 our compatibility. We didn't really discuss how it
5 was going to be compatible with other uses outside of
6 Refuge uses. But as an evacuation route, while it
7 will be closed, we're proposing it to be closed to the
8 public during nighttime hours, it would be able to be
9 open remotely by the County EMA, if there is an
10 evacuation.

11 The third problem we had with
12 opening the road was there was some talk on requiring
13 a fence to go down both sides of the road, and that
14 wasn't going to be appropriate for the Refuge.

15 So, you know, those are our three
16 main things that we tried to bring out in the document
17 that we were going to insist upon in order to open the
18 road; the public safety of the traveling public and of
19 the Refuge visitors, daylight hours only, and no
20 fence.

21 And now, it's up to you to give us
22 your opinion and tell us what we didn't think of, what
23 we should have put more weight on. And I do

1 appreciate you coming and I look forward to hearing
2 your comments. Thank you very much.

3 MR. KAHL FALLON: Okay, now it's
4 your turn. This is why we're here. I ask that when I
5 call your name, you come up to the microphone, you say
6 your name, you spell your name for the court reporter,
7 and then you begin your comments. I think you're
8 going to have to stand fairly close to the microphone
9 in order to speak, but you don't have to shout into
10 it.

11 All right, are there any questions
12 before we begin? Chip Howell, Mayor.

13 MAYOR CHIP HOWELL: Thank you. Good
14 evening. I assure you I will not speak ten minutes,
15 so someone else can have my time.

16 Chip Howell, C-H-I-P, H-O-W-E-L-L.

17 Again, thank you for the
18 opportunity. And I appreciate Fish & Wildlife
19 extending the opportunity for comments beyond the
20 original period.

21 I speak on behalf of the
22 City Council. We've transmitted our interest in
23 opening Bains Gap twenty-four/seven. It's a very

1 dominant artery and one that we were certainly
2 dependent and counting upon in the development of --
3 re-development of Fort McClellan and North Anniston.

4 To be quite honest, had I realized
5 that it would have been an issue, I would have made it
6 an issue as a JPA member and attempted to bifurcate
7 the two properties and keep the road. But now knowing
8 that it is an issue, I do encourage you to open that
9 road.

10 There are other roads of similar
11 concern. Cottaquilla Road, I know is one of a lot of
12 steep turns and valleys and danger the community has
13 or had utilized as a daylight road when the Army was
14 there, for obvious reasons, when the Army had other
15 security issues. And I certainly appreciate and
16 recognize the Fish & Wildlife's need for protection.

17 The JPA could not vote to open their
18 section of the road until funding was secured in that
19 area, which we have now done through the Army and are
20 in the process of cleaning that area up and have put
21 it under contract with UXO to do that.

22 It's not an easy decision. I know
23 there is a lot of people in the room that live on the

1 other side of the mountain that I would love to be
2 able to call Anniston residents or at least when they
3 come in and have dinner have the opportunity to go
4 back home the same way, instead of spending another
5 half hour or forty-five minutes going back.

6 Not only is it a possible evacuation
7 route -- and I appreciate the County Commission
8 contributing dollars to its cleanup, we're
9 appreciative of that -- but also the convenience and
10 the economic development and growth of that part of
11 the county.

12 And again, speaking on behalf of the
13 City of Anniston, I respectfully request that you
14 consider opening it twenty-four/seven. Thank you.

15 MR. KAHL FALLON: Thank you, Mayor.

16 Robert Downing from the
17 Calhoun County Commission.

18 MR. ROBERT DOWNING: Good evening.

19 I'm Robert, R-O-B-E-R-T, Downing, D-O-W-N-I-N-G.
20 Thank you so much for being here tonight and for
21 allowing us the opportunity to express our views on
22 the Wildlife Refuge.

23 We are really happy that there is a

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1 wildlife refuge at Fort McClellan. We're really
2 excited that we are protecting that land, that the
3 long leaf ecosystem will be restored, it will be
4 improved, and we hope that it will be a model for
5 other areas to come, so that the long leaf species can
6 be regenerated and preserved for history.

7 I was one of the many who worked
8 very hard to establish the Wildlife Refuge at
9 McClellan. We knew we had this opportunity, we knew
10 we had some very special plants and rare species and
11 old growth long leaf trees, and we knew it was a
12 special place. So, I dedicated a lot of my time.

13 But I was just one of many who
14 worked awful hard, made trips to Washington, spent a
15 lot of time on the telephone. Thanks to the efforts
16 of Senator Sessions, we were able to have this Refuge
17 created.

