



**Mobile Bay National Estuary Program
Executive Committee Meeting
Mobile Area Chamber of Commerce
May 17, 2013**

In attendance:

Darrellyn Bender, Eastern Shore Chamber of Commerce; Scott Brown, ADEM; Casi Callaway, Mobile Baykeeper; Jennifer Denson, PEP; Commissioner Charles Gruber, Baldwin County Commission; Winn Hallett, Mobile Area Chamber of Commerce; Judy Haner, The Nature Conservancy; Phillip Hinesley, ADCNR-SLD; Bob Howard, Region IV EPA; Teddy King, AL Department of Public Health-Baldwin County; Commissioner Merceria Ludgood, Mobile County Commission; Jimmy Lyons, Alabama State Port Authority; Eliska Morgan, Office of Representative Jo Bonner; Patti Powell, ADCNR-SLD; Dr. Susan Rees, U. S. Army Corps of Engineers; Malcolm Steeves, MAWSS; Dr. LaDon Swann, MASGC/AUMERC; Beth Thomas, Alabama Power. Remotely: Dr. Rusty Wright, Auburn University

Staff present: Roberta Swann, Christian Miller, Tiffany England, Tom Herder, Frank Foley

1. Call to order: Patti Powell called the meeting to order at 1003 and committee members provided around-the-table self-introductions.

2. Approval of minutes: Ms. Powell asked if there were any comments or revisions to the minutes of the November 2, 2012 Executive Committee meeting. Hearing none, she called for a motion to approve the minutes. Commissioner Skip Gruber made the motion, which was seconded by Dr. LaDon Swann and carried unanimously.

3. Directors Report: Roberta Swann

Ms. Swann provided a review of the past year's activities at the MBNEP broken out by the EPA core elements:

Ecosystem Status and Trends.

1.) **Mobile Bay Sediment Budget** was completed in partnership with the U. S. Army Corps of Engineers. Mark Byrnes of Applied Coastal Research and Engineering developed the budget using existing data sets, which, in a nutshell, shows that much more sediment is entering the Bay system than is exiting the system.

2.) **Dog River Sediment Analysis** was completed by Marlon Cook of the Geological Survey of Alabama and will be presented to the Dog River Clearwater Revival later this summer. This analysis was done as a precursor to development of an update to the Dog River Watershed Management Plan.

3.) A **Mobile Bay Water Quality Model** (Loading Simulation Program, Environmental Fluid Dynamics Code, and Water Quality Analysis Simulation Program), originally developed but not

completed, was completed by Tetra Tech with funding from MBNEP. The Model is used by ADEM for the generation of Total Maximum Daily Loads (TMDLs).

Ms. Callaway asked if the model was applicable to one specific impairment/pollutant or a range of them. Dr. Rees responded that the model was applicable to any impairment.

Ecosystem Restoration.

1.) The **restoration of the unnamed tributary to Joes Branch and downstream wetlands** on Westminster Village property in Spanish Fort was substantially completed. Ms. Swann noted that problems exist especially in the splash pool and upper step pools due to sediment carried into the system from water pipe installations with insufficient best management practices performed by City contractors across Highway 31. Function of step pools and wetlands was discussed, in light of the sediment that was introduced. Remediation of and responsibility for the introduced sediment were also discussed.

2.) **Mon Louis Island Habitat Creation/Shoreline Stabilization** was completed along the shorelines of six contiguous property owners. Ms. Swann mentioned a shift in sentiments and increased acceptance along the shoreline by property owners. She reported funding a DISL graduate student, Ashley McDonald, to monitor improvements in ecosystem service provision resulting from projects at Mon Louis, Helen Wood Park, and Dog River Park.

3.) **Restoration of an urban creek and surrounding riparian areas at Prichard's Jackson Reading Park** was recently completed. Studies revealed that this was a critical headwater stream within the Eight Mile Creek Watershed.

4.) A **Shoreline Stabilization/habitat creation project at Satsuma's Steele Creek Lodge** was recently completed with funding from the MBNEP, in-kind design services by Dr. Bret Webb of the University of South Alabama Civil Engineering Department, and labor by the City Public Works Department. Planting was done on April 26 by Satsuma High School students, and despite very high water, plants appear to be successfully thriving.

5.) Signs funded and developed by MBNEP were recently installed at **Chickasaw's William Brooks Park** after City employees used MBNEP *Local Ecosystem Restoration Partnership* (LERP) funds to construct walkways over restored wetlands. Trailhead maps will be developed on signs as a part of the County-sponsored Ron Jones Paddle Trail.

6.) The City of Fairhope has completed a **Volanta Gulley Watershed Management Plan and projects** with LERP funds and City labor. The WMP was developed by Trey Jinright of Jade Consulting, who also designed best management practices installed at the Fairhope ball fields, dog park, and disk golf course and improvements to watershed management at Jasmine Park.

7.) The City of Foley has been granted an extension to complete a **Wolf Creek Restoration project** within the City. LERP funding of \$80K was used to seed this project which will ultimately cost \$600K.

8.) The City of Orange Beach has been granted an extension to complete a **public demonstration wetlands restoration** project.

Technical Assistance/Capacity Building

1.) The City of Daphne has adopted **Low Impact Design policies** derived through a MBNEP LERP-funded effort to initiate and encourage their use.

2.) The City of Orange Beach has been granted an extension for development of a **Canal Road Overlay District** to ensure mixed use and walkability with continued development and anticipated road improvement/construction.

3.) A professional engineering/planning firm, Dewberry, has been hired to undertake a **Watershed Management Plan for the Three Mile Creek Watershed** in Mobile. The planning process is currently underway.

4) **Revision of the MBNEP's Comprehensive Conservation Management Plan** is ongoing. The new iteration of the CCMP will be organized around the six Values determined to be of most importance to coastal Alabama residents – Fish; Water Quