



## **Mobile Bay National Estuary Program Executive Committee Meeting Minutes**

March 4, 2016

5 Rivers Delta Resource Center's Blakeley Classrooms, Spanish Fort, AL  
10 am-Noon

**In attendance:** Bob Chappelle, Mobile Area Chamber of Commerce; Renee Collini, Dauphin Island Sea Lab; Randy Davis, Alabama House of Representatives; Jennifer Denson, Partners for Environmental Progress; Leslie Gahagan, City of Foley; Charles "Skip" Gruber, Baldwin County Commission; Judy Haner, The Nature Conservancy; Patric Harper, U. S. Fish & Wildlife Service; Phillip Hinesley, ADCNR; James Lyons, Alabama State Port Authority; Eliska Morgan, AL Gulf Coast RESTORE Council; Patti Powell, ADCNR; Susan Rees, U. S. Army Corps of Engineers; Beth Thomas, Alabama Power; John Valentine, Dauphin Island Sea Lab

**Staff present:** Kelley Barfoot, Mareike Flatow, Rick Frederick, Tom Herder, Christian Miller, Amy Newbold, Dixie Pomerat, Roberta Swann

**1. Call to order:** Patti Powell called the meeting to order at 10:10, and initiated round-the-table self-introductions of meeting participants.

**2. Approval of minutes:** Ms. Powell asked for any corrections or additions to the minutes of the September 25, 2015, EC meeting. Both Eliska Morgan and Susan Rees were omitted from the attendance list despite attending. With that mistake reconciled, Ms. Powell sought a motion to approve the minutes. Jennifer Denson made the motion, which was seconded by Jimmy Lyons and passed unanimously.

### **3. Directors Report: Roberta Swann**

#### **Financial Report:**

Roberta Swann presented a draft Financial Report to the EC with a disclaimer of it still being verified.

#### **Estuarine Status and Trends.**

- D'Olive long-term monitoring had begun.
- The Fowl River sediment study has been completed.
- Fowl River long-term monitoring is being initiated.
- Habitat mapping is under contract.
- Habitat Restoration Plan is under contract with the Nature Conservancy.
- An additional \$100,000K has been added to MBNEP's Section 320 grant from EPA for development of a process for integrating and updating EPA datasets within the TNC "Tool".
- Submerged aquatic vegetation mapping has been completed and is in the analysis phase.

### Ecosystem Restoration and Protection.

- An Eight Mile Creek Drainage study is being prepared to assist County with comprehensive drainage improvements.
- MLK Avenue Redevelopment Corporation Resilience Leadership Academy was very successful in its first year. Discussions are underway with the NY Community Trust to fund a second year of work with the Hudson River Valley Trust and San Juan NEP.
- D'Olive Restoration is in full swing. Rep. Byrne will visit Tiawasee Creek and Joe's Branch Restoration's on Wednesday, March 9.
- Restoration of the northern tip of Mon Louis Island is ready to bid pending delivery of permit from the COE.
- With regard to comprehensive watershed management planning:
  - Today is the last day of comments on the draft Fowl River plan.
  - Bayou Le Batre is 80% complete.
  - Bon Secour and Dog River are both approximately half finished.
  - The Fish River team held its first stakeholder meeting in Robertsedale with approximately 100 in attendance.
  - West Fowl River – Judy Haner will discuss in the PIC report.
  - Tensaw-Apalachee is on deck.
  - A Coastal Habitat Restoration Plan, habitat mapping, SAV mapping and a TNC watershed comparison tool are in development.

### Technical Assistance and Capacity Building

- With regard to AL Water Watch, we are rethinking how to develop a volunteer water quality monitoring program
- As part of the Coastal Marine Planning effort, an updated inventory has been developed by Geological Survey of Alabama. An online tool is in the final stages of development.

### Education and Public Involvement

- Video production. Ben Brenner is on contract and will complete the Dauphin Island video. He produced the well-received video from the annual meeting.
- The Clean Water Future campaign is being supported by the Business Resources Committee, Mr. Brenner, Dixie Pomerat, and Mareike Flatow.
- Production of the Current Connection biannually in partnership with ADCNR-SLD continues.

