

Alabama current connection

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Restoring the Alabama Gulf Coast: *Eight Years Post Deepwater Horizon*

The eighth anniversary of the Deepwater Horizon oil spill disaster passed with little fanfare on April 20, 2018. This issue of *Alabama Current Connection* will focus on the restoration accomplishments we've made since the spill as well as looking ahead to the future and the unprecedented opportunities we have to restore and enhance the ecosystems and economy of the Gulf Coast. But trust us on this, Gulf Coast restoration requires the mindset of a marathoner rather than a sprinter. *Continued on page 2*

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Restoring the Alabama Gulf Coast:

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Three separate pools of money resulting from the *Deepwater Horizon* oil spill are being used to fund environmental restoration, economic development, tourism and seafood promotion, and research activities in coastal Alabama. These are 1) the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States (RESTORE) Act of 2012, 2) the National Fish and Wildlife Foundation (NFWF) Gulf Environmental Benefit Fund, and 3) the Natural Resource Damage Assessment (NRDA).

RESTORE Act funding comes from civil penalties imposed by the Department of Justice on British Petroleum (BP) and Transocean for violating the Clean Water Act. For the first time ever, the RESTORE Act redirected penalties destined for the Oil Spill Liability Trust Fund under the Oil Pollution Act of 1990 to the Gulf

Coast Restoration Fund for environmental and economic restoration. These funds, representing 80% of total penalties, was divided into “**buckets**,” with different targets and requirements, developed by either the Alabama Gulf Coast Recovery Council (the Alabama Council) or the Gulf Coast Ecosystem Restoration Council (the Federal Council).

Bucket 1, (*Map Code 1*) 35% of the Restoration Fund, is divided equally among the five Gulf states to fund a Multiyear Implementation Plan for projects including **ecosystem restoration** (of beaches and shorelines, critical habitats, and fish and wildlife), **economic development** (including access, economic and community resilience; and flood, water, and transportation infrastructure) and **promotion of tourism and seafood consumption** (including education and heritage and culture). These funds are

overseen by the Alabama Council.

Bucket 2, (*Map Code 2*) 30% of the Restoration Fund (plus interest), is overseen by the Federal Gulf Coast Ecosystem Restoration Council for projects contributing to regional restoration. Projects must align with the Federal Council Comprehensive Plan goals *exclusively* for **ecosystem restoration**.

Bucket 3, (*Map Code 3*) 30% of the Restoration Fund, is divided *unequally* among the five Gulf states according to the level of spill impacts each endured. Accordingly, Alabama receives 20.4% of the funding available for the same gamut of opportunities described for Bucket 1. The Federal Council requires 1) consistency with their Comprehensive Plan goals, and 2) a cap on awards for infrastructure at 25% of the State’s total allocation. These funds are also overseen by the Alabama Council.

* Supplemented by interest generated by the Trust fund (50% RESTORE Council, 25% Science Program, 25% COE)

Clean Water Act Penalties \$6.659B

20%

Oil Spill Liability Trust Fund
\$1.33B

80%

Gulf Coast Ecosystem Restoration Trust Fund

BUCKET 1

35%

Direct Component

Treasury Administered

Ecosystem restoration, economic development and tourism promotion

~\$1.86B

Equally distributed to 5 Gulf States (AL, FL, LA, MS, TX)

BUCKET 2

30%

Council-Selected Restoration Component

Federal Council Administered

Restoration activities under the Comprehensive Plan

~\$1.6B

BUCKET 3

30%

Spill Impact Component

Federal Council Administered

Divided among 5 Gulf States according to a formula to implement State Expenditure Plans, requires Council approval

~\$1.6B

Impact based distribution to 5 Gulf States

BUCKET 4

2.5%

NOAA RESTORE Act Science Program

NOAA Administered

Gulf Coast Ecosystem Restoration Science, Observation, Monitoring and Technology Program

~\$133.3M*

BUCKET 5

2.5%

Centers of Excellence (COE) Research Grant Program

Treasury Administered

Research on the Gulf Coast

~\$133.3M*

Equally distributed to COEs in each of 5 Gulf States



Bucket 4, 2.5% of the Restoration Fund (plus interest), goes to the National Oceanic and Atmospheric Administration (NOAA) to administer the Gulf Coast Ecosystem Restoration Science Program in consultation with the U.S. Fish and Wildlife Service. It funds research, observation, and monitoring projects supporting long-term sustainability of the ecosystem; fish stocks and habitat; and the recreational, commercial, and charter fishing industries of the Gulf of Mexico.

Bucket 5, 2.5% of the Restoration Fund (plus interest), is for the establishment of Gulf coast Centers for Excellence (in Alabama- the Dauphin Island Sea Lab) and to support science, technology, and monitoring in coastal disciplines.

The **NFWF Gulf Environmental Benefits Fund** (*Map Code F*) includes \$2.54 billion in criminal penalties assessed to BP and Transocean, with \$356 million

directed to Alabama to exclusively fund ecosystem restoration projects directly benefiting Gulf natural resources damaged by the oil spill

NRDA (*Map Code R*) is the legal process used to evaluate the impacts and costs of oil spills. State and Federal NRDA trustees work together to identify the extent of natural resource injuries, best ways to restore them, and the type and amount of restoration required. In addition to natural habitats and populations, the NRDA process considers restoring the **lost use of injured natural resources by the public**. The litigation was settled in federal court in 2016, with BP committing to pay NRDA Trustees \$8.8 billion, including \$1 billion already committed to early restoration, \$7.1 billion for restoration over 15-plus years beginning in April 2017, and up to an additional \$700 million to respond to damages unknown at the time of the settlement and/or to

provide for adaptive management. Awards from NRDA aim to return injured resources to their original condition and compensate the public for losses and lost use of the resources. Alabama's share of the NRDA settlement is \$296 million.

Through these funding sources, it is the task of Federal and Alabama Councils, NFWF, and Natural Resource Trustees to restore access, beaches and shorelines, community resilience, critical habitats, economic resilience, education, fish and wildlife, heritage and culture, transportation and water quality in our two coastal counties.

On the following pages, you will read how Alabama has begun investing these dollars to restore our coastal ecosystems and enhance economic opportunities. A map of all projects planned, initiated or in progress can be found in the centerfold of this newsletter, demonstrating the efforts of many to distribute funding in an equitable and diverse manner.

RESTORE Bucket 1

The Long-Awaited Announcement of Projects in the **First Round of Funding from the 2010 Deepwater Horizon Oil Spill**

The Alabama Gulf Coast Recovery Council (the Alabama Council) has finalized its Draft Multiyear Implementation Plan (MIP) after a successful 45-day public comment period. In a public meeting on March 7, 2018, the Council voted on projects to include in its "Bucket 1" plan and adopted the final MIP on July 13, 2018. The plan has now been submitted to the U.S. Department of Treasury for review and approval.

The projects proposed in this plan are all located within the Gulf Coast Region and are consistent with the eligible criteria as stated in the RESTORE Act, and in accordance with the focus areas selected by

the Council which include infrastructure projects benefiting the economy and corresponding planning assistance.

"This is certainly an important milestone for the Alabama Council," said Governor Kay Ivey. "I am proud of the work they have accomplished since I became governor just over a year ago, and it was an honor to preside over the meeting yesterday in Spanish Fort when we voted to adopt this plan."

The Alabama Gulf Coast Recovery Council was created with the passage of the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies Act of 2012 (RESTORE Act). The 10-member council is made up of the Governor, who serves as chair; the Director of the Alabama State Port Authority, who serves as vice-chair; the Chairman of the Baldwin County

Commission; the President of the Mobile County Commission; and the Mayors of Bayou La Batre, Dauphin Island, Fairhope, Gulf Shores, Mobile, and Orange Beach. Former Congressman Jo Bonner serves as the Governor's representative in her absence.

