



Government Networks Committee
March 11, 2022





Welcome!

Please put your name, organization, and email in the chat box to sign in.

Please note: This meeting is being recorded!

Agenda

Meeting Objectives:

- a) Provide status of NFWF GEBF & RESTORE funding
- b) Overview Infrastructure funding opportunities
- c) Discuss proposed beneficial use wetland creation project

1. Welcome and Introductions

GNC Co-Chairs:

Commissioner Merceria Ludgood, Mobile County

Commissioner Billie Jo Underwood, Baldwin County

2. Review and Approval of Minutes

3. Old Business

- a) NFWF GEBF/RESTORE Update - ADCNR
- b) Watershed Planning Update – Christian Miller, MBNEP

4. New Business

- a) Infrastructure Investment Act – Chris Thomas, EPA Region 4
- b) Coastal Area Litter Traps – ADEM
- c) Upper Mobile Bay Beneficial Use Wetland Creation – Mary Beth Sullivan, Moffatt Nichol
- d) Other

5. Adjourn



Welcome & Approval of Minutes

Merceria Ludgood, Mobile County Commission
Billie Jo Underwood, Baldwin County Commission



NFWF/RESTORE update

Patty McCurdy and Amy Hunter, ADCNR





Projects Map

Projects / Projects Map

Alabama Deepwater Horizon Restoration Projects

- All
- Beaches & Barrier Islands
- Birds
- Fish**
- Human Use & Economy
- Dolphins, Sea Turtles, & Wildlife



1 Alabama Artificial Reef and Habitat...



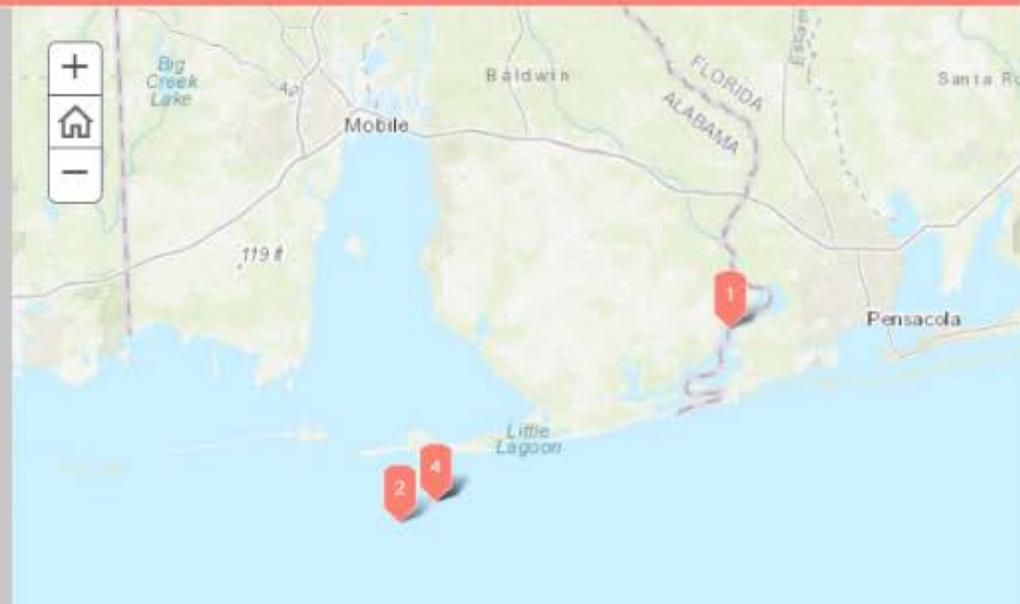
2 Enhanced Fisheries Monitoring in Alabama...



