The Mobile Bay National Estuary Program

Our mission is to promote the wise stewardship of the water quality and living resources of Alabama’s estuaries

- Create through amendments to the Clean Water Act in 1987
- Funded by U. S. EPA, State of Alabama, and local governments and private interests
- One of 28 “nationally significant estuaries” in the United States
- Comprehensive Conservation Management Plan (CCMP)
Who is the Mobile Bay National Estuary Program?
Why should we care?

- This estuary receives the **fourth largest freshwater inflow** in the United States.
- It provides vital nursery habitat for commercial and recreational fish.
- It contributes to our local and State economy.
- The Mobile Bay estuary is where we live, work, and play.
- It is our home…Two counties dependent on the quality of life that this estuary provides.

Digital elevation model overlay of Mobile and Baldwin Counties. Blues and reds indicate lower and higher elevations. (NASA, 2011)
So - What is putting stress on our estuary's productivity?

<table>
<thead>
<tr>
<th>1974 Class → 2008 Class</th>
<th>1974 Class (Acres)</th>
<th>Converted (Acres)</th>
<th>Percent Converted (Acres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Open water → Urban</td>
<td>450543</td>
<td>412</td>
<td>0.32</td>
</tr>
<tr>
<td>Barren → Urban</td>
<td>2521</td>
<td>241</td>
<td>0.19</td>
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<tr>
<td>Upland herbaceous → Urban</td>
<td>180295</td>
<td>9570</td>
<td>7.44</td>
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<tr>
<td>Non-woody wetland → Urban</td>
<td>37475</td>
<td>769</td>
<td>0.60</td>
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<tr>
<td>Upland forest → Urban</td>
<td>493301</td>
<td>44182</td>
<td>34.34</td>
</tr>
<tr>
<td>Woody wetland → Urban</td>
<td>201704</td>
<td>2663</td>
<td>2.07</td>
</tr>
</tbody>
</table>

Over 1/3 of this estuary's habitats have been converted from natural to developed land.

Bayou Sara 1974
Bayou Sara 2008

Lower Bay Minette Creek 1974
Lower Bay Minette Creek 2008

Fly Creek 1974
Dauphin Island 2008

Little Lagoon 1974
Little Lagoon 2008

Dog River 1974
Dog River 2008

Another potential Stress...

The Alabama State Port and the size of the ships moving through the bay.
The Alabama State Port is a SIGNIFICANT contributor to the State’s economy...

How does the bay contribute to our Quality of Life?

Which of the following features of Mobile Bay’s environment has the greatest impact on your quality of life?

It’s All About the FISH and the Water
The Question - How do we ensure the environmental health of this nationally significant estuary and protect the economies that depend upon it?

Mobile and Baldwin Counties and the BAY are incredibly valuable assets to the State of Alabama.
What is Asset Management?

- understanding what you have and where it is
- who controls it
- who possesses it
- its true value
- what can be done to decrease losses related to it.
The Mobile Tensaw Delta

Our Streams and Rivers
Our Bay

Our Beaches
The Charge of the MBNEP Management Conference

- understanding what we have and where it is
- who controls it
- who possesses it
- its true value
- what can be done to decrease losses related to it.

Sound Familiar?

How does the Mobile Bay National Estuary Program Work?
MBNEP’s Charge is to Coordinate Efforts

- Assess trends
- Identify causes
- Develop relationships
- Develop an Action plan (CCMP)
- Coordinate implementation
- Monitor effectiveness

- Champion protection and restoration efforts through cultivation of partnerships
- Lead watershed protection by coordinating actions to measurably improve water quality, habitat management and living resource management
- Establish a community of committed environmental stewards

The Path to a Comprehensive Conservation Management Plan...

- Citizen Input
- Identification of Ecosystem Stresses
- Prioritizing areas for restoration efforts
- Project Implementation Committee
- Science Advisory Committee
- Community Action Committee
What people value most about living in coastal Alabama...