To engage the public in its project selection process, in December 2016, the Council made a call for projects to be submitted in Alabama's Coastal Restoration portal. The Council used project submissions received through that process, along with projects previously submitted since the portal went live in March 2014, to select projects for further evaluation and ultimate placement on the Draft MIP project slate.

The proposed activities for Direct Component funding in this plan have a total estimated cost of \$192,416,759.



SAVE THE DATE

November 28th-29th, 2018

Alabama-Mississippi Bays & Bayous Symposium

www.BaysandBayous.com

The theme of the 2018 Bays and Bayous Symposium is "Navigating Waves of Change." The two day event will include presentations and discussion by local resource managers, scientists and active participants in watershed stewardship who will share our latest understanding of the condition of the lands, waters and living resources of the northern Gulf of Mexico.

The Bays and Bayous Symposium showcases the latest information about the estuary's changing watersheds, impacts from major stressors, recovery programs for species and habitats, and emerging challenges.

Gulf-wide Restoration

The Alabama Perspective

The 2015 settlement with BP set in motion a 15-year payment schedule to fund restoration activities throughout the Gulf Coast and amounts to the largest scale restoration opportunity in our history. But navigating the complex world of acronyms, buckets, councils, priorities, and lists can challenge even the most experienced bureaucrats!

Throughout this issue, we present accomplishments that have been made through the Natural Resources Damage Assessment (NRDA), the National Fish and Wildlife Foundation Gulf Environmental Benefit Fund, the Alabama Gulf Coast Recovery Council (the Alabama Council), and the Gulf Coast Ecosystem Restoration Council (the Federal Council). While each of these organizational structures varies, one common component is the role of the Alabama Department of Conservation and Natural Resources (ADCNR) serving as the lead state agency in administering these programs.

With a couple of exceptions, the 2015 settlement identified exactly how much funding would come to the State of Alabama for restoration efforts. One exception is the “Council Selected Restoration Component” of the RESTORE Act, which is often referred to as “Bucket 2.” The RESTORE Act set aside 30% of the funds in the Gulf Coast Ecosystem Restoration Trust Fund to be used for Gulf wide ecosystem

restoration projects. It also created and tasked the Federal Council, which is made up of the Governors of the five Gulf States and the top administrators of 6 federal resource agencies, with the responsibility of identifying those projects and programs that are projected to make the greatest contribution to restoring the Gulf Coast Region, “without regard to geographic

location.” It is estimated that Bucket 2 will accrue over \$1.6 billion in funds during the payout schedule. Alabama has received funding from Bucket 2, but future funding is not guaranteed and will depend on our collaboration with the other 10 Federal Council members to identify projects in Alabama that are of regional restoration significance.

Continued on page 19

Alabama Projects on the First FPL			
	Sponsor	Category 1	Category 2*
Coastal AL Comprehensive Watershed Planning Project	AL	\$4,342,500.00	
Alabama Living Shoreline Restoration Program	AL	\$908,500.00	\$5,341,000.00
Comprehensive Living Shoreline Monitoring Program	AL	\$25,000.00	\$3,975,000.00
Submerged Aquatic Vegetation Restoration & Monitoring Program	AL	\$875,000.00	
Enhancing Opportunities for Beneficial Use of Dredged Sediments	AL	\$3,000,000.00	
Marsh Restoration in Fish River, Weeks Bay, Oyster Bay, Meadows Tract	DOC	\$907,954.00	\$2,250,089.00
Mobile Bay NEP Implementation (3-Mile & 12-Mile Creek Restoration)	EPA	\$100,000.00	\$2,000,000.00
Upper Mobile Bay Beneficial Use Wetland Creation Site	Army	\$2,500,000.00	
	TOTAL	\$12,658,954.00	\$13,566,589.00
	GRAND TOTAL	\$26,225,543.00	

**Requires additional Council action upon completion of planning and environmental compliance components in Category 1.*

On Deck: A State Expenditure Plan

for an Additional 31 Restoration Projects

The Alabama Gulf Coast Recovery Council (the Alabama Council) has been hard at work compiling project suggestions, developing project requests for evaluation, and crafting a slate of projects to be included in its State Expenditure Plan (SEP) for submission to the Federal RESTORE Council for approval. Once approved, the Alabama Council will begin the process of submitting grant applications to the Federal Council for each of the thirty-one projects included in the plan.

The Alabama Council undertook an arduous process of project solicitation, evaluation and selection leading to the development of its SEP. Projects were evaluated by subject matter experts on factors including short-term versus long-term economic benefits, demonstration of need, no adverse impact created elsewhere, promotion or diversification of existing industry, level of short or long-term job creation, feasibility of success, budget reasonableness, post implementation sustainability, level of potential risks, use of cutting edge technologies in construction, project readiness/length of

time for completion, use of best available science, and leverage of outside funding sources.

Other factors evaluated included geographic location, inclusion in a strategic or comprehensive plan, annual recurring costs, scope of benefit to the community/region, appropriateness of implementing entity and project's ability to be implemented in phases.

The Alabama Council's intent was, and will continue to be, to distribute RESTORE Act funds between Baldwin and Mobile counties on an equitable basis for projects deemed viable.

While this equity may not be realized in the first round of funding included in the SEP, it will be achieved over time as amended plans are developed. In addition, viable projects not selected for first round funding will be eligible for future consideration. Throughout the planning process, 60 projects were evaluated by Alabama Department of Conservation and Natural Resource's external program management team, Volkert Engineering,

No projects were deemed ineligible during this review and seven projects were considered regional in nature by the Alabama Council.

In this initial phase of funds allocation, Mobile County had a greater number

of project requests for evaluation with a total dollar amount nearly two times that of Baldwin County. With limited funding available, a number of Mobile County projects were set aside but will be eligible for future consideration in amended plans. Several other projects did not move forward for a number of reasons

(i.e., they were eligible for other funding sources or funding for the project was already received). Overall, the slate included in the State Expenditure Plan is an excellent start in moving the needle towards improved watershed management, more resilient communities through investments in stormwater management and wastewater treatment, and greater recreation and access to our coastal resources.

The Alabama Council's intent was, and will continue to be, to distribute RESTORE Act funds between Baldwin and Mobile counties on an equitable basis for projects deemed viable.



RESTORE *Bucket 5*

Dauphin Island Sea Lab *Selected as Alabama's Center of Excellence*

On May 13, 2015, the Alabama Gulf Coast Recovery Council (the Alabama Council), through its administrative agent, the Alabama Department of Conservation and Natural Resources (ADCNR), began soliciting proposals from nongovernmental entities to serve as Alabama's Center of Excellence.

The Center of Excellence, following its selection by the Alabama Council, will administer grant funds received pursuant to the RESTORE Act under Bucket 5 for research on the Gulf Coast Region focusing on science, technology, and monitoring in one or more of the following disciplines:

1. Coastal and deltaic sustainability, restoration, and protection, including solutions and technology that allow citizens to live in a safe and sustainable manner in a coastal delta in the Gulf Coast Region.
2. Coastal fisheries and wildlife ecosystem research and monitoring in the Gulf Coast Region.
3. Offshore energy development, including research and technology, to improve the sustainable and safe development of energy resources in the Gulf of Mexico.
4. Sustainable and resilient growth, economic and commercial development in the Gulf Coast Region.
5. Comprehensive observation, monitoring, and mapping of the Gulf of Mexico.

On December 6, 2016 Dauphin Island Sea Lab Director Dr. John Valentine gave a presentation to the Alabama Council at a public meeting on the Marine Environmental Science Consortium's (MESC) proposal to serve as Alabama's Center of Excellence. The Alabama Council formally accepted the proposal and asked the ADCNR to proceed with drafting an agreement outlining the specific scope of work. Once finalized, the Alabama Council officially designated the MESC as Alabama's Center of Excellence.