3 Multifaceted Fisheries and Ecosystem...



4 Multifaceted Fisheries and Ecosystem...

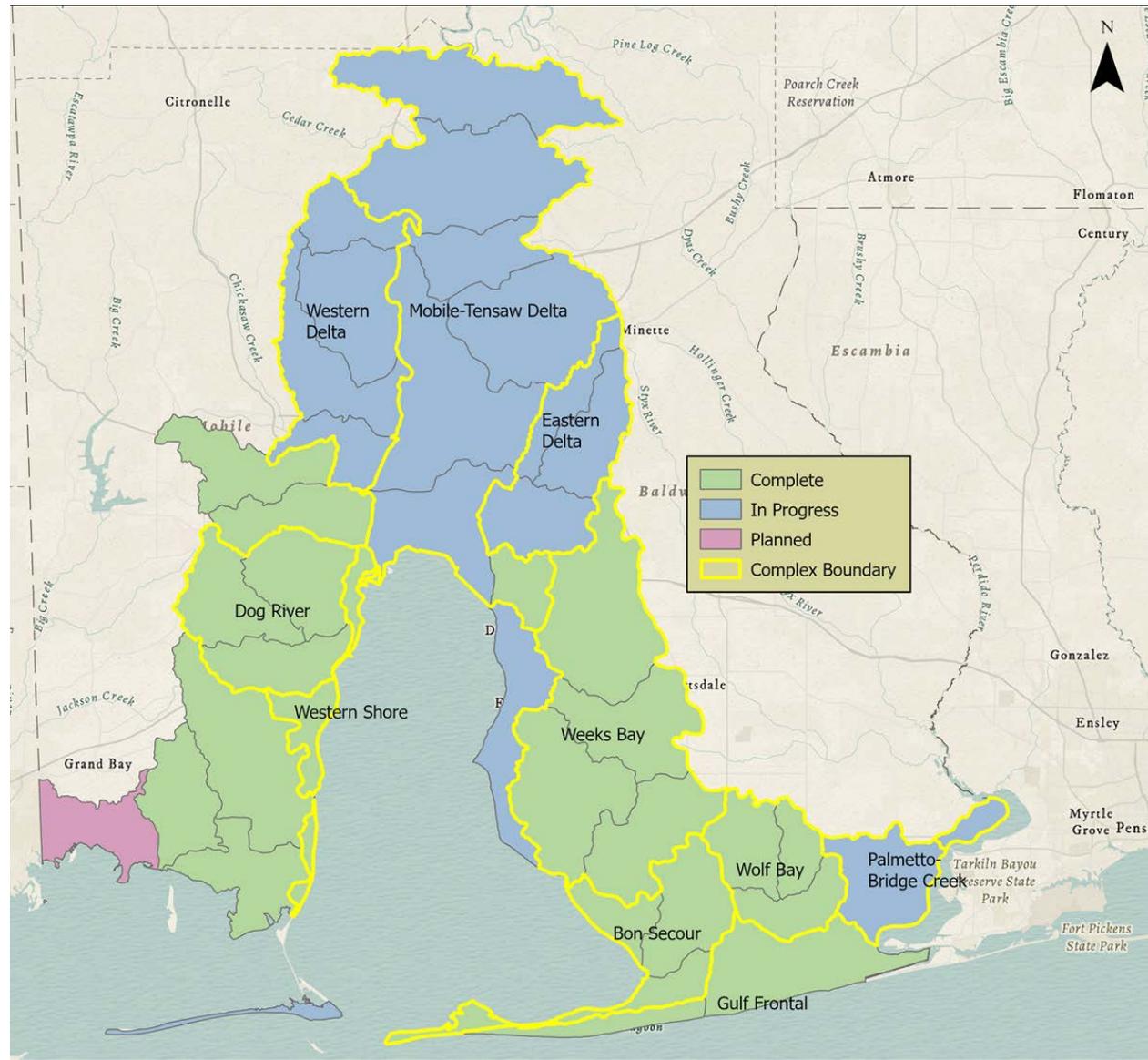




Watershed Planning Update

Christian Miller - MBNEP

Watershed Planning Update



| Watershed | Status |
|----------------|------------------------------|
| Western Shore | Complete |
| Gulf Frontal | Complete |
| D'Olive Update | Complete |
| MTA Delta | In progress – Final June '22 |
| Eastern Shore | In progress – Final July '22 |
| Dauphin Island | In progress – Final July '22 |
| Perdido | In Progress |
| Western Delta | In Progress |
| Eastern Delta | In Progress |
| Grand Bay | On Deck |



State Revolving Fund Provisions in the Bipartisan Infrastructure Law

The Bipartisan Infrastructure Law

Public Law No:
117-58

Amendments to
SDWA 1452 and
CWA Title VI

*(the SDWA DWSRF and CWA CWSRF
authorizing sections)*

Significant new
appropriations of
supplemental DWSRF
and CWSRF funds for
5 years

Also referred to as:





BIL SRF Summary – Reauthorizes Existing Base SRF Programs and Adds New Funding Streams

Amendments to
CWA Title VI and
SDWA 1452

Massive new influx
of supplemental
SRF funds for 5
years



CWSRF Existing Base Program Amendments (Authorized Only)

Reauthorizes the program at the following annual amounts (for reference FY21 appropriation was \$1.6B):

- 2022: \$2.4B; 2023: \$2.75B; 2024: \$3.0B; 2025 & 2026: \$3.25B

Expands allowable forms of Additional Subsidy

- Grants, negative interest, “other loan forgiveness,” buying, refinancing, restructuring debt
- Includes the following exclusion: "A loan from the water pollution control revolving fund of a State with an interest rate equal to or greater than 0 percent shall not be considered additional subsidization"

Includes floor not less than 10% but not more than 30% for additional subsidization

New Set-Aside for States: Adds up to 2 percent of its capitalization grant for nonprofit organizations (as defined in section 104(w)) or State, regional, interstate, or municipal entities to provide technical assistance to rural, small, and tribal publicly owned treatment works.

Build America, Buy America procurement requirement added



DWSRF Existing Base Program Amendments (Authorized Only)

Reauthorizes the program at the following annual amounts (for reference FY21 appropriation was \$1.95B)

- 2022: \$2.4B; 2023: \$2.75B; 2024: \$3.0B; 2025 & 2026: \$3.25B

Expands allowable forms of SDWA 1452(d)
Disadvantaged Additional Subsidy

- Grants, negative interest, “other loan forgiveness,” buying, refinancing, restructuring debt

Raises minimum SDWA 1452(d) Disadvantaged
Additional Subsidy floor from 6% to 12%

American Iron & Steel procurement requirement made
permanent

Build America, Buy America procurement requirement
added

BIL Added 3 Pots of Supplemental SRF Funds for 5 years - Authorized and Appropriated



