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**ADMINISTRATIVE REGULATION
NUMBER**

017

OPR: ACI

LAND MANAGEMENT

I. GENERAL

This Alabama Department of Corrections (ADOC) Administrative Regulation (AR) establishes responsibilities, policies, and procedures for the management of real properties owned by the ADOC.

II. POLICY

It is the policy of the ADOC to establish a Departmental Land Manager either as an independent position or assigned in conjunction with other duties. He/she shall be the central contact for all matters regarding land utilization and control and shall be responsible for planning and implementation of all land use programs for the Department. The Department defines procedures for the review and approval of all activities impacting land, water, and timber resources along with permanent structures owned and managed.

III. DEFINITION(S) AND ACRONYM(S)

- A. **Departmental Land Manager**: An independent position or role assigned in conjunction with other duties responsible for the management of land owned or managed by the ADOC.
- B. **Institutional Grounds**: Pertaining to all land outside the facility compound and surrounding areas, which shall remain the responsibility of the local Warden or Division Director.
- C. **Land Management**: Encompasses land usage (including Forestry and Wildlife programs), land treatment, permits, easements, responsibilities to adjoining landowners, and land leases, sales or transfer of property ownership.

IV. RESPONSIBILITIES

- A. The Departmental Land Manager is responsible for:
 - 1. Being the central liaison for matters regarding real property owned or managed by the ADOC.
 - 2. The planning and implementation of all land use and land treatment programs.
 - 3. Ensuring that all programs will be developed with the employment of inmates and security being foremost.
 - 4. Reviewing contracts related to land management matters.
 - 5. Maintaining a contract with the Alabama Forestry Commission for the study and management of the ADOC's forests and woodlands.
- B. Wardens and Division Directors are responsible for:
 - 1. Carrying out the plans and programs as issued by the Departmental Land Manager.
 - 2. Developing ideas for changes or new programs that would be profitable and/or beneficial to the ADOC.
 - 3. Reporting to the Departmental Land Manager any changes, proposed changes, all fires, and natural disasters to the real property by telephone and incident report immediately.
- C. All employees are responsible for honoring all contracts pertaining to ADOC lands and natural resources.
- D. The Commissioner has the final authority over any and all Land Management decisions.

V. PROCEDURES

- A. The Departmental Land Manager will coordinate with the Chief Financial Officer (CFO) and Chief Deputy Commissioner prior to forwarding any and all inquiries or proposals to the Commissioner for final approval.
- B. The Warden/Division Director will coordinate with their appropriate Deputy Commissioner and the Departmental Land Manager prior to making any

proposed changes, to any real property within their respective areas of responsibility.

1. All proposed changes in land use or appearance should be made in writing and changed only after consultation with and approval from the Departmental Land Manager, including timber management practices such as plantings, cuttings, and burning.
 - a. The Department has tracts of land located at Kilby Correctional Facility and Fountain Correctional Center that are set aside under Environmental Restrictive Covenants, and it is imperative under penalty of law that these areas remain in their natural state.
 2. Alterations to current land use or appearance will include but not be limited to the following:
 - a. Drainage and erosion control projects, particularly those impacting wetlands.
 - b. Changes in topography of the land in any manner.
 - c. Ditch digging, dam building, and alteration of water impoundments or stream beds.
 - d. Cultural practices.
 - e. Burning cropland growth or residue.
 - f. Building or moving roads.
 - g. Building or moving fences or other barriers.
 - h. Building or moving permanent structures, to include houses, barns, sheds, warehouses, bridges, custodial accommodations, and others of the like.
 - i. Wildlife projects.
- C. All land sales or transfers of property ownership, involving land or property owned by the ADOC, must be sent to the State Lands Division of the Department of Conservation and Natural Resources for review and approval to ensure all statutory requirements governing the sale or transfer of ownership of state land or property are met. (Ala. Code (1975) Section 9-15-3).

- D. The Departmental Land Manager shall coordinate with the State Lands Forester regarding the management of the Department's forests and woodlands. Together, they will develop an annual proposed action list of management activities (harvests, thinnings, plantings, and burnings) that shall be presented to the CFO and Chief Deputy Commissioner for review and approval.
- E. The Departmental Land Manager will have the authority, with the Commissioner and CFO's approval, to process documents requested by the USDA Farm Service Agency relative to verification of ownership, existing cropland lease and authorized tenants, and dispersal of governmental farm program payments.

VI. DISPOSITION

Any forms used will be disposed of and retained according to the Departmental Records Disposition Authority (RDA).

VII. FORMS

There are no forms prescribed in this regulation.

VIII. SUPERSEDES

- A. This Administrative Regulation supersedes AR 017, *Land Management*, dated February 27, 2004, and any changes.

IX. PERFORMANCE

- A. Ala. Code (1975) Section 9-15-3
- B. Ala. Code (1975) Section 14-1-1.1 et seq



John Q. Hamm
Commissioner