Using the NFWF Gulf Environmental Benefit Fund *to Restore Coastal Alabama*

*Alligator Lake in the Bon Secour NWR.
Photo courtesy of U.S. Fish and Wildlife Service*

Eight years have passed since the summer of the Deepwater Horizon oil spill, and criminal penalties, Clean Water Act fines through the RESTORE Act, and the Oil Pollution Act Settlement are funding aggressive restoration efforts in coastal Alabama. Since 2013, Alabama has received \$148M of its total of \$356M derived from criminal penalties and administered by the **National Fish and Wildlife Foundation's Gulf Environmental Benefit Fund (NFWF GEBF)** for 24 projects to enhance reefs, acquire lands, restore

watersheds, and benefit natural resources impacted by the spill.

More than \$80M has been used to acquire and protect over 4,000 acres of coastal habitat in Alabama. In 2015, The Nature Conservancy received \$5.78M, and over 2,400 acres of **Grand Bay Savanna** coastal habitat and wetlands were purchased in south Mobile County. The GEBF paid for three important acquisitions on the Fort Morgan Peninsula. The 113-acre **Gulf Highlands** property, with 2,700 feet of Gulf-fronting beach and dune habitat, was purchased with a \$38M grant. This spectacular parcel was

deeded to the State, who will manage it to enhance habitat for coastal birds, sea turtles, and the endangered beach mouse with limited access points, fencing, and interpretative signage for visitors. The **Bon Secour-Oyster Bay Wetland Acquisition Project**, funded with a \$12.5M grant, will protect and restore 836 acres of tidal marshes, maritime forests, and freshwater wetlands within the City of Gulf Shores. This project area provides critical habitat for threatened and endangered species like the Alabama red-bellied turtle and eastern indigo snake, along with various wading birds.

With \$5.9M awarded in 2017, another 251-acre parcel on the Peninsula was acquired and deeded to the U.S. Fish and Wildlife Service for inclusion and management within the **Bon Secour National Wildlife Refuge**. This parcel includes scrub/shrub, pine flatwood, salt marsh, and tidal creek habitats. These acquisitions expand the network of high-priority conservation areas protected from the pressures of commercial and residential development.

The Nature Conservancy also received \$5.9M in 2016 for the **Lightning Point Acquisition and Restoration Project – Phase I** to acquire more than 100 acres of coastal habitat and fund engineering and design to restore approximately 28 acres of marsh and install 1.5 miles of intertidal, nearshore breakwaters along the mouth of the Bayou La Batre River. The acquisition targets more than two miles of nearly contiguous undeveloped waterfront adjacent to protected lands owned by the state, Mobile County, and the City of Bayou La Batre. It will enhance and restore coastal marsh and prescribe living shoreline techniques along a currently eroding shoreline to extend an existing living shoreline to the west and a future, NRDA-funded living shoreline to the

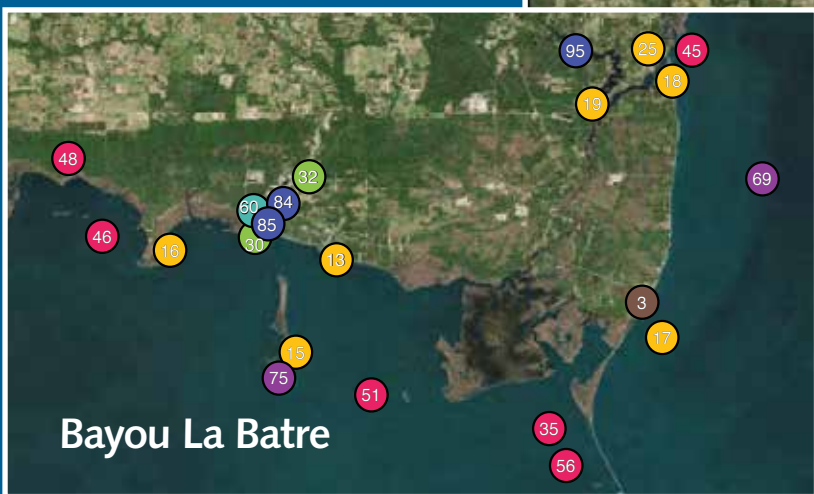
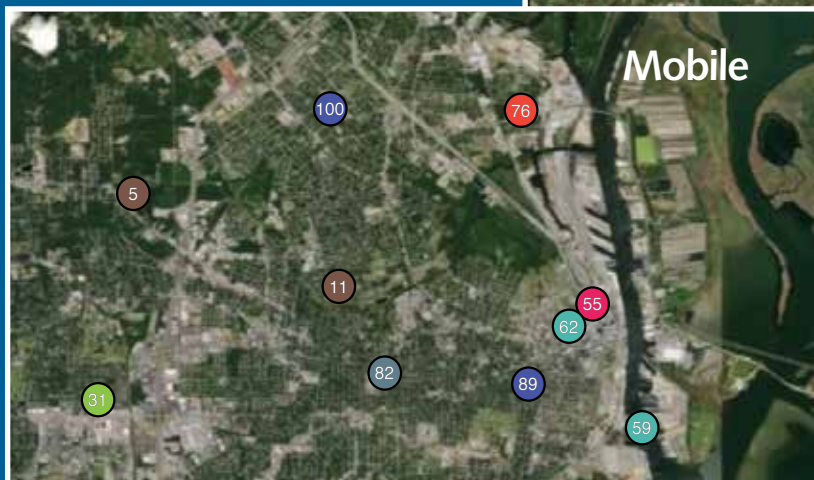
east. Funding for construction – Phase II – is anticipated to follow once project design is complete.

In 2015, the Mobile County Commission received \$4.26M to fund the **Mobile County Conservation Acquisition** of a 233-acre parcel located on Mobile Bay near the mouth of Fowl River and development of a conservation stewardship plan to manage it. This site of the planned Salt Aire community, abandoned after the 2008 market collapse, contains over 4,000 feet of Mobile Bay and Old Fowl River frontage and approximately 90 acres of brackish marsh and transitional upland forest habitat with a diversity of plants, birds, and aquatic species. In 2017, NFWF granted the County Commission an additional \$12.7M (**Salt Aire Shoreline Restoration**) to use a living shorelines approach to stabilize over a mile of eroding shoreline and restore salt marsh habitat. Approximately 5,600 linear feet of segmented, low-profile breakwater structures will be installed to reduce wave energy, and 150,000 cubic yards of dredge material will be transported from a nearby disposal area for substrate to restore and enhance 30 acres of salt marsh nursery habitat.

The Mobile Bay National Estuary Program won one of the first NFWF GEBF grants in 2013, originally for \$6.7M, but amended to \$12.8M after the devastating April 2014 rains, for the **D'Olive Watershed Restoration** of degraded streams pouring sediment into Mobile Bay. The combination of rolling topography, erodible soils, an annual average of five and a half feet of hard rain, and significant residential and commercial development make this watershed “the perfect storm” of stormwater impacts. The grant has funded the restoration of two stormwater retention ponds and ten deeply-incised stream segments, totaling over two miles in length, including tributaries to Joe’s Branch in Spanish Fort and D’Olive and Tiawasee creeks in Daphne. Deeply gouged channels with fallen trees have been converted to shallow, winding streams, often with vegetated flood plains, fortified strategically with rock and planted with native riparian vegetation to restore their former ecology. Only two stream segments west of County Road 13 remain to be restored. Monitoring downstream of the Joe’s Branch restorations reveals 90% reduction in sediment loads, as monitoring continues across the watershed to measure effectiveness of the restoration effort.