### Highest Ranking Habitats, Ecosystem Services and Stresses

<table>
<thead>
<tr>
<th>Habitat</th>
<th>Ecosystem Services Most Stressed</th>
<th>Top Stress Impacts</th>
<th>Values</th>
</tr>
</thead>
<tbody>
<tr>
<td>Freshwater Wetlands</td>
<td>Nesting for birds and turtles</td>
<td>Land Use Change, Fragmentation, Dredging and Filling</td>
<td>Access, Fish, Heritage, Resilience, Water Quality</td>
</tr>
<tr>
<td>Intertidal Marshes and Flats</td>
<td>Biodiversity, Wildlife, Water Quality</td>
<td>Sediment, Sea Level Rise, Fragmentation</td>
<td>Access, Beaches, Fish, Heritage, Resilience, Water Quality</td>
</tr>
<tr>
<td>Streams and Rivers (Riparian Buffers)</td>
<td>Fish, Biodiversity, Water Quality, Sediment</td>
<td>Freshwater discharge, Land Use Change, Sediments</td>
<td>Access, Fish, Heritage, Resilience, Water Quality</td>
</tr>
</tbody>
</table>
1. Priority Restoration Watershed
2. Priority Conservation Watershed
3. Priority Freshwater Wetlands
4. Priority Intertidal Marshes and Flats
5. Priority for Acquisition
6. Protected Lands
7. Outstanding Alabama Water
8. Impaired Waters
9. TMDL presence
10. Point Source Discharges (NPDES)
11. Toxic Release Inventory Sites
12. % Urbanization
13. ADEM Water Quality Survey
14. Watershed Management Plan Old
15. Sediment Study complete
16. Watershed Management Plan – Current
17. ADEM Long-term Monitoring Stations
Fowl River

1. Priority Restoration Watershed
2. Priority Freshwater Wetlands
3. Impaired Waters
4. Point Source Discharges (NPDES)
5. Toxic Release Inventory Sites
6. % Urbanization- 13
7. ADEM Long-term Monitoring Stations

Bon Secour

1. Priority Restoration Watershed
2. Priority Freshwater Wetlands
3. Impaired Waters
4. Point Source Discharges (NPDES)
5. % Urbanization- 21.0
6. ADEM Water Quality Survey
7. Watershed Management Plan Old
8. Sediment Study complete
9. ADEM Long-term Monitoring Stations
<table>
<thead>
<tr>
<th>#Respondents</th>
<th>#1</th>
<th>#2</th>
<th>#3</th>
<th>Total</th>
<th>Wt.Score</th>
<th>Watershed PH</th>
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<td><strong>Fish River</strong></td>
<td>1</td>
<td>0</td>
<td>3</td>
<td>21</td>
<td>31</td>
<td>56</td>
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<tr>
<td>Tensaw Apalachee</td>
<td>1</td>
<td>4</td>
<td>3</td>
<td>17</td>
<td>32</td>
<td>57</td>
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<tr>
<td><strong>Big Creek</strong></td>
<td>1</td>
<td>3</td>
<td>8</td>
<td>12</td>
<td>31</td>
<td>55</td>
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<tr>
<td>Bon Secour</td>
<td>0</td>
<td>1</td>
<td>7</td>
<td>26</td>
<td>22</td>
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<td>West Fowl River</td>
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<td>Dog River</td>
<td>3</td>
<td>4</td>
<td>10</td>
<td>15</td>
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<td>Deer River</td>
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<td>4</td>
<td>11</td>
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<tr>
<td>Grand Bay Swamp</td>
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<td>22</td>
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<td>Graham Bayou</td>
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<td>7</td>
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<td>Bayou La Batre River</td>
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<td>22</td>
<td>19</td>
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<td>Oyster Bay</td>
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<td>9</td>
<td>18</td>
<td>11</td>
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<td>Dauphin Island</td>
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<td>6</td>
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<td>Little Lagoon</td>
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<td>Upper Blackwater</td>
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<td>Rains Creek</td>
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<td>Halls Creek</td>
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<td>Skunk Bayou</td>
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<td>Negro Creek</td>
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<td>5</td>
<td>2</td>
<td>54</td>
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<tr>
<td>Cedar Creek</td>
<td>9</td>
<td>19</td>
<td>18</td>
<td>9</td>
<td>1</td>
<td>56</td>
</tr>
</tbody>
</table>

**CCMP DEVELOPMENT**

### Six Values
- Access
- Coastlines
- Fish
- Heritage
- Resilience
- Water Quality

### Stressed Habitats
- Streams, Rivers, Riparian Buffers
- Freshwater wetlands
- Intertidal marshes and flats

### Target Watersheds
- Tensaw Apalachee
- Fowl River
- Bon Secour
- Other

### Strategy Elements
- Research
- Monitor
- Restoration
- Improve State and local governance
- Citizen Participation
- Education and Outreach
Community Stakeholders Develop Priorities

Coastal Planning Summit, Fall 2012

Draft CCMP - Currently available for Public Comment
Final Draft (December)

The Path to a Comprehensive Conservation Management Plan...