Mr. Lyons commented on mathematical inconsistencies, followed by a question from Ms. Callaway about frequency of Current Connection publication. Ms. Swann acknowledged needing to go over the budget again with the Business Manager to scrub, working toward a final budget for the fiscal year, and responded that the newsletter is biannual (and the questioned amount represented two years). There was some further discussion about the budget.

### Watershed Management Planning

*Fowl River.* Four spits on Fowl River have been identified for stabilization as priority project for implementation. Ms. Swann recommended seeking NFWF GEBF-funding to stabilize the spits, investigate why marshes within watershed are degrading from the interior, and have John Curry perform a hydrologic study to investigate water movement with increased development.

*Bayou La Batre River.* The WMP is close to three quarters done, and Dewberry has been asked to suspend further development as we amend their contract to include the Dauphin Island and West Fowl River watersheds on request from the State and USACOE, who are currently undertaking the AL Barrier Islands Restoration Plan. Dewberry's contract will be amended to include all MS Sound 12-digit HUCs except Grand Bay, which cuts across state lines.

Recommended projects:

- Shoreline stabilization and marsh restoration potentially to connect with NRDA early restoration project on Shell Belt and Coden Belt Roads.
- Two “west shore” projects, located on the other side of the river, would require purchase, shoreline stabilization and marsh creation.

Potential exists for beneficial use of dredge material (BUDM) in these projects, which will be implemented on wetlands/marsh that are not developable.

Ms. Callaway noted that Bayou Le Batre has put expensive, utility-related proposals on the portal. She asked how these different fund requests will affect one another. Ms. Powell acknowledged that her questions demonstrated the complexity of the funding environment and responded that there is a lot in the portal with different funding sources. She mentioned the value of WMPs in securing funding and a philosophy of balancing implementation of projects while planning efforts continue.

Ms. Swann said there are two main issues: The first is facility migration/retreat to safer ground, and what to do with land following retreat. She noted that the City of BLB is considering ecotourism at Lightning Point. The second is that none of the BLB proposals falls within the NFWF bucket (as they are proposals for utilities and infrastructure). Susan Rees qualified “undevelopable” as “developable with mitigation.”

*Bon Secour River.* In this project, being managed by Leslie Gahagan and the City of Foley, the original RFP included Bon Secour River and Oyster Bay watersheds, but many stakeholders either lived or owned property in Skunk Bayou (slated for planning under RESTORE funding). Before we agreed to amend the contract, there was discussion and agreement over efficiency/economy with other engineering firms. Outreach efforts are in progress, and meetings are scheduled for April 19 and 20, at which time projects will be vetted. Ray Herndon of the Conservation Fund has met with Dr. Rees and others with interest in land acquisition.

*Dog River.* The Steering Committee has met several times, but not lately. Watershed characterization is in progress, and lots of data exists. Dr. Mimi Fearn is advocating for conservation easement to protect a remaining stand of bottomland hardwoods. A training session for volunteer water quality monitors will be held on Saturday, March 12. Discussion highlights:

- Ms. Swann will meet with Charles Hyland to obtain MAWSS data on illicit discharges.
- Dr. Rees thinks that USACE authority is still active in Garrows Bend.
- Ms. Swann discussed the fluidity of timelines.
- Ms. Callaway questioned whether Dog River headwaters are being adequately captured.

*Fish River.* Stakeholder working group concerns included:

- Flooding, drainage, and sedimentation
- Education
- Zoning, regulations, and buffers,
- Water quality

- Low impact development.

A stakeholder workshop was held on March 2<sup>nd</sup> in Robertsedale and was well-attended. A large stakeholder meeting that includes the County and John Curry is recommended. This plan was also expanded, originally containing only Lower, Middle, and Upper Fish River and Perrone Creek watersheds to which Magnolia River was subsequently added.

#### **4. Committee Reports**

Before Committee Reports, Rep. Randy Davis reported attending a bipartisan “Rising Tides Conference” with Dauphin Island Mayor Jeff Collier, a three-day workshop he characterized as “good and intense.” A follow-up webinar will be held on March 21. He characterized the MBNEP as a \$600K gift from Congress and expressed thanks for continued efforts. He reported that the Gulf of Mexico Alliance recently received an \$800K grant from NOAA to provide resiliency grants for communities beginning on October 1.

**Science Advisory Committee** Renee Collini reported the SAC:

- Has made progress in getting the D’Olive monitoring framework developed and functioning. Data is currently being collected.
- Looked at Year Three of CCMP objectives
- Received a brief update on harmful algal blooms that occurred last year.
- Looked at a new surface water monitoring plan from ADEM that involves more sampling but over a much larger area
- Developed a working group to identify what is missing from stressors and ecosystem services and where remote sensing can be helpful.

Ms. Swann asked where the SAC intend to put the data. Ms. Collini responded that it will be housed at DISL where metadata will be archived with data sets.

Phillip Hinesley asked about real-time monitoring and prospects of future funding. Ms. Collini responded that one of “her hats” is real-time monitoring, which is relying on funding from ADCNR and USACOE contributions, but seeking grant money is a major focus. Ms. Swann added that MBNEP is paying half of Ms. Collini’s salary, supporting real-time monitoring.

**Project Implementation Committee** Judy Haner began the report saying that Ms. Powell and Ms. Swann had already covered a good deal of her report. She mentioned the evolution of the watershed management planning process, which began with EPA or aggregated funds, before being funded through the NFWF GEBF, and leading to RESTORE funding. Economy of scale, geographical proximity/similarity/ and common receiving waters have led to developing approaches based upon opportunities to combine or group 12-digit HUCs for planning.

The USACE provided presentations on Interagency Working Group initiatives (e.g., Brookley Hole restoration, in-Bay thin-layer disposal protocols, and a proposed BUDM constructed wetland in the upper Bay) and the AL Barrier Island Restoration Study.

A Watershed Comparison Tool is in development by partners at The Nature Conservancy of Louisiana. The platform is very project-driven, making the tool applicable in the State of Alabama. The PIC and SAC are collaborating to determine the type of questions that we want the tool to answer.

With regard to NFWF-funded stream restorations, Tiawasee Creek (co-funded through a CIAP grant to the City of Daphne) is nearing completion. Joe's Branch stream restorations and stormwater management facilities are under construction. Designs are on line for other priority stream reaches. MBNEP recently hosted a D'Olive Watershed Restoration Technology Workshop, where normally competitive/adversarial engineering and construction experts and contractors shared technical information and methodologies.

Patric Harper listed engineering/design contractors involved in stream restoration: AMEC/Foster Wheeler, Goodwyn Mills Cawood, Thompson Engineering, Hatch Mott MacDonald, and Volkert. Firms involved in WMP development include Dewberry, Thompson, GMC, and Volkert.

Amy Newbold reported that the EPA is very excited about the decision/comparison infrastructure that TNC is building. They view this effort as an opportunity for piloting automatic updates to EPA data for duplication elsewhere.

**Government Networks Committee** Commissioner Skip Gruber reported that in 2016, the GNC will concentrate on increasing participation among municipal officials from Mobile and Baldwin counties, adjacent counties, and the local State and federal legislative delegation.

In an effort to engage officials in the implementation of the CCMP, MBNEP is working with Daphne Mayor Dane Haygood to convene a meeting of the Baldwin County Mayor's Association. Also, Commissioner Ludgood has arranged for MBNEP to be included on the agenda of the Mobile County Municipal Association meeting on April 21.

The next GNC meeting is tentatively scheduled for April 29. Potential agenda items include an overview of the Fish River Hydrological Study and implications for coastal watershed planning and implementation, an update on pending State legislation to reform coastal windstorm insurance, and updates on NFWF/RESTORE and ongoing coastal watershed planning and implementation efforts.