Grand Bay Savannah
Photo courtesy of Alabama Forever Wild



Projects Funded by RESTORE, NFWF and NRDA

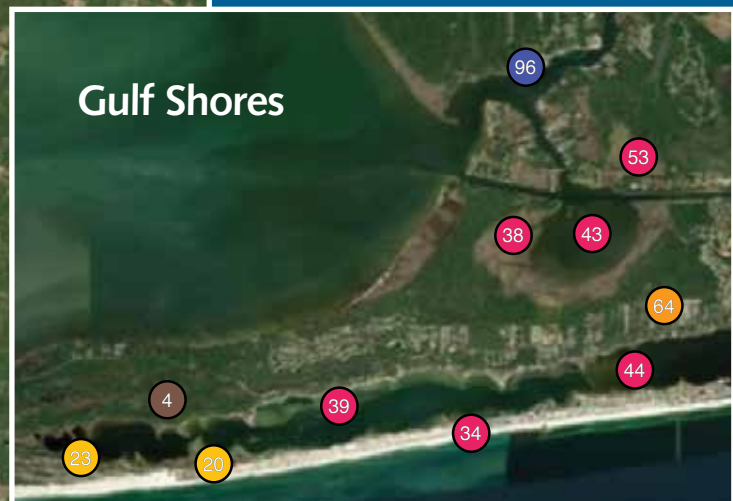
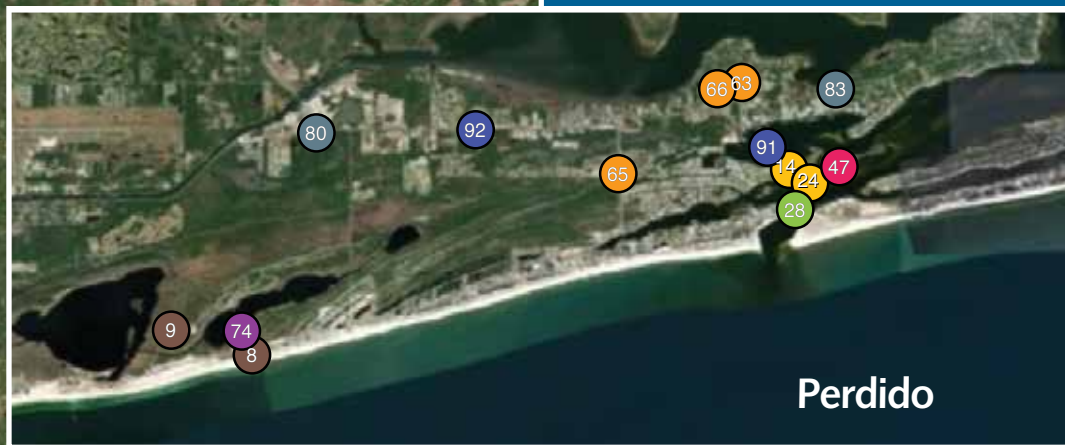
PROJECT CODES *Listed Below:*

RESTORE *Bucket 1* (1) NFWF (F)
RESTORE *Bucket 2* (2) NRDA (R)
RESTORE *Bucket 3* (3)

1. Fort Morgan Parkway Trail Extension (3)
2. Meaher Park Improvements (3)
3. Bayfront Park Improvements (R)
4. BS National Wildlife Refuge Trail Enhancement (R)
5. City of Mobile-Mobile Greenway Initiative (1)
6. DIPOA-Isle Dauphine Beach and Golf Study (1)
7. Fort Morgan Pier Rehabilitation (R)
8. Gulf State Park Enhancement (R)
9. Gulf State Park Lodge/Public Access Amenities (R)
10. DI Mid-Island Parks and Public Beach Improvements (R)
11. Mobile County Blueway Trail Development (1)
12. Alabama Barrier Island Restoration Assessment (F)
13. Perdido Pass Living Shorelines (2)
14. Boggy Point Living Shoreline (2)
15. Coffee Island Living Shoreline (2)

16. Point aux Pins Living Shoreline (2)
17. Comprehensive Living Shorelines Monitoring (2)
18. Fowl River Watershed Restoration (F)
19. Fowl River Coastal Spits/Wetlands Restoration-Phase I (F)
20. Laguna Cove Little Lagoon Natural Resource Protection (R)
21. Lillian Park Beach Habitat and Shoreline Protection (3)
22. Little Dauphin Island Restoration Assessment (F)
23. Little Lagoon Living Shoreline (R)
24. Lower Perdido Islands Restoration Phase I (R)
25. Salt Aire Shoreline Restoration (F)
26. Shell Belt and Coden Belt Roads Living Shoreline (R)
27. Swift Tract Living Shoreline (R)
28. Alabama Point Seawall Restoration (3)
29. Identification of Sand Resource Areas (3)
30. Lightning Point Restoration-Phase I (F)
31. ADEM Coastal Facilities (3)
32. Water Distribution Upgrades (1)
33. New Stream-Gaging Station on Fish River CR 32 (3)

34. Perdido Dune Restoration (R)
35. Alabama Oyster Cultch Restoration (R)
36. Alabama Seagrass Restoration and Monitoring (2)
37. Bon Secour National Wildlife Refuge Acquisition (F)
38. Bon Secour-Oyster Bay Wetland Acquisition (F)
39. Little Lagoon Restoration (3)
40. DI Bird Habitat Acquisition and Enhancement (F)
41. DI Conservation Acquisition (F)
42. Enhanced Mgt of Avian Breeding Habitat-DI (R)
43. Enhanced Mgt of Avian Breeding Habitat-Oyster Bay (R)
44. Enhanced Mgt of Avian Breeding Habitat-Little Lagoon (R)
45. Beneficial Use of Dredged Sediments - Denton Reef (2)
46. Beneficial Use of Dredged Sediments - Grand Bay (2)
47. Beneficial Use of Dredged Sediments - Perdido Pass (2)
48. Grand Bay Conservation Acquisition (F)
49. Gulf Highlands Conservation Acquisition (F)
50. Magnolia River Land Acquisition (R)
51. Marsh Island Marsh Creation in Portersville Bay (R)



- Access
- Beaches & Shorelines
- Community Resilience
- Critical Habitats
- Economic Resilience
- Education
- Fish & Wildlife
- Heritage & Culture
- Transportation
- Water Quality

- 52. Marsh Restoration in Fish River (2)
- 53. Marsh Restoration in Oyster Bay (2)
- 54. Marsh Restoration in The Meadows (2)
- 55. Mobile Bay Shore and Wetland Conservation/Acquisition (F)
- 56. Restoration and Enhancement of Oyster Reefs (F)
- 57. Upper Mobile Bay Wetland Creation (2)
- 58. Weeks Bay Conservation Acquisition 1 & 2 (R)
- 59. ASPA-Automotive Logistics/RO-RO Terminal (1)
- 60. Bayou La Batre Docks Redevelopment (1)
- 61. Fairhope Working Waterfront & Greenspace Restoration (1)
- 62. Innovating St. Louis Street: Mobile's Technology Corridor (1)
- 63. Auburn University-Gulf Coast Engineering Research Station (3)
- 64. Ambassadors of the Environment Program (1)
- 65. Alabama Wildlife Rehabilitation/Education Center Expansion (3)
- 66. Gulf Coast Wildlife Recovery/Interpretive Center Phase I (3)
- 67. DI Eco-Tourism and Education Area (R)
- 68. Alabama Artificial Reef and Habitat Enhancement (F)

- 69. Alabama Coastal Bird Stewardship Program (F)
- 70. Alabama Marine Mammal Conservation and Recovery Program (F)
- 71. Enhanced Fisheries Monitoring (F)
- 72. Marine Mammal Stranding Network Expansion (R)
- 73. Fisheries and Ecosystem Monitoring (F)
- 74. Osprey Restoration in Coastal Alabama (R)
- 75. Coffee Island Habitat Restoration (R)
- 76. Historic Africatown Welcome Center (1)
- 77. DI Aloe Bay Harbour Town Development (1)
- 78. Baldwin Beach Express I-10 to I-65 Extension Phase I (1)
- 79. Baldwin County ALDOT Improvements-Daphne (1)
- 80. Baldwin County ALDOT Improvements-Gulf Shores (1)
- 81. Baldwin County ALDOT Improvements-Spanish Fort (1)
- 82. Mobile Complete Streets (3)
- 83. Orange Beach-Canal Road Improvements (3)
- 84. Bayou la Batre Collection System/ Lift Station Upgrades (3)
- 85. Bayou La Batre WWTF Outfall Extension (3)