GENERAL SUPPLEMENTAL
CW AND DW



LEAD SERVICE LINE SUPPLEMENTAL DW
ONLY



EMERGING CONTAMINANTS
SUPPLEMENTAL
CW AND DW



The 3 Pots of BIL Supplemental Funding (Authorized and Appropriated)

1. General Supplemental (CWSRF and DWSRF)

- All SRF eligibilities
- 10% state match in '22 and '23; returns to 20% in years '24-26
- 49% of the capitalization grant amount must be given as additional subsidy (to any SRF eligible community)

2. Lead Service Line Supplemental (DWSRF)

- Eligibilities limited to DWSRF-eligible "lead service line replacement projects and associated activities directly connected with the identification, planning, design, and replacement of lead service lines."
- No state match
- 49% of the capitalization grant amount must be given as additional subsidy (to any DWSRF eligible community)

The 3 Pots of BIL Supplemental Funding (Authorized and Appropriated) - continued

3. Emerging Contaminants/PFAS Supplemental (CWSRF and DWSRF)

- Eligibilities limited to SRF-eligible projects that "address emerging contaminants in drinking water with a focus on perfluoroalkyl and polyfluoroalkyl substances"
- No state match
- 100% of the capitalization grant amount must be used as additional subsidy (to any DWSRF eligible community)
- 3% of the funds may be used **by EPA** for "salaries, expenses, and administration" in '22; drops to 2% in '23-26

General Supplemental SRF Funds (National)

| Year | CW SRF | DWSRF | Total | State Match | Required Additional Subsidy |
|--------------|-----------------------|-----------------------|-----------------------|--------------------|------------------------------------|
| 2022 | 1,902,000,000 | 1,902,000,000 | 3,804,000,000 | 10% | 49% |
| 2023 | 2,202,000,000 | 2,202,000,000 | 4,404,000,000 | 10% | 49% |
| 2024 | 2,403,000,000 | 2,403,000,000 | 4,806,000,000 | 20% | 49% |
| 2025 | 2,603,000,000 | 2,603,000,000 | 5,206,000,000 | 20% | 49% |
| 2026 | 2,603,000,000 | 2,603,000,000 | 5,206,000,000 | 20% | 49% |
| Total | 11,713,000,000 | 11,713,000,000 | 23,426,000,000 | | |



DWSRF Lead Service Lines (National)

| Year | Amount | State Match | Additional Subsidy |
|-------|----------------|-------------|--------------------|
| 2022 | 3,000,000,000 | 0% | 49% |
| 2023 | 3,000,000,000 | 0% | 49% |
| 2024 | 3,000,000,000 | 0% | 49% |
| 2025 | 3,000,000,000 | 0% | 49% |
| 2026 | 3,000,000,000 | 0% | 49% |
| Total | 15,000,000,000 | | |

SRF Supplemental - Emerging Contaminants (National)

| Year | CW SRF | DWSRF | Total | State Match | Required Additional Subsidy |
|-------------|---------------|---------------|---------------|--------------------|------------------------------------|
| 2022 | 100,000,000 | 800,000,000 | 900,000,000 | 0% | 100% |
| 2023 | 225,000,000 | 800,000,000 | 1,025,000,000 | 0% | 100% |
| 2024 | 225,000,000 | 800,000,000 | 1,025,000,000 | 0% | 100% |
| 2025 | 225,000,000 | 800,000,000 | 1,025,000,000 | 0% | 100% |
| 2026 | 225,000,000 | 800,000,000 | 1,025,000,000 | 0% | 100% |
| Total | 1,000,000,000 | 4,000,000,000 | 5,000,000,000 | | |

Build America, Buy America Act

- Included in the *BIL*
- Expands domestic preference requirements for both SRF programs and WIFIA, as well as adds domestic preference requirements to other infrastructure funding programs at EPA and other Federal-aid infrastructure programs.
- Requires domestic production of iron/steel, manufactured products, and other construction materials

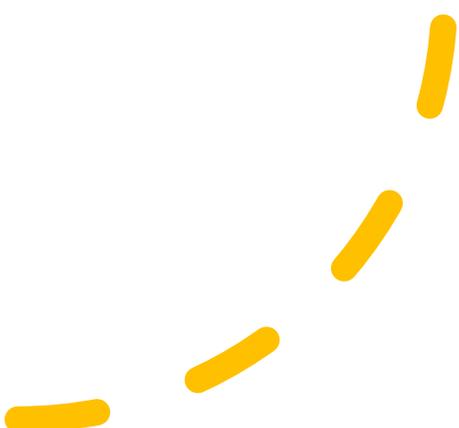




BIL EPM Money (National)

| FFY | Geographic Programs | | NEP | Gulf Hypoxia Action Plan | | Class VI Permitting | | |
|--------------|----------------------------|-------------------------|------------|---------------------------------|-----------|----------------------------|-----------|----------------------|
| 22 | \$ | 343,400,000.00 | \$ | 26,400,000.00 | \$ | 12,000,000.00 | \$ | 5,000,000.00 |
| 23 | \$ | 343,400,000.00 | \$ | 26,400,000.00 | \$ | 12,000,000.00 | \$ | 5,000,000.00 |
| 24 | \$ | 343,400,000.00 | \$ | 26,400,000.00 | \$ | 12,000,000.00 | \$ | 5,000,000.00 |
| 25 | \$ | 343,400,000.00 | \$ | 26,400,000.00 | \$ | 12,000,000.00 | \$ | 5,000,000.00 |
| 26 | \$ | 343,400,000.00 | \$ | 26,400,000.00 | \$ | 12,000,000.00 | \$ | 5,000,000.00 |
| Total | \$ | 1,717,000,000.00 | \$ | 132,000,000.00 | \$ | 60,000,000.00 | \$ | 25,000,000.00 |