18 And I know it was tough on the
19 Department of Interior, because they're strapped, like
20 all federal agencies, and they weren't really looking
21 to open another wildlife refuge, when they barely had
22 enough money to take care of the ones that they have.
23 But we were able to do that.

1 And it's a very special place and
2 it's going to be even more special because you have
3 some very talented people that are working there. So,
4 I say all of that, I guess, to say that we would like
5 to ask your consideration, as we have worked to get
6 you here and to support the Refuge, we would like to
7 ask for some consideration for the traveling public to
8 be able to use the Bains Gap Road on a twenty-four
9 hour basis.

10 The County Emergency
11 Management Agency -- well, the County Commission
12 received an appropriation to improve evacuation routes
13 throughout Calhoun County because of the stockpile of
14 chemical weapons. So, we went through several
15 projects and we were coming down to the last and we
16 asked our county EMA to look at Bains Gap to determine
17 what its importance would be towards the evacuation,
18 in case it was needed. And they did a study and they
19 reported back to us that without question, having
20 Bains Gap Road open would be important for public
21 safety and to be able to use in the event of a needed
22 evacuation.

23 And we appreciate that the EMA is

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1 going to be able to use the road, whether it's open
2 during daylight hours or all day. But it would be
3 much easier for the public safety entities, police,
4 fire, ambulance, that type of thing, for them to be
5 able to use the road. I think we will get better --
6 we'll have a better response for our public safety,
7 we'll be able to do a better job of enforcing the
8 laws, if the road's open all the time.

9 And I represent district two, which
10 includes the Wildlife Refuge and includes the eastern
11 part, White Plains, Rabbit Town, Choccolocco, all that
12 area, and there are thousands of people over there who
13 would not be -- inconvenienced by having to go around.
14 It's a pretty long way to go to not use Bains Gap Road
15 and get to Fort McClellan from White Plains or from
16 the Choccolocco Valley.

17 You know, gasoline's two or three
18 dollars a gallon now. Everybody's time is worth
19 considerable money. And it would be a great
20 convenience for them to be able to use that road.

21 I don't think the traffic would be
22 so great as to cause a negative impact on the wildlife
23 of the Refuge. I think actually, from an enforcement

1 standpoint, it probably would be easier to provide
2 surveillance and to provide law enforcement, if the
3 road was open twenty-four hours a day.

4 So, on behalf of the
5 County Commission, we would appreciate your
6 consideration, as we have tried to do everything that
7 we can to support you all. Thank you very much.

8 MR. KAHL FALLON: Thank you,
9 Mr. Downing.

10 Mr. Stan Bennett from the
11 City Council.

12 STAN BENNETT: S-T-A-N,
13 B-E-N-N-E-T-T.

14 Thank you very much for allowing me
15 to speak. I am the Council Representative from
16 Ward One, which is the McClellan area.

17 I ask on behalf of the residents and
18 the employees of the McClellan area that you open the
19 road twenty-four hours a day, seven days a week. I
20 will not repeat the supporting evidence that the
21 previous two speakers, the Mayor and the Commissioner
22 have cited, but I do support them, totally.

23 I would like for you to know that I

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1 am committed to assist you in any way that I can to
2 get this road open and keep it open. And I hope that
3 you will feel free to contact me at any time, if there
4 is anything in the world I can do to help. Thank you.

5 MR. KAHL FALLON: Thank you,
6 Mr. Bennett.

7 Monty Clendenin,
8 Covenant Presbyterian Church.

9 REVEREND MONTY CLENDENIN: Monty,
10 M-O-N-T-Y, Clendenin, C-L-E-N-D-E-N-I-N.

11 I would just like to say how
12 grateful we are for the progress that is already being
13 made by the JPA and the Calhoun County Commission and
14 the City of Anniston, Fish & Wildlife and the Army.
15 There is a lot of people involved in this.

16 On April the 17th, the Session of
17 our church, which is our elder body, passed a
18 resolution, and it was presented to the RAB Board, the
19 Restoration Advisory Board, on April the 18th. I am
20 the past co-chair of the RAB Board. Have been privy
21 to all of the UXO cleanup discussions at the Fort for
22 four to five years.

23 We have a three-page resolution,

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1 which I will not read tonight. It's full of a lot of
2 whereases, whereases, and therefore. But I would
3 also like to present this for the public record.