Joes Branch Restoration, 2013 Thompson Engineering
What we would like to ask of all of you...

To waste, to destroy our natural resources, to skin and exhaust the land instead of using it so as to increase its usefulness, will result in undermining in the days of our children the very prosperity which we ought by right to hand down to them amplified and developed.

~Theodore Roosevelt

Thank you.
National Fish and Wildlife Foundation

WHO WE ARE
• Chartered by Congress in 1984
• 30 member Board appointed by Secretary of the Interior
  • Includes FWS Director & NOAA Administrator

WHAT WE DO
• Sustain, restore and enhance the nation’s natural heritage
• Facilitate collaboration among public agencies and the private sector
• Create common ground among diverse interests
• Ensure accountability and transparency of conservation investments

HOW WE DO IT
• Leverage public funding with private money – average 3:1
• On-the-ground conservation projects through grant making
• Administration of legal settlements and mitigation funds
NFWF in the Gulf of Mexico

- NFWF has more than two decades of experience and over $128 million in conservation investments throughout the Gulf Coast

- Following the Deepwater Horizon event, NFWF and partners invested nearly $23 million through the Recovered Oil Fund for Wildlife and other sources to safeguard and bolster populations of species affected by the spill. Our Projects:
  - created of 500,000 acres of wetland habitat on agricultural lands to benefit migratory waterfowl and shorebirds
  - relocated of 25,000 sea turtle eggs in a partnership with FedEx and agency partners
  - restored 3.5 miles of oyster reef
  - improved sea turtle hatchling success across 78 miles of priority Florida beaches
  - enhanced capacity at 14 wildlife rescue facilities
  - protected critical migratory bird nesting sites on 30 islands and beaches
  - reduced by-catch of sea turtles as well as valuable recreational and commercial fish (bluefin tuna and red snapper) by providing over 500 Gulf fishermen with special equipment

New Funding for Gulf Coast Restoration

RESTORE (Clean Water Act)

**Purpose:** Environment & economic development

**Expected Amount:** $5-17B

**Allocation:**
- States – 35%
- RESTORE Council – 30%
- Impact-based – 30%
- Fisheries management – 2.5%
- Science – 2.5%

**Timing:**
- $800M (Transocean)
- BP uncertain

Natural Resource Damage (Oil Pollution Act)

**Purpose:** Mitigate impacts to resources and human use

**Expected Amount:** $2-7B

**Allocation:** Allocation based on documented damages

**Timing:**
- $1B for Early Restoration ($670M obligated)
- Remaining funds pending resolution of assessment and litigation

Gulf Environmental Benefit Fund (Criminal penalties)

**Purpose:** Natural resource projects

**Amount:** $2.54B

**Allocation:**
- 50% for Louisiana
- 14% for projects in AL, FL and MS
- 8% for projects in TX

**Timing:**
- $158M received
- Remaining funds over 5 years
Gulf Environmental Benefit Fund: Key Provisions of Plea Agreements

- NFWF to receive a total of $2.54B:
  - $1.27B for barrier island and river diversion projects in Louisiana
  - Remaining funds allocated by formula:
    - 28% each for AL, FL, MS ($356M/state)
    - 16% for TX ($203M)
- Fund projects that remedy harm to natural resources
  - Limited to conservation of natural resources (habitats, species) impacted by the oil spill
  - Projects must occur within the Gulf Coast states & waters within reasonable proximity to where the injury occurred, as appropriate
- Consultation with State & Federal resource agencies
- Funds to be paid to NFWF over a 5-year period

Preliminary Project Selection Criteria

Required (per plea agreements):
- Remedy harm to natural resources (habitats, species) the type of which were affected by oil spill
- Projects must occur within Gulf states and waters and be within reasonable proximity to impacts, as appropriate
- Infrastructure (roads, buildings, etc.) only as necessary to restore or protect natural resources
- Louisiana funds only for barrier island and river diversion projects included in the Master Plan