Additional Grant Authorities Authorized by BIL

- **There are 21 additional new grant authorities authorized by BIL**
 - **For each of these that receive appropriation in federal fiscal year funding for EPA, the resulting grants will be administered**
- 

Opportunities from the BIL

- Making a generational level investment in clean and safe drinking water
 - Single largest investment the federal government has ever made in water
- Tackling complex compliance challenges
 - Using additional subsidy as an affordability tool to assist drinking water and wastewater systems most in need
 - Using set-asides to assist systems with applications and capacity-building activities
- Identifying and removing lead service lines
- Funding for emerging contaminants

Current Activities

- Implementation Guidance released by EPA HQs on March 8,
- Emphasis on targeting resources on disadvantaged and underserved communities
- Emphasis on outreach and assistance to disadvantaged and underserved communities – communication plans and prioritization of systems for assistance
- States and EPA working together
 - each state approach will be unique

**BIL Allocation
for FY2022
for Alabama**

| State | BIL SRF Funding -2022 |
|--|------------------------------|
| AL – Total BIL | \$137,133,000 |
| DWSRF Supplemental | \$38,787,000 |
| CWSRF Supplemental | \$19,901,000 |
| Lead Service Line | \$61,114,000 |
| DWSRF Emerging Contaminants | \$16,286,000 |
| CWSRF Emerging Contaminants | \$1,045,000 |
| | |

CWSRF-Eligible Project Categories

- Centralized Wastewater Treatment – POTWs
- Combined Sewer Separation and Rehab
- Collection System Infiltration and Inflow Rehab
- Climate Resiliency and Hazard Mitigation
- Energy Conservation and Water Conservation
- Water Reuse
- Decentralized Wastewater Treatment
- Stormwater Management
- Planning/Assessments
- Agricultural Best Management Practices
- Habitat and Ecosystem Restoration and Source Water Protection
- Resource Extraction Water Quality
- Landfill Water Quality
- Contaminated Site Remediation

Note: Operations and Maintenance expenses are **not** eligible for SRF assistance.

This is a statutory prohibition for both SRFs

DWSRF - Eligible Project Categories

- Treatment
- Transmission & Distribution
- Storage
- Source
- Consolidation
- Creation of New Systems
- Planning & Design

Note: Operations and Maintenance expenses are not eligible for SRF assistance.

This is a statutory prohibition for both SRFs

State
Revolving
Fund (SRF) In
Alabama
Contact:

- **Brian Espy – Chief, General Services Branch (ADEM)**
- **srf@adem.alabama.gov**
- **(334) 271-7711**





Coastal Litter Abatement

Jeff Kitchens/Scott Hughes, ADEM



Upper Mobile Bay Wetland Creation Project

MBNEP - GNC

Alabama State Port Authority





Project Goal

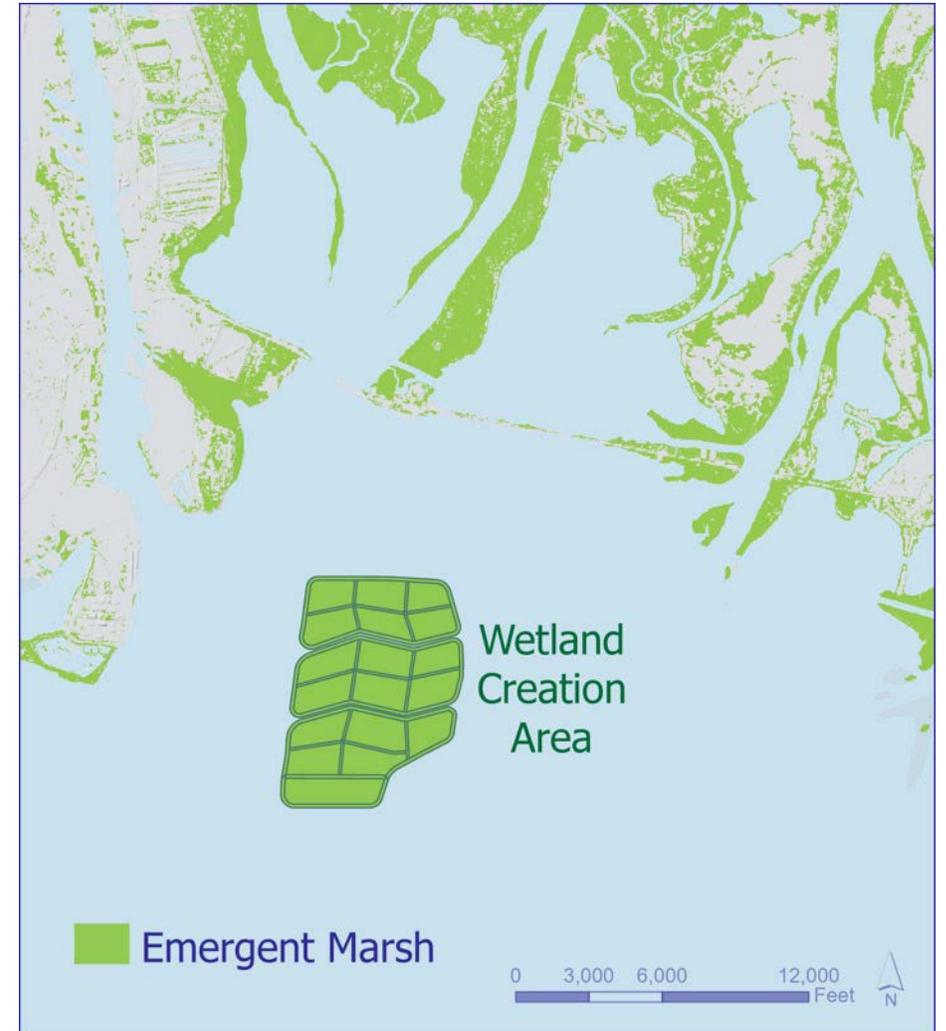
- ▶ To plan for creation of 1,200 acres of wetlands in the Upper Mobile Bay through the beneficial use of dredged material



Project Background

Background:

- ▶ Annually, 350,000 cubic yards of sediment removed from Alabama Port Authority public berths.
- ▶ Upper Mobile Bay has lost 10,000 acres of wetlands over the last century. Project will create wetlands where it can thrive.
- ▶ By constructing this project, sediments will remain in the Upper Mobile Bay system and be beneficially used for habitat.





Project Benefits

- ▶ Increases in wetland nursery habitat
- ▶ Increased commercial fisheries habitat and recreational opportunities
- ▶ Increase in submerged aquatic vegetation habitat
- ▶ Improved water quality
- ▶ Reduced damage resulting from storm surge
- ▶ Wise environmental stewardship of sediment resources
- ▶ Reduced annual dredging costs for the public port, a revenue-based agency



Design Process

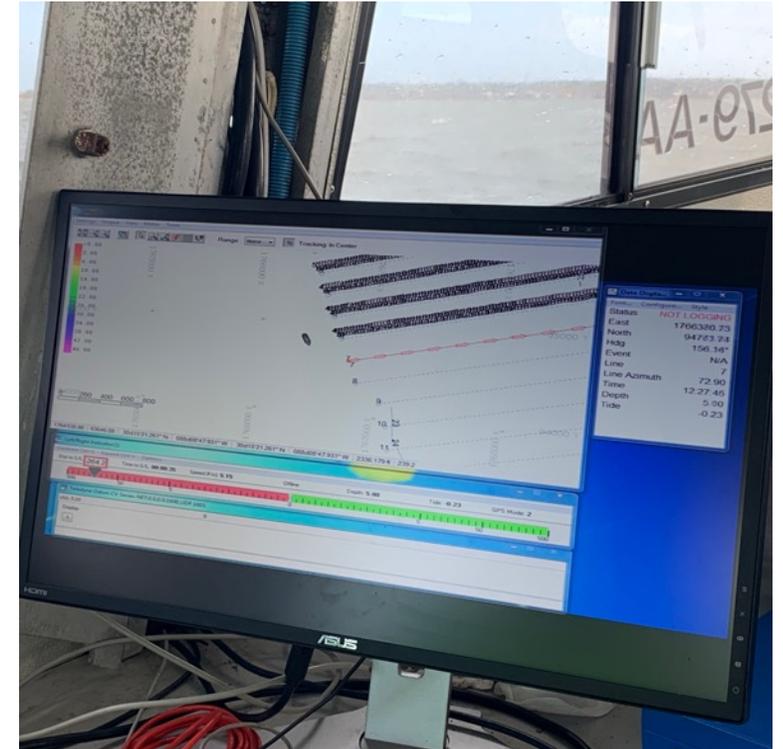
Completed Tasks:

- ▶ Field investigations and studies
- ▶ Design criteria
- ▶ Conceptual design
- ▶ 30% design