- 86. Chickasaw Sewer Rehabilitation Project (3)
- 87. Eastern Shore Sanitary Sewer Overflows Prevention Plan (3)
- 88. Fairhope Sewer Upgrade Phase 1 (3)
- 89. Mobile Area Storm Water Mapping (3)
- 90. Three Mile Creek Watershed Restoration (3)
- 91. Environmental Restoration of Cotton Bayou and Terry Cove (3)
- 92. Orange Beach North Sewer Force Main Upgrade (3)
- 93. Northwest Satsuma Water and Sewer Project (1)
- 94. D'Olive Watershed Restoration (Sediment Reduction) (F)
- 95. Fowl River Nutrient Reduction (R)
- 96. Water Quality Improvements, Bon Secour DMDA (3)
- 97. MAWSS-Perch Creek Area Sanitary Sewer Trunk CIPP (3)
- 98. Twelve Mile Creek Restoration (2)
- 99. Mobile County-Dirt Road Paving (Sediment Reduction) (3)
- 100. Stormwater Management for Toulmins Spring Branch (3)
- 101. Aloe Bay/MS Sound Water Quality Enhancement Project (3)
- 102. Mount Vernon Water Treatment Plant (1)
- 103. Weeks Bay Nutrient Reduction (R)

NRDA

Natural Resource Damage Assessment in Alabama: *Past, Present and Future*

Background: In the 2016 settlement with BP, Alabama was awarded \$296 million under the Oil Pollution Act to restore injuries caused by the Deepwater Horizon oil spill. The Oil Pollution Act authorizes federal and state agencies collectively known as natural resource trustees to plan and carry out restoration efforts.

After the Deepwater Horizon (DWH) oil spill, federal and state agencies came together to form the Deepwater Horizon Natural Resource Damage Assessment (NRDA) Trustee Council. The Alabama

Trustee Implementation Group (ALTIG) governs restoration planning efforts in Alabama. The ALTIG is made up of representatives from the Alabama Department of Conservation and Natural Resources, the Geological Survey of Alabama, the National Oceanic and Atmospheric Administration, the U.S. Department of the Interior, the U.S. Environmental Protection Agency, and the U.S. Department of Agriculture.

The Alabama Trustee Implementation Group works together to restore and conserve habitat, improve water quality, and replenish and protect coastal and marine species such as sea turtles, marine

mammals, birds, and oysters. Additionally, the TIG works to enhance recreational opportunities for the public.

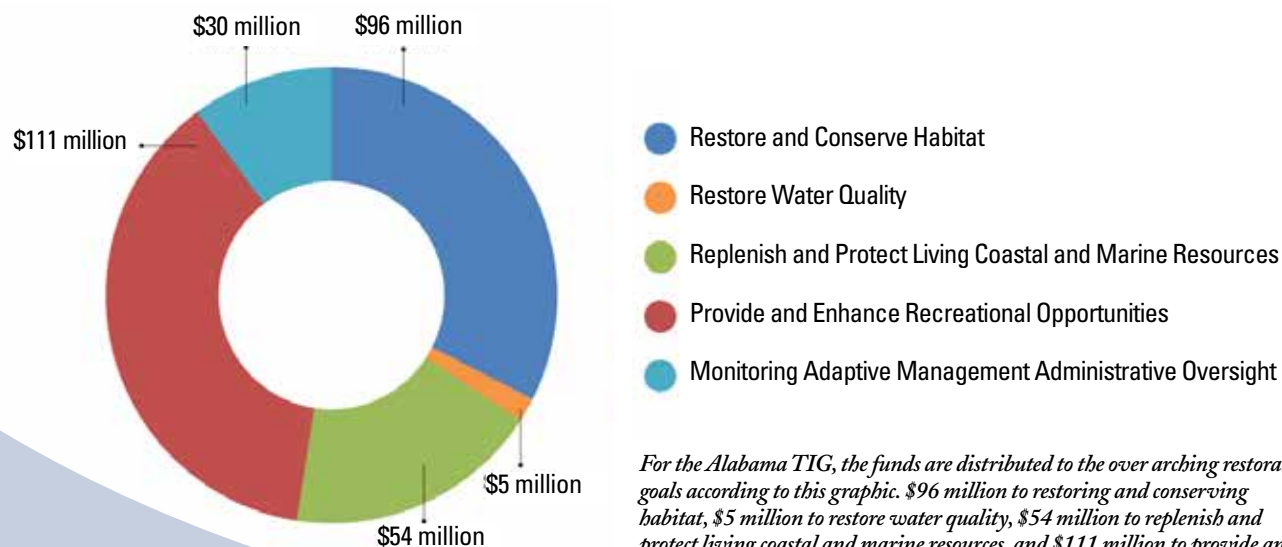
The goal of NRDA is to make the environment and public whole for injuries to natural resources and services resulting from an incident involving a discharge or substantial threat of discharge of oil.

Ongoing Restoration Activities:

In 2011, the DWH Trustees came to a Framework Agreement for Early Restoration with BP that allowed the states to begin restoration implementation prior to settlement. Alabama's 10 early restoration projects total \$53,612,982 in restoration spending.

Figure 1

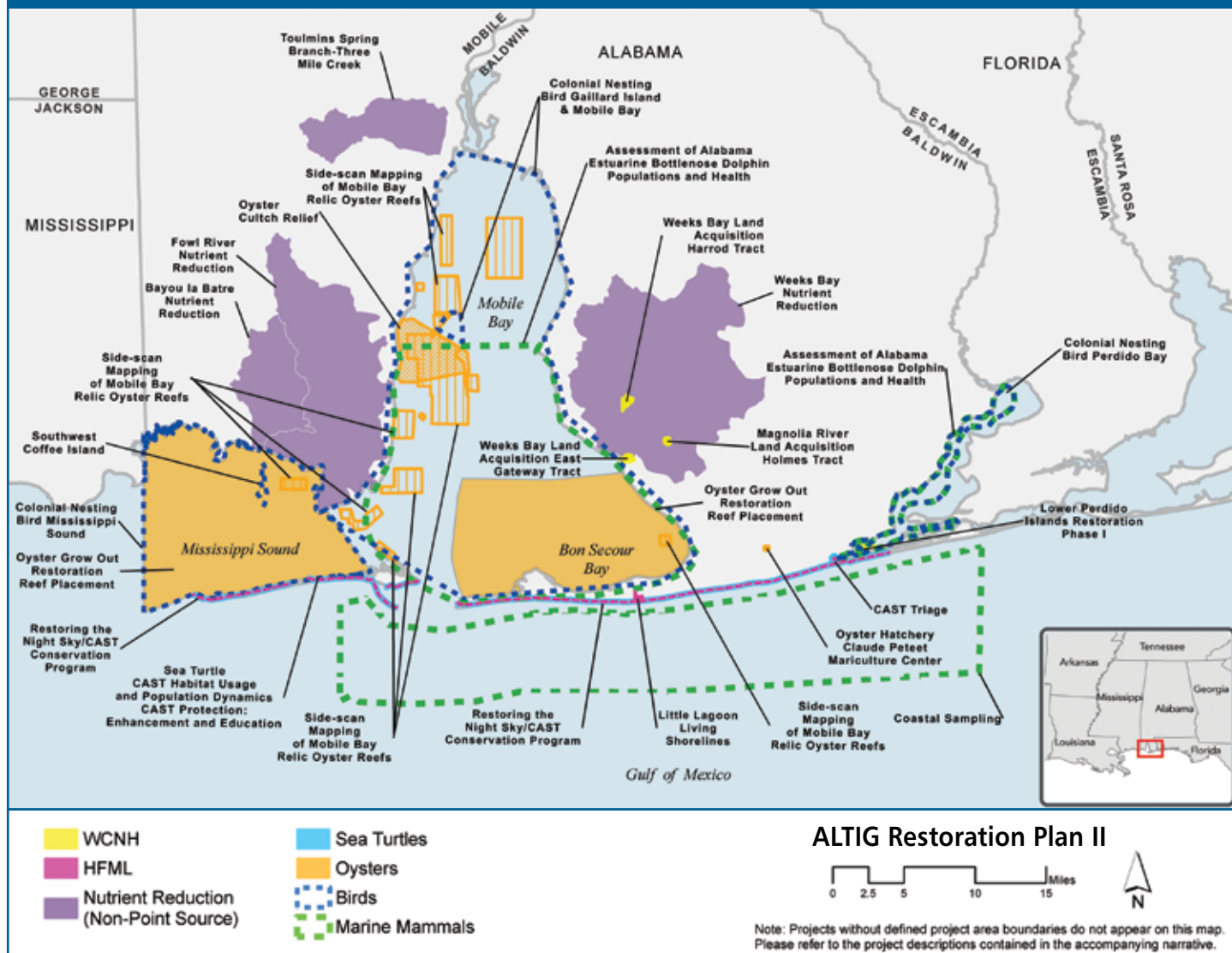
Alabama Trustee Implementation Group Funding Allocation