4 And I would like to present to you
5 four hundred and forty-eight signatures that we have
6 collected on a petition. Our petition does not
7 address the twenty-four/seven issue, but when we sent
8 out the petition and when we asked the community and
9 asked the Fish & Wildlife to consider this, that was
10 part of what we assumed.

11 So, I salute the progress that's
12 being made and I support the public officials who have
13 already spoken. And I would like to give these to
14 whomever.

15 MR. KAHL FALLON: Thank you. Thank
16 you, Reverend.

17 Gerald White.

18 MR. GERALD WHITE: Yes, my name is
19 Gerald White, G-E-R-A-L-D, W-H-I-T-E, White. Yes, my
20 concern is, has the Army National Guard been contacted
21 in regard to this project? If not, why not?

22 I'm retired from Bynum, and we used
23 to go over there many times and we was never

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1 challenged, day or night, going through the area.
2 And, of course, maybe the little blue sticker we had
3 on our windshield made a difference. But I'm in favor
4 and we're in favor of opening it twenty-four/seven.
5 Thank you.

6 MR. KAHL FALLON: Thank you,
7 Mr. White.

8 Lynn Morrison.

9 MS. LYNN MORRISON: Good evening.
10 And thank you for the opportunity to voice our
11 opinions.

12 I'm a citizen of Anniston,
13 North Anniston. I have family that lives in
14 Choccolocco. In fact, I'm interested in looking at
15 moving to Choccolocco, perhaps.

16 Currently, it is a long trek for us
17 to go, either Whites Gap or through the
18 City of Anniston just to visit family, with -- and I'm
19 sorry that I'm repeating what some people have said,
20 but with the cost of gas, that is of a great concern.

21 Another issue is if I do move over
22 to Choccolocco -- and there are people where I work --
23 I'm a teacher at Weaver High School -- who do live in

1 the White Plains area -- when they come over the
2 mountain in the morning -- teachers don't always drive
3 in daylight hours -- so, we would be driving over in
4 the dark to come to school. We would like to be able
5 to access that, at all times.

6 But again, I just speak for the
7 citizens of our area, of North Anniston, of friends
8 and family in Choccolocco, and we are very interested
9 in having the road open twenty-four/seven. Thank you.

10 MR. KAHL FALLON: Thank you,
11 Ms. Morrison.

12 Al Rothwell, is it? I apologize if
13 I mispronounced your name, sir.

14 MR. AL ROTHWELL: Name is
15 Al Rothwell, R-O-T-H-W-E-L-L. I second everything
16 those folks just said before me. And I'm not going to
17 burden you, but I do appreciate very much Mr. Miller
18 what you've done for us so far and I appreciate being
19 able to speak up.

20 But one thing that I want to mention
21 is that this Bains Gap Road seems to be on the minds
22 and communications throughout our area. When I say
23 "our area," I live out in the county, and people from

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1 as far as Ohatchee and Alexandria and so forth, these
2 are the folks that are talking about using
3 Bains Gap Road, not to go over to see family,
4 necessarily, but basically, they're talking about for
5 convenience, for cost saving and so forth.

6 The thing that I'm most interested
7 in is the emergency use for it. And I understand that
8 it has been designated as an emergency route. And
9 that being so, I think that anything less than a
10 twenty-four/seven operation, any decision less than
11 that would be foolhardy, because obviously we cannot
12 choose when an emergency is going to take place,
13 especially, if you start thinking about terrorism.

14 And you know it happens, it happens.
15 We talk a lot about it, we see it here and there. And
16 it doesn't have to be terrorism necessarily to make an
17 emergency that would want to get you out of here as
18 fast as you possibly can. And there is this whole gap
19 of people here on the west side of McClellan that
20 could just so much easier take that emergency route
21 over more quickly and get to 9 and out of here much
22 faster than could any other way.

23 And I do appreciate the opportunity,

1 and I want to tell you that we all thank God, everyone
2 I talk to thinks that you're doing a fine job managing
3 this area. You're doing a good job.

4 MR. KAHL FALLON: Thank you,
5 Mr. Rothwell.

6 Janet Bain.

7 MS. JANET BAIN: Thank you. My name
8 is Janet, J-A-N-E-T, last name is B-A-I-N, as in
9 Bains Gap. Guess why I'm here?

10 I am very closely related to this
11 issue, as you might well guess. And I just want to
12 say on two points -- and I will say that I agree with
13 everything that's been said up to this point a hundred
14 percent. I am thrilled with the
15 Long Leaf Pine Refuge; it is beautiful.