Investigations and Studies

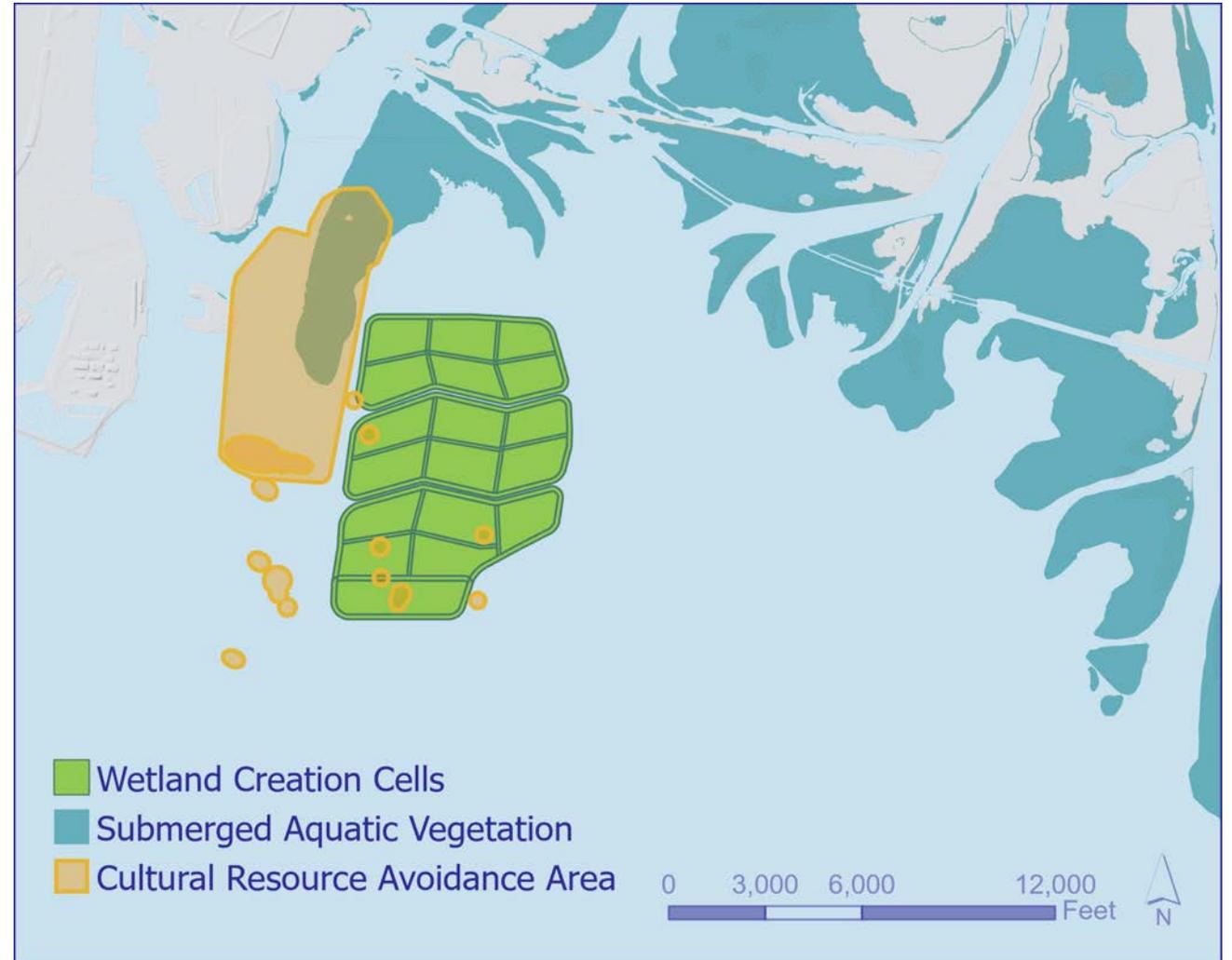
- ▶ Geotechnical
 - ▶ 80 soil borings
- ▶ Mapping Bay Bottom Elevations
 - ▶ 2,000 acres
- ▶ Cultural Resource Assessment
- ▶ Submerged Aquatic Vegetation



Design Criteria

Environmental Resources criteria:

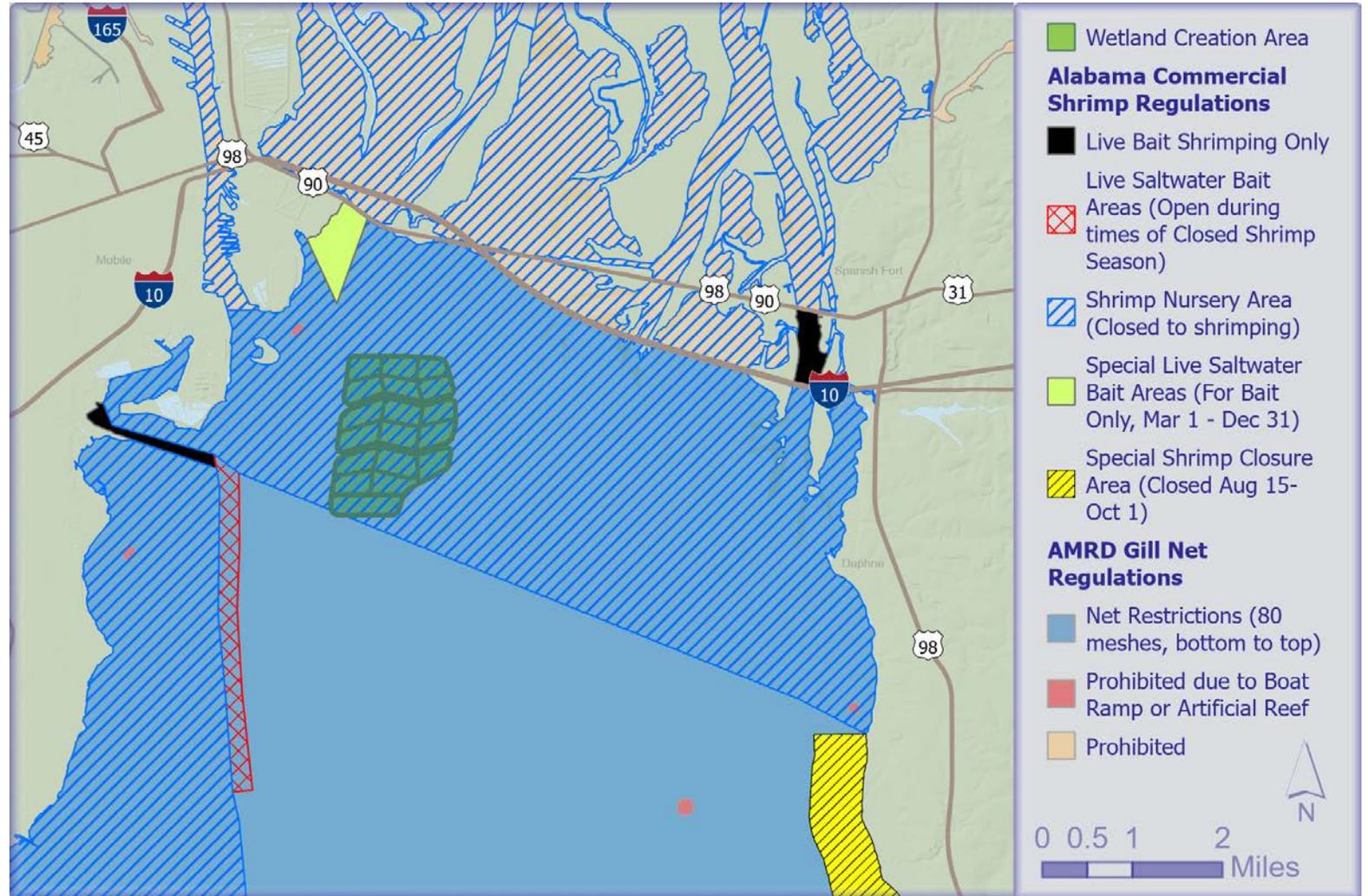
- ▶ Avoid cultural resources
- ▶ Avoid submerged aquatic vegetation
- ▶ Maximize habitat diversity