For the Alabama TIG, the funds are distributed to the over arching restoration goals according to this graphic. \$96 million to restoring and conserving habitat, \$5 million to restore water quality, \$54 million to replenish and protect living coastal and marine resources, and \$111 million to provide and enhance recreational opportunities, and \$30 million has been allocated to the monitoring and adaptive management and administrative oversight goal.

Figure 2

ALTIG Restoration Plan II



In 2016 the DWH Trustees and BP reached a settlement agreement in which Alabama was awarded \$296 million to be paid over 15 years. Figure One highlights the settlement agreement's allocation of those funds among restoration types.

The Alabama TIG's Restoration Plan I and Environmental Impact Statement (RPI) was finalized in 2017. RPI focused on providing and enhancing recreational opportunities with projects totaling \$70,675,000.

What's Next: In April 2018, the ALTIG released Draft Restoration Plan II and Environmental Assessment (DRPII). This draft plan supports foundational

work across a multitude of restoration types. There are 22 projects proposed for selection in DRPII (figure 2). The projects cover Mobile and Baldwin Counties from wetlands to the beaches and into the Gulf of Mexico. The plan proposes projects that restore wetlands, address nonpoint source nutrient reduction, improve and increase habitat on federally managed lands, and restore sea turtles, marine mammals, oysters, and birds. This approach will support the Trustees' goal to comprehensively address injuries to Alabama's natural resources. A number of these projects are foundational in nature meaning future restoration can build on their success and lessons learned. Finally, the proposed projects leverage local

expertise and partnerships to maximize available funding resources. The Trustees anticipate Restoration Plan II becoming finalized in the fall of 2018.

Conclusion: In total, we have 16 restoration projects underway in Alabama and we are pleased to add the 22 proposed projects in the Alabama TIG's new restoration plan to the slate of restoration projects in our state. This is not all the work we need to do, nor is it all the work we intend to do but it is a good start.

More information about restoration in Alabama can be found at <http://www.alabamacoastalrestoration.org/> and <http://www.gulfspillrestoration.noaa.gov/restoration-areas/alabama>



Building Resilient Watersheds *Across the Alabama Coast*

Fowl River Marsh Spits. Photo courtesy of Sam St. John

In 2013, the Mobile Bay National Estuary Program (MBNEP) embarked upon a holistic, watershed-based approach to guide coastal ecosystem restoration and protection measures recommended through, and including, watershed management planning.

The MBNEP's current Comprehensive Conservation Management Plan (CCMP) initiated this novel approach which prescribes development of watershed management plans (WMPs) to ensure that restoration projects are based in science and fit into an overall management program by drainage area, independent of geopolitical boundaries.

The old way of doing things is giving way to a new method for managing

resources along Alabama's coast. Rather than the traditional ways of pushing problems downstream to manage off-site, this watershed-based approach focuses on managing the system closest to its source and mimicking the natural environment. Imperative to the success of this strategy is a need to reach beyond geopolitical boundaries, bringing differing governing bodies together to act as one to manage shared interests on a watershed scale.

The fulcrum of this paradigm shift is the watershed plan. Watershed plans provide a vehicle to ensure a sustainable quality of life for coastal residents through setting goals focused on improving water quality and critical habitats, protecting traditional uses of biological resources, enhancing watershed resiliency to human and natural stressors, and by increasing

opportunities for access to the resource. Integral to the success of these plans are partnerships built from the initial stages of the development process through implementation of WMP recommendations that may stretch out over a decade or more. Creating a sense of ownership by engaging key stakeholders from the outset and incorporating community input and concerns to inform recommended actions generates momentum to carry the finished watershed plans forward. These WMPs are invaluable to our state's decision makers as they decide how best to direct limited funding available through various sources. To date over \$170 million dollars in BP-related funding has been allocated to projects identified through the watershed planning process.

D'Olive Watershed Restoration



"The Mobile Bay NEP's watershed management planning efforts have been extremely valuable to the State when reviewing potential projects for funding. With the many resources available as a result of the Deepwater Horizon oil spill, these plans have identified projects based on science with the added value of stakeholder participation up front."

- Eliska Morgan, Executive Director, Alabama Gulf Coast Recovery Council

What follows is an update from each of our coastal watersheds with completed plans and a look forward to ongoing and future watershed planning efforts across Mobile and Baldwin counties.

The D'Olive WMP set the stage and serves as the template for this watershed approach. Completed in 2010, the D'Olive WMP stressed the importance of "stopping the bleeding" from the network of deeply eroded stream channels across the watershed funneling unprecedented levels of sediment through the system, clogging tributaries, wetlands, and ultimately D'Olive and Mobile bays. Since the inception of the plan, over \$12 million dollars of funding has been secured, leading to the restoration of over two miles of incised streams and their adjacent flood plains. Additionally, the cities of Daphne and Spanish Fort have adopted new

standards for how stormwater is managed in the Watershed to ensure the efficacy of the restored waterways.

"When we initiated watershed planning, we never thought that the D'Olive Watershed would end up being the recipient of the over \$12 million in NFWF stream restoration funds. For Daphne, D'Olive Watershed Restoration is like a dream come true. It shows that proper watershed planning pays off. Under the leadership of the Mobile Bay National Estuary Program, the D'Olive Watershed Working Group created unbelievable partnerships that led to the restorations' success. A big thanks to the MBNEP for being such a great steward of Mobile Bay." - **Ashley Campbell, Environmental Programs Manager, City of Daphne**

Three Mile Creek flows 14 miles through the heart of the City of Mobile, from headwaters just west of the University of South Alabama to its confluence with the Mobile River. Once the source of drinking water for the City, the waterway had since been largely abandoned and left to convey stormwater from city streets and parking lots. The creek and its tributaries suffer from pollutants associated with stormwater runoff in highly urbanized areas: excessive nutrients, sedimentation, pathogenic bacteria, and litter. Completed in 2014, the WMP recommended a host of management measures designed to improve water quality and reconnect the community to this forgotten resource.

Continued on page 16



Paddlers on Halls Mill Creek



With the stated vision of creating a transformational corridor of renewal in the Three Mile Creek Watershed, the recently formed 3MC Partnership is in the vanguard of revitalization efforts.