16 I think that there is a wonderful
17 opportunity there for us to draw people to the area,
18 to let them experience nature in a way that they may
19 not get another chance to. And there is a lot of
20 opportunity for us to use that area to teach people
21 things about nature that they won't get a chance in
22 another area.

23 But also, I am concerned about the

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1 emergency. In my personal case, I think about
2 personal emergency as much as a public emergency. And
3 my in-laws, the Bains, live on Bains Gap, out in
4 Choccolocco, and I think about if the gate is only
5 open during daylight hours.

6 Emergencies don't happen only in
7 daylight hours. And if we're traveling from where we
8 live in Southside through Fort McClellan to get
9 through that gate and what if we're not there at that
10 time and the gate's closed. Now we have to turn
11 around, go all the way back through the gate and
12 around and we are five, ten, fifteen, twenty minutes
13 too late.

14 Daylight in the middle of July is a
15 long time. Daylight in the middle of December is a
16 very short day. And I think that it is important that
17 we have a standard for the time that the gate is open.

18 We've heard people say that, you
19 know, they're traveling back and forth to work. I
20 think people need to be able to count on the gate
21 being open when they are going back and forth to work.
22 They don't need to be rushing to try to beat the gate.
23 They don't need to be trying to rush to pick their

1 children up, so they can get back through the gate
2 before the gate's closed.

3 And those kinds of everyday
4 circumstances are reason enough to keep the gate open,
5 in my opinion. Those are the circumstances that are
6 going to cause automobile accidents, as people are
7 going too fast through curvy, hilly roads, more so
8 than increased traffic over what people know to be
9 curvy, hilly roads, when they have time and they know
10 that gate will be open. So, I ask you to consider it
11 from that point of view.

12 It is a beautiful area out there.
13 If you have a ten-minute drive from work through
14 Fort McClellan, through that beautiful Refuge and over
15 those mountains, you are going to be peaceful and glad
16 to be home. If you, on the other hand, have a
17 forty-minute drive, stopping every block through
18 Anniston and Oxford and Choccolocco to get home, you
19 are not going to be happy when you get there and have
20 to start cooking dinner. Let's think about that when
21 we're making the decision. Thank you.

22 MR. KAHL FALLON: Thank you,
23 Ms. Bain.

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1 MS. JANET BAIN: Thank you.

2 MR. KAHL FALLON:

3 Dr. Billy McAnnally.

4 DR. BILLY McANNALLY: I'm
5 Billy McAnnally, B-I-L-L-Y, M-C-A-N-N-A-L-L-Y.

6 I would like to second all the
7 things that have been said previously, of all the
8 praises that have been made of Fish & Wildlife for
9 their work.

10 I also would like to really point
11 out the hard work that's been mentioned some, but by
12 the County and the City; they have done an enormous
13 amount of work. I am very appreciative. And the JPA
14 is working with them very closely now. So, that being
15 said, I'll keep my remarks very short.

16 We need Bains Gap Road open
17 twenty-four hours, seven days a week. Reasons for
18 twenty-four hour access: Convenience, shorter
19 distance resulting in saving of time and cost, using
20 less gasoline, a small start in less dependency on
21 imported oil, emergency evacuation route.

22 It is the only easterly evacuation
23 route from Fort McClellan. Daylight hours would be an

1 impedence to evacuation, since we cannot plan all our
2 emergencies during daylight hours. People using this
3 corridor to go to and from work cannot always travel
4 in daylight hours.

5 At McClellan, we have a very large
6 Homeland training facility in place. We have
7 Northeast Alabama Entrepreneurial System developing,
8 as well as many other businesses located in McClellan
9 and in the Lenlock area. It does not seem fair to
10 lock them in from emergency evacuation during
11 nighttime hours, nor to leave them without good access
12 during day and nighttime hours to and from the east.

13 I implore you, please, open this
14 road twenty-four hours every day. Thank you.

15 MR. KAHL FALLON: Thank you for your
16 comments, Dr. McAnnally.

17 Bill Crawford.

18 MR. BILLY CRAWFORD: My name is
19 B-I-L-L-Y, C-R-A-W-F-O-R-D. I would like to say that
20 I concur with all the other comments that has been
21 made here in the past, and I would appreciate your
22 consideration for keeping the area open
23 twenty-four/seven, because I do quite a bit of

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1 traveling through, from Weaver into Choccolocco,
2 during my work, and it would be very helpful to me and
3 less cost factor for gasoline, if this area was open
4 to travel. Thank you.