Design Criteria

Environmental Resources criteria:

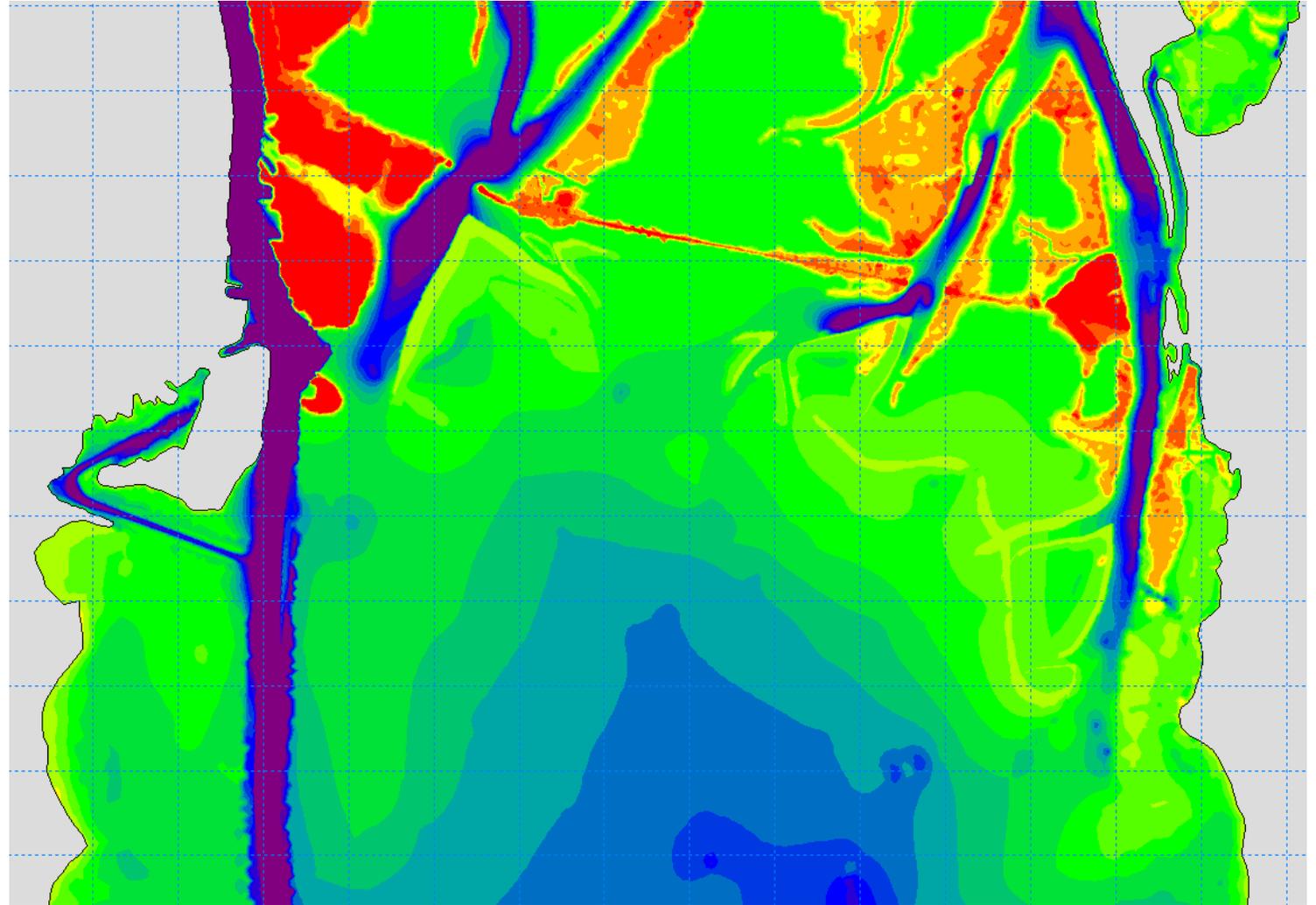
- ▶ Minimize negative impacts to fisheries
- ▶ Maximize nursery habitat for fisheries
- ▶ Incorporate regulatory agency requirements