Other:
- Alignment with restoration plans such as under RESTORE
- Science-based, measurable outcomes
- Cost-effective and potentially leveraged to maximize impact
- Reasonable expectation regarding permit approval
Opportunities: Restore and Conserve Coastal Habitat

- Barrier Islands & Beach/Dune Habitats
- Coastal Marsh Habitats
- Coastal Bays and Estuaries

Opportunities: Enhance Populations of Living Resources

- Red Snapper
- Shore Birds
- Waterfowl
- Sea Turtles
- Oysters

In addition to conserving habitat, support other actions to bolster populations of Gulf Coast fish and wildlife.
Gulf Environmental Benefit Fund: Governance Plan

Program Implementation

- Consultation with state and federal resource agencies

  **State agencies:**
  - Alabama – Department of Conservation & Natural Resources
  - Florida – Fish & Wildlife Cons. Comm. & DEP
  - Louisiana – Coastal Protection and Restoration Authority
  - Mississippi – Department of Environmental Quality
  - Texas – TXPWD, GLO and TCEQ

  **Federal agencies:**
  - NOAA
  - U.S. Fish and Wildlife Service

- States establishing websites for submission of projects
- NFWF to facilitate consensus on project slate
- Project execution will be managed through a variety of grant and other contract vehicles, which include significant reporting and audit requirements

Note: In accordance with the plea, NFWF retains final authority to select projects. Procedures subject to NFWF Board approval and may be modified.
## Gulf Environmental Benefit Fund: Payment Timetable

<table>
<thead>
<tr>
<th>Payment (in millions of dollars)</th>
<th>Louisiana</th>
<th>Alabama</th>
<th>Florida</th>
<th>Mississippi</th>
<th>Texas</th>
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<tr>
<td>Apr. 2013</td>
<td>$158.00</td>
<td>$79.00</td>
<td>$22.12</td>
<td>$22.12</td>
<td>$12.64</td>
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<tr>
<td>Feb. 2014</td>
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<td>176.50</td>
<td>49.42</td>
<td>49.42</td>
<td>28.24</td>
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<td>Feb. 2015</td>
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<td>47.46</td>
<td>47.46</td>
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<td>Feb. 2016</td>
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<td>150.00</td>
<td>42.00</td>
<td>42.00</td>
<td>24.00</td>
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<td>Feb. 2017</td>
<td>500.00</td>
<td>250.00</td>
<td>70.00</td>
<td>70.00</td>
<td>40.00</td>
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<tr>
<td>Feb. 2018</td>
<td>894.00</td>
<td>447.00</td>
<td>125.16</td>
<td>125.16</td>
<td>71.52</td>
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<td><strong>Totals</strong></td>
<td><strong>$2,544.00</strong></td>
<td><strong>$1,272.00</strong></td>
<td><strong>$356.16</strong></td>
<td><strong>$356.16</strong></td>
<td><strong>$203.52</strong></td>
</tr>
</tbody>
</table>

*BP = $2,394M
*Transocean = $150M*

---

## Contacts

**Tom Kelsch**
Vice President, Gulf Environmental Benefit Fund
Thomas.Kelsch@nfwf.org

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Director, Gulf Environmental Benefit Fund (LA, TX)
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**Mike Sharp**
Director, Gulf Environmental Benefit Fund (AL, FL, MS)
Michael.Sharp@nfwf.org
Alabama Recovery Efforts

NRDA
(Natural Resource Damage Assessment)

Alabama Gulf Coast Recovery Council
“Alabama Council”

NFWF
(National Fish & Wildlife Foundation)

Gulf Coast Ecosystem Restoration Council
“Federal Council”
Gulf Coast Restoration Trust Fund

- The Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012 – otherwise known as the “RESTORE Act” – dedicates 80 percent of all administrative and civil penalties related to the Deepwater Horizon spill to the Gulf Coast Restoration Trust Fund.
Direct Component Criteria

- Restoration and protection of the natural resources, ecosystems, fisheries, marine and wildlife habitats, beaches, and coastal wetlands of the Gulf Coast region
- Mitigation of damage to fish, wildlife, and natural resources
- Implementation of a federally approved marine, coastal, or comprehensive conservation management plan, including fisheries monitoring
- Workforce development and job creation
- Promotion of tourism in the Gulf Coast Region, including recreational fishing
- Promotion of the consumption of seafood harvested from the Gulf Coast Region
- Improvements to or on State Parks located in coastal areas affected by the DWH oil spill
- Coastal flood protection and related infrastructure
- Infrastructure project benefitting the economy or ecological resources, including port infrastructure
- Planning assistance
Gulf Coast Ecosystem Restoration Council