“We need to let the community know we have this potential treasure in our backyard. It’s really important from an environmental standpoint, because so many things impact the creek, from development to stormwater runoff from city streets. We have 11 neighborhoods along this corridor of various socio-economic, and racial make-up, so this is a great way to bring our city together as one community.” - Mike Rogers, Chairman, 3MC Partnership

Fowl River, its tributaries, and its surrounding watershed include some of the most pristine waterways ever assessed by the Geological Survey of Alabama. Completed in 2015, the WMP outlines a strategy of maintaining habitat and water quality by conserving the remaining wetlands, especially in the headwaters, which are facing development pressure from the westward expansion of the City of Mobile. The primary focus in the lower reaches of the river is to determine what underlying factors contribute to the loss of coastal marshland. A team of eight scientists is currently undertaking a comprehensive study of the compromised marshes, seeking to understand not only what is causing marsh degradation but also what impact stabilizing the shorelines

of marsh-covered spits may have on healthy marshes downstream.

“The assessment thoroughly addresses the many aspects needed to understand the rampant degradation observed for the lower river marshes. It will provide a detailed portrait of the various processes that regulate marsh health in the river and, thus, significantly improve our understanding of what is causing their degradation.” - Dr. Just Cebrian, Senior Marine Scientist, Dauphin Island Sea Lab

Dog River, Halls Mill, Eslava, and Rabbit Creeks, and its other tributaries drain extensive portions of highly-urbanized areas within the city of Mobile. The recently finalized Dog River WMP reported conditions representative of habitats and water quality affected by streambed siltation, organic enrichment, litter, and other impairments associated with urban stormwater runoff. Implementation of a variety of management measures, including wetland conservation, improvements to sanitary sewer infrastructure, and



Weeks Bay Pitcher Plant Bog

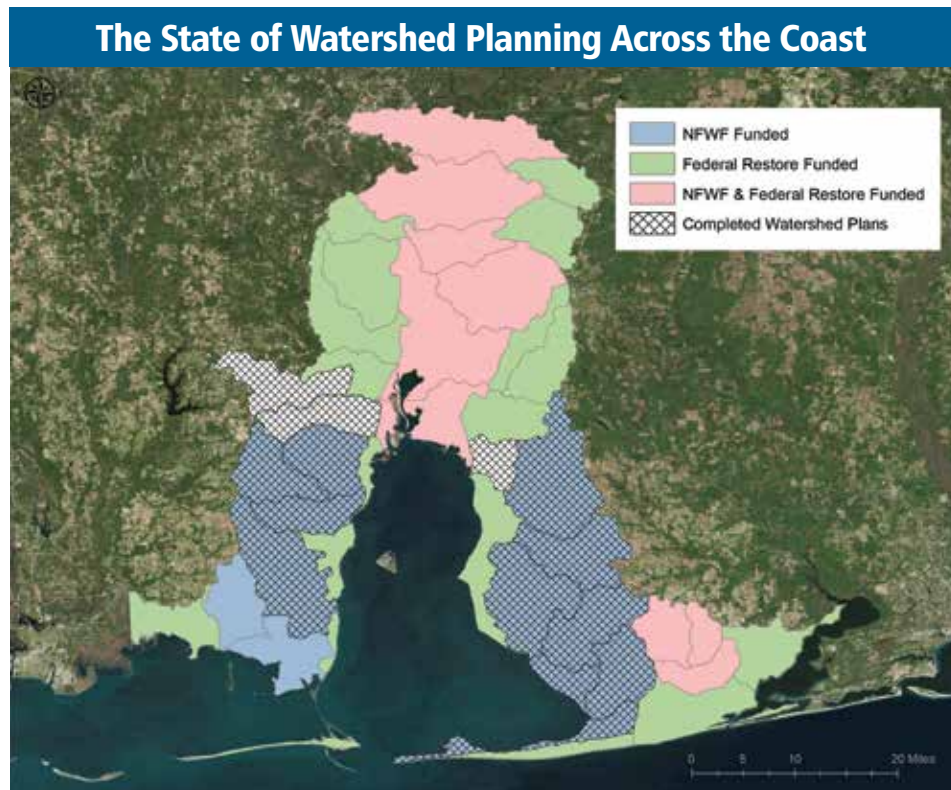
reduction of stormwater runoff through improved development practices, are needed to improve the health of the greater Dog River Watershed. Funding was recently secured to acquire and conserve critical tidal marsh habitat along Perch Creek, restore hydrology, and provide recreational access by raising the DIP bridge across the Creek. Additional funding will be used to repair sanitary sewer infrastructure, reducing the incidences of sewer overflows into Perch Creek.

“Having a clear picture of the current status of Mobile’s vast urban watershed is the first step toward lasting improvements. Whether it’s preventing or removing unwanted materials, increasing public access and awareness, restoring damaged shorelines or protecting critical habitat, we must have accurate scientific data to support our projects, especially the funding of those projects. Having a thorough roadmap to help guide our projects will result in wiser use of resources with broader positive impacts.” – Debi Foster, Executive Director of the Dog River Clearwater Revival

Bon Secour River has headwaters in one of the fastest-growing metro areas in the State of Alabama, and to address the stress that places on the watershed, its WMP has recommended actions to reduce the impacts associated with stormwater runoff in urbanized areas, while focusing on protecting important habitats, like wetlands and coastal marshes, where they exist. Successes, to date, include the acquisition and protection of more than 1,000 acres of high-priority habitat and updating development standards in Foley to address stormwater management by requiring inclusion of low-impact development practices in all new construction in the City.

“Foley is working to address the management measures identified in the plan to restore and preserve the headwaters of the watershed. This includes installing a litter trap and working to acquire key properties for future stormwater mitigation projects” – Leslie Gahagan, Environmental Manager, City of Foley.

Weeks Bay is the receiving water for 362 miles of streams and tributaries, including the Fish and Magnolia rivers, that snake through the 130,000-acre



watershed and drain a large swath of southwestern Baldwin County. This watershed, at the epicenter of the fastest growing county in Alabama, has been impacted by stormwater runoff from urban and agricultural uses with multiple stream segments suffering water quality impairments related to nutrient loading, excessive erosion and sedimentation, low dissolved oxygen, and bacterial pathogens associated with failing sewer and septic systems. Help is on the way, thanks to the Baldwin County Soil and Water Conservation District hiring a new Watershed Management Coordinator, one of the first actions recommended in the WMP. This Coordinator will be responsible for overseeing the implementation of other recommendations of the Weeks Bay WMP.

“It is vital to focus and coordinate to meet the needs of the local land user. Through partnerships we want to make a lasting and positive contribution to the communities of Baldwin County. The Baldwin County Soil & Water Conservation District looks to the future with great hope, knowing each day we are making significant strides to protect our natural resources and provide a brighter

future for Baldwin County.” – Rhonda Bryars, District Administrative Coordinator, Baldwin County Soil & Water Conservation District.

Watershed plans are also currently under development for Bayou La Batre, where stakeholder concerns have centered around community resilience, and West Fowl River, where investigators are working to address issues related to pathogenic bacteria pollution in the West Fowl River Watershed that is affecting the oyster growers in Fowl River and adjacent Portersville bays. Development of a WMP for Wolf Bay is also getting underway. Lack of recreational access there and a continued conversion of rural to urban land uses are issues certain to be addressed in this WMP. However, the work doesn’t stop there. RESTORE Act dollars, soon coming online, will fund development of 23 additional WMPs, encompassing the remaining intertidal watersheds across Mobile and Baldwin counties. These WMPs have proven invaluable in directing limited restoration funding to the projects delivering the greatest impact to improving coastal water and habitat quality, and in helping to secure implementation funding.



Today, the State of the Bay...

Tomorrow a Plan for the Next Five Years

The year 2018 presents two monumental challenges to the staff and Management Conference of the Mobile Bay National Estuary Program (MBNEP). First, a revision to our Comprehensive Conservation and Management Plan (CCMP), directed by the U.S. Environmental Protection Agency, and second, development and publication of the State of the Bay report to inform coastal residents about the status and trends of Alabama's estuaries.