Design Criteria

Physical Criteria:

- ▶ Wind and wave climate
- ▶ Depth of water
- ▶ Elevation of wetland
- ▶ Slope stability of sediments



**UPPER MOBILE BAY
WETLAND CREATION**

Conceptual Design



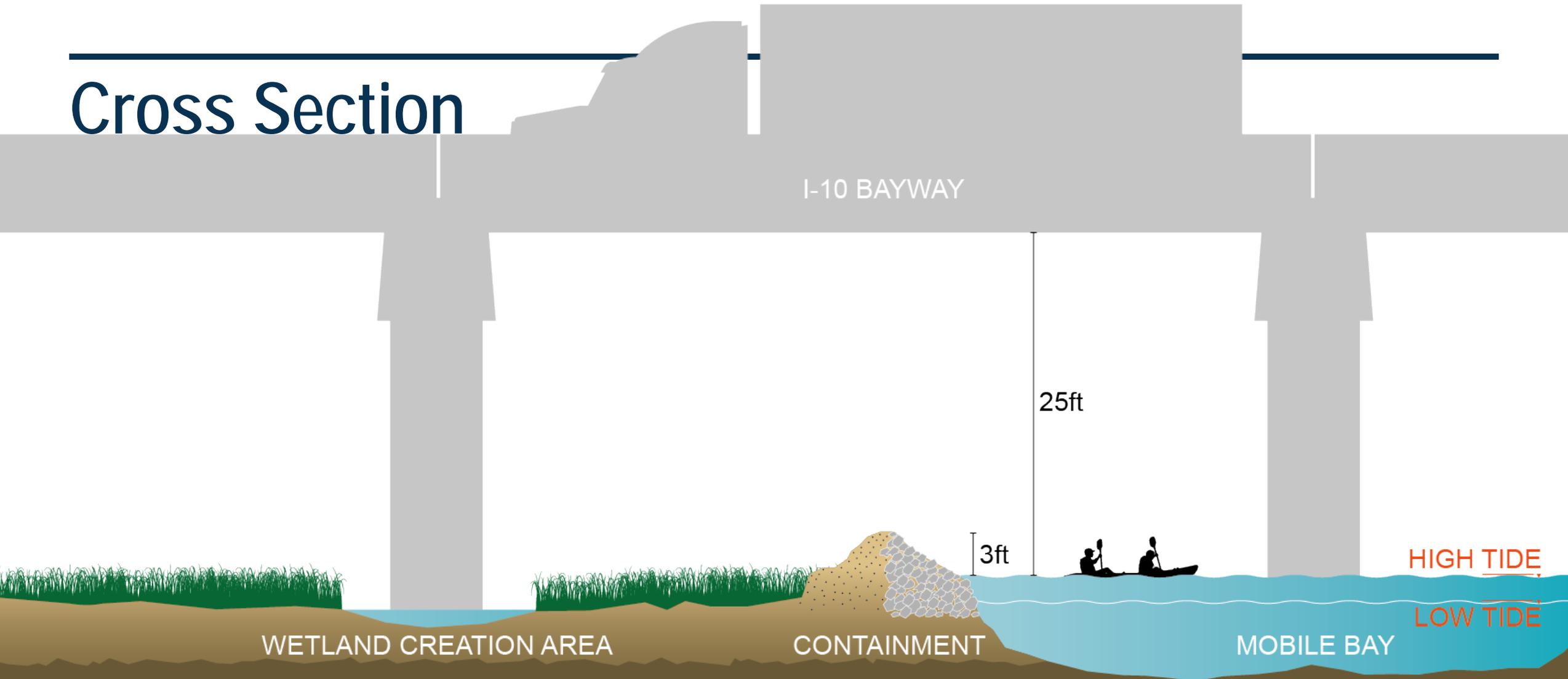
Conceptual designs that satisfy environmental and physical conditions in Upper Mobile Bay to maximize habitat value.



**UPPER MOBILE BAY
WETLAND CREATION**

WETLAND CREATION SITE

Cross Section



WETLAND CREATION AREA

CONTAINMENT

MOBILE BAY

HIGH TIDE

LOW TIDE



**UPPER MOBILE BAY
WETLAND CREATION**

Timeline



Next Steps

**USACE Application Submitted September 2021
and Public Notice issued (Closed Feb 3)**

- ▶ Receive feedback on design concept from this meeting
- ▶ Design 100-acres of Wetland Creation
- ▶ 2nd Public Meeting for Project Updates
- ▶ Permit update for Dredge Material
- ▶ Long-term Wetland Creation Plan



Thank you

Public Engagement Opportunities

Website: uppermobaywetlands.com
Email: uppermobaywetlands@alports.com
Mailing Address: Alabama State Port Authority,
P.O. Box 1588, Mobile, AL 36633



**UPPER MOBILE BAY
WETLAND CREATION**

Adjourn

- Next Meeting – Thursday, May 26th