- Better known as the “Federal Council”

- As required by the statute, the Federal Council has adopted a Comprehensive Plan
Spill Impact Component

- The Alabama Council is tasked with selecting projects for this bucket. Limited to 25% for infrastructure projects.
- All projects must reflect the Federal Council’s Comprehensive Plan. Limited to 25% for infrastructure projects.
- Additionally, it is the Federal Council’s responsibility to determine the amount each state will receive based on a formula in the statute.
The RESTORE Act establishes Alabama Gulf Coast Recovery Council as Alabama’s approved entity to carry out duties associated with the state allocation.

RESTORE Act outlines composition of ten (10) member Council:

- Governor of Alabama
- Director of the Alabama State Port Authority
- Chairman of the Baldwin County Commission
- President of the Mobile County Commission
- Mayor of the City of Bayou La Batre
- Mayor of the Town of Dauphin Island
- Mayor of the City of Fairhope
- Mayor of the City of Gulf Shores
- Mayor of the City of Mobile
- Mayor of the City of Orange Beach
Council Member Roles

- **Governor Robert Bentley, State of Alabama**, serves as Chairperson and presides over meetings of Council

- **Director Jimmy Lyons, Alabama State Port Authority**, serves as Vice Chairperson and presides over meetings of Council in the absence of the Chairperson

Alabama Gulf Coast Recovery Council

- Each member of Council entitled to one (1) vote

- All decisions are made by majority vote

- RESTORE ACT states that administrative duties for the Council may only be performed by public officials and employees that are subject to the ethics laws of the State of Alabama
Alabama Council Actions

- One of the first official actions by the Alabama Council was to create a Strategy Map

Alabama RESTORE Council Strategy Map

**Purpose:** The RESTORE Council will focus on projects, programs, and activities that contribute to the economic and ecological health of Coastal Alabama

**Constituents:** All of the Citizens of Coastal Alabama (what will the citizens say about the Council)

- "We are investing for the long term future of coastal Alabama"
- "The process for allocating funds is transparent and fair"

**Internal Processes:** (what do we need to do well to satisfy the citizens and be successful)

- Develop a selection and evaluation process
- Engage the citizens of coastal Alabama
- Execute for lasting results

**Finances:** (our responsibility to our funders and community)

- Be Good Stewards of RESTORE Act Money
- Leverage and coordinate with other funding sources
- Ensure Effective Controls and Audit
Alabama Council Actions

- In May, the Council designated the Alabama Department of Conservation to serve as the Administrator for RESTORE Act funds

- Reviewing Draft Treasury Regulations released on September 5, 2013 for 60-day comment period

- Council’s Project Information Sheet was released on October 8, 2013 for 30-day public comment period. View document at www.restorealabama.org.

Next Steps for Alabama Council

- Finalize Project Information Sheet and open portal for project suggestions

- Develop a selection and evaluation process which will be put out for public comment
Gulf Coast Ecosystem Restoration Council

- The RESTORE ACT established a Gulf Coast Ecosystem Restoration Council (the **Federal Council**), which is comprised of governors from the five (5) affected Gulf States; the Secretaries from the U.S. Departments of the Interior, Commerce, Agriculture and Homeland Security as well as the Secretary of the Army and the Administrator of the U.S. Environmental Protection Agency. The Gulf States recommended and President Obama appointed the Secretary of Commerce as the Council’s Chair.

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RESTORE COMPREHENSIVE PLAN

- Restore and conserve habitat
- Restore water quality
- Replenish and protect living & marine resources
- Enhance community resilience
- Restore and revitalize the Gulf economy
STATE CONTACTS

- **State of Alabama:**
  Robert Bentley, Governor

- **Designee:**
  Gunter Guy, Commissioner, ADCNR

- **Website:**
  [www.restorethegulf.gov](http://www.restorethegulf.gov)

WEBSITES

- Alabama Gulf Coast Recovery Council
- [RestoreAlabama.org](http://RestoreAlabama.org)
WEBSITES

- Comprehensive State of Alabama site
- AlabamaCoastalRestoration.org