Five years ago, MBNEP developed the *Respect the Connect – Comprehensive Conservation & Management Plan for Alabama's Estuaries and the Coast 2013-2018*. This CCMP garnered national attention for a watershed approach that prescribed watershed management planning to ensure protection and restoration efforts are based in science and fit into an overall management program, based upon drainage and independent of geopolitical boundaries. Through a consensus-building and collaborative decision-making process, MBNEP worked with over 200 key stakeholders from federal, state, and local agencies; industry; academia; and citizen groups to develop this "roadmap" based upon local input and supporting local priorities to ensure the quality and ecological integrity of Alabama's estuarine waters. That CCMP led to development of five new watershed management plans (WMPs) for complexes that included 12 individual coastal drainage

basins and significant implementation of WMP recommendations. With five years having passed and funding secured to develop WMPs for all of Alabama's tidally-influence watersheds, the time has come to evaluate progress towards implementation of the CCMP's four five-year strategies, make necessary changes to address gaps or new issues, and develop new strategies to guide planning and implementation through 2023.

Management Conference committees and MBNEP committee facilitators met in early 2018 to evaluate progress in implementing the strategies developed during an intensive November 2012 Coastal Planning Summit of key stakeholders and published in the CCMP. Broken into working groups based on the six things valued most by coastal Alabamians – Access, Beaches and Shorelines, Fish and Wildlife, Heritage and Culture, Resilience, and Water Quality – stakeholders recommended Goals, Objectives, and Activities to guide implementation from 2013 through 2018. The Science Advisory Committee evaluated Estuary Status and Trends strategy implementation with Community Action Committee collaboration directed towards monitoring, the Project Implementation Committee evaluated Ecosystem Status and Trends, the Business Resources Committee evaluated Technical Assistance and Capacity Building, and the Community Resources Committee evaluated Education and Public Involvement. In August, stakeholders will be invited to another Coastal Planning meeting to

guide development of amended strategies for the new CCMP. The new strategies will be published in December along with the *2018 State of Mobile Bay, A Status Report on Alabama's Coastline from the Delta to our Coastal Waters*.

Ten years have passed since the publication of the last State of the Bay Report. The 2008 State of the Bay used selected indicators, like population change, land use changes, fishery populations, nutrient concentrations, etc., to provide insights into environmental changes that occurred over the past five to 10 years. In 2018, the State of the Bay will provide focus by local experts on the main stressors and ecosystem types identified in the 2013 CCMP to determine status and trends since 2008, why each ecosystem type matters, and what we are doing to ensure their sustainability. We will include a chronology of watershed management planning efforts completed and planned, and for each completed WMP, we will list impairments, critical issues, and prioritized recommendations. Science Advisory Committee members and other scientists and environmental resource managers will submit contributions to show how their laboratories are contributing to a greater understanding of estuary status and trends or how their work is contributing to healthier estuarine waters through water quality improvements, habitat management, population management, etc. The Report will also include the new five-year strategies developed for the revised 2019-2023 CCMP.

Gulf-wide Restoration *The Alabama Perspective*

Continued from page 5

The Federal Council issued its first Funded Priorities List (FPL) of projects in December 2015. The list authorized \$183 million in expenditures Gulf-wide. Of this total, Alabama was directly authorized to administer approximately \$18 million in projects. This includes approximately \$4.3 million in funding for the Mobile Bay National Estuary Program (MBNEP) to complete Watershed Management Plans for all the priority watersheds in Mobile and Baldwin counties. Final grant documentation was submitted to the Federal Council in May, and it is anticipated that the grant should be awarded by the time this newsletter goes to press.

The first FPL also includes \$10.2 million in funds for regional living shoreline design, implementation, and monitoring efforts, \$875,000 in funds for submerged aquatic vegetation restoration and monitoring, and \$3 million in funds to plan and design projects to use dredged sediments to restore the Denton Oyster reef and the back-barrier island complex of Mississippi Sound.

Alabama is also the direct beneficiary of approximately \$7.5 million in restoration projects that are being administered in Alabama by other Federal Council members. The US Department of Commerce will execute three marsh restoration projects in the Weeks Bay watershed in Baldwin County at a cost of approximately \$3.2 million. The US Army Corps of Engineers is authorized \$2.5 million in funds to plan and design a 1200-acre marsh cell in Upper Mobile Bay for the beneficial reuse of dredged sediments from the channel maintenance operations. And the US Environmental Protection Agency will receive up to \$2.1 million to support the MBNEP's stream restoration efforts in 12-Mile Creek. The State and Federal partners are currently executing grants with the Federal Council to implement the projects identified on the first FPL.

With the first FPL underway, our attention now turns to planning and development of the next and future FPLs as well as the development of a 10-year funding strategy for the Federal Council. In

May, the State of Alabama received a 5-year, \$2.1 million Comprehensive Commitment and Planning Support (CPS) grant from the Federal Council. The purpose of this grant is to support the State in our efforts to enhance collaboration, coordination, and public engagement efforts as we work to develop the next FPL, which is targeted for completion in 2020. Most members of the Council applied for and received similar CPS funds, signaling a unified intention among Council members that the next FPL will be as collaborative as possible to meet the RESTORE Act's stated intent of identifying projects and programs that make the greatest contribution to restoration in the Gulf Coast region.

Alabama will utilize the CPS funds to support increased staff level participation in various Federal Council interagency collaboration meetings and workgroups. Alabama also plans to host additional focus group and stakeholder meetings to identify and vet specific projects for potential inclusion in the next FPL. The existing committee structure of the MBNEP will be utilized to ensure a wide range of stakeholder involvement as we move forward with Bucket 2 project planning. Funding will also be utilized to increase opportunities for public involvement through improved communications, website upgrades, and hosting Restoration Summits to keep the public informed of restoration activities across all funding streams.

The State of Alabama will host its first Restoration Summit on October 11, 2018 at the Spanish Fort Community Center, and we encourage you to mark your calendar and make plans to attend. To stay informed of Alabama's oil spill restoration efforts, point your browser to www.alabama.coastalrestoration.org and sign up for our email updates.



Alabama current connection

About the Mobile Bay National Estuary Program:

The Mobile Bay National Estuary Program's mission is to lead the wise stewardship of water quality and living resources of the Mobile Bay and Tensaw Delta. The MBNEP serves as a catalyst for activities of estuary stakeholders, helping to build community-based organizational capacity for sound resource management and leveraging commitment and investment to ensure the estuary's sustainability. For more information, please contact the MBNEP office at 251-431-6409.

About ADCNR, State Lands Division, Coastal Section:

In an effort to protect and enhance coastal resources and reduce potential conflicts between environmental and economic interests, the Alabama Coastal Area Management Program (ACAMP) was approved by the National Oceanic and Atmospheric Administration (NOAA) in 1979. The ACAMP is administered through the Alabama Department of Conservation and Natural Resources, State Lands Division, Coastal Section. For more information, please contact the Coastal Section office at 251-621-1216.

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Alabama Current Connection encourages reprinting of its articles in other publications. If you have recommendations for future articles or would like to subscribe, please contact the editor:

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Hank Burch Appointed Assistant Director of ADCNR, State Lands Division



Hank Burch has recently accepted the position of Assistant Director of the Alabama State Lands Division, based out of the coastal office in Spanish Fort. He comes to the position with over 20 years of experience in resource management, including time in both county and state government. Hank most recently served as the manager of the 5 Rivers Coastal Resource Center, overseeing operations of one of the most popular outdoor destinations on the coast, while at the same time being heavily involved in planning and implementing RESTORE Act projects in Alabama. Hank has spent most of his life on the Alabama Gulf Coast. Having grown up

in Loxley and graduated from Bayside Academy in Daphne, he recognizes the unique challenges facing the natural resource community as we strive to manage population growth, along with conserving the resources that draw people to live along the coast. He believes that the State Lands Division Coastal Program - working in cooperation with cities, counties, academia, and the Mobile Bay National Estuary Program - can play a key role in developing effective solutions to these challenges. His short-term goal is to organize staffing with an eye toward structure, cross-training, and successional planning to position the Division to take the lead on coastal conservation for years to come.