**Community Action Committee** Leslie Gahagan reported the CAC's biggest need involved water quality monitoring, so a working group has been established to investigate what coastal groups do relative to Alabama Water Watch. The CAC decided to continue working with the AWW database and determined their purposes, goals, and objectives.

The CAC also voted to split the Committee into two distinct Committees:

- 1) to include localized place-based grassroots organizations, and
- 2) to include larger NGOs and non-profit organizations.

**Business Resources Committee** Jennifer Denson began the report by stating the BRC mission to engage businesses and the private sector in investments in our estuarine waters and environment. She recommended increased use of MBNEP BRC liaison Rick Frederick for presentations and tours. With a BRC that has been Mobile County-centric, they are looking to outreach/expand more into Baldwin County.

With regard to the Clean Water Future campaign, release of the new website is being targeted for March 15. The web page offers real engagement opportunities to committees and businesses.

She reported 12 *Leaders Don't Litter/CWF* signs have been installed in the Fowl River and Bayou Le Batre watersheds. Mr. Frederick is working with American Outdoor to provide *Join the Movement/It's Picking Up* billboards, with three currently in Mobile County and one in Baldwin County.

Mobile County has committed \$29K to running 30-second PSAs before and between movie presentations at the Hollywood and Carmike Wynnsong theatres in Mobile over the next year.

## **5. Old Business**

**Management Conference Committee Realignment** Ms. Swann reported MBNEP received a letter in September 2015 from the Alabama Renewal Group to consider creation of a new MC committee for NGO's and non-profit organizations. Twenty-two organizations were identified. The EC charged MBNEP with considering roles and functions of such a committee, determining how it would support the goals of the CCMP without overlapping roles and responsibilities of existing committees, and gauge level of participation that could be expected of this new committee.

MBNEP sent a survey to those non-profit organizations, the ARG and MBNEP considered EC charges with regard to a new committee, and on February 16, sixteen groups participated in a facilitated discussion to develop a recommendation to the EC. These groups recommended the creation of a new non-profit MC committee, the Community Resources Committee, with a purpose to provide a space for larger capacity and regional non-profits to advocate for and educate on the implementation of the CCMP. The CRC will comprise regionally-focused non-profit organizations (to be further defined later), with the CAC comprising place-based watershed organizations. Proposed activities included advocating for specific projects in the CCMP related to habitat conservation and protection, the Clean Water Future campaign, low impact development, environmental education and outreach (to include monitoring), and connecting environmental justice communities.

Oversight this new committee has been charged to MBNEP Deputy Director Amy Newbold and the February 16 meeting was facilitated by Ms. Flatow. In the ensuing discussion EC members expressed general support for the process and decision, it was understood that two co-chairs would be added to the EC, and business-related non-profits were discussed/considered. Dr. Rees moved to accept the recommendation of the ARG and MBNEP, Ms. Morgan seconded the motion, and with Ms. Callaway and Ms. Haner abstaining, the motion carried unanimously without further discussion.

## **6. New Business**

**National Estuary Program Reauthorization** A programmatic request letter has been crafted and shared with Alabama's federal legislative delegation for reauthorization of the National Estuary Program. Rhode Island Senator Whitehouse leads this bipartisan effort, and work is under way to gain the support of Rep. Byrne and Senators Sessions and Shelby to approve reauthorization.

**By-Laws** Ms. Swann reminded the EC that By-Laws remain as yet unapproved and solicited two or three volunteers to work with her to get a final version ready for June. Ms. Morgan, Dr. Rees, Ms. Callaway, and Ms. Powell volunteered to help in the effort.

#### **7. Announcements/Other**

- Statewide AL PALS will conduct a week-long Don't Drop It on Alabama event, April 16-23. Information can be found on this link:  
<http://www.alpals.org/content.cfm?page=springcleanup>.
- Thre Crepe Myrtle Trail Ride will be held on Saturday, April 2.
- Creek Fest, celebrating Three Mile Creek at Lake Drive/Tricentennial Park in Mobile, will be held on Saturday, May 7.

#### **8. Adjourn**

Ms. Powell adjourned the meeting at 12:04 pm.