5 MR. KAHL FALLON: Thank you,
6 Mr. Crawford.

7 Donald Price.

8 MR. DONALD PRICE: Donald Price,
9 P-R-I-C-E. I come here, forward to ask you to open
10 the road, open it twenty-four hours a day. I remember
11 passing through that road my whole life and I've been
12 on it at nighttime myself. I don't know if I was
13 illegal or what, but I have been through that road at
14 night.

15 There have been lots of concern,
16 people talking about illegal hunting or illegal use of
17 the management area, Long Leaf Wildlife Management
18 Area during nighttime hours. Well, that's going to
19 happen in anything, if it's not policed and checked,
20 even if you do have a gate there.

21 Them gates, some people wants to use
22 them. If you can use them, let's use them. Let's put
23 them at the top of the mountain, block out them two

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1 main access roads there and use the gates for that
2 purpose and have the main road open.

3 I mean, let's -- if we all work
4 together, this can be accomplished, it's no problem.
5 And, hey, we got a police force and stuff that should
6 be traveling that road and checking for illegal
7 activities and other things that might possibly take
8 place. So, my word is, let's open, let's go forward.
9 Thank you.

10 MR. KAHL FALLON: Thank you,
11 Mr. Price.

12 Would anyone else like to offer a
13 comment? Yes, sir, will you, please, come up to the
14 microphone and tell us your name and spell it for the
15 court reporter, please.

16 TOMMY WALKER: My name is
17 Tommy Walker, T-O-M-M-Y, W-A-L-K-E-R. I live at
18 Fort McClellan. And I request that you seriously
19 consider keeping the road open twenty-four hours a
20 day, seven days a week.

21 One thing, if there were a chemical
22 emergency at the Depot, due to the incineration, I
23 would have to travel toward the incineration, in order

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1 to get out, because there is no access eastbound.

2 Also, as an employee of the local
3 school board for a number of years, I traveled this
4 road going to the schools, over on the other side of
5 the mountain, and often at night, and came back at
6 night, after daylight hours, so, I think historically
7 the road has been open for more than just daylight
8 hours. And so, I respectfully request that the road
9 be opened.

10 And we're very thankful for the fact
11 that it's going to be open. But even more so, I would
12 like to see it open twenty-four hours a day. Thank
13 you.

14 MR. KAHL FALLON: Thank you,
15 Mr. Walker. Is there anyone else who would like to
16 offer some comments this evening?

17 Well, it's 6:45, I think what we'll
18 do is we'll keep this open for another fifteen
19 minutes, Ricky, for comments. We'll be up here, and
20 if you would like to stay, that's fine.

21 If you would like to go, I would
22 like to thank each and every one of you for the
23 comments you've made tonight. Certainly, the

1 Refuge Manager, Steve, is going to be very happy,
2 because it's just left him glowing after the nice
3 comments you've made about his handling of the Refuge.
4 And I'm sure, Ricky, his boss, is equally proud.

5 But Fish & Wildlife Service will
6 consider each and every one of your comments. And if
7 you would like to submit something in writing, as I
8 said earlier, you have until November the 16th to
9 submit those in writing to the
10 Fish & Wildlife Service.

11 A copy of this transcript will be
12 made available probably within a week, I would say, on
13 the website of the Refuge. And thank you very much.
14 Appreciate it.

15 (Whereupon, there was a brief recess.)

16 MR. KAHL FALLON: It's now two
17 minutes after seven. Is there anyone who would like
18 to make a final comment? Hearing no final comments, I
19 hereby close this meeting. Thank you very much.

20 (Whereupon, the meeting was closed.)

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C E R T I F I C A T E

STATE OF ALABAMA)
CALHOUN COUNTY)

I, SAMANTHA E. NOBLE, a Court
Reporter and Notary Public in and for The State of
Alabama at Large, duly commissioned and qualified,
HEREBY CERTIFY that this proceeding was taken before
me, then was by me reduced to shorthand, afterwards
transcribed upon a computer, and that the foregoing is
a true and correct transcript of the proceeding to the
best of my ability.

I FURTHER CERTIFY this proceeding
was taken at the time and place and was concluded
without adjournment.

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IN WITNESS WHEREOF, I have hereunto
set my hand and affixed my seal at Anniston, Alabama,
on this the 8th of November, 2005.

SAMANTHA E. NOBLE
Notary Public in and for
Alabama at Large

MY COMMISSION EXPIRES: 11-19-2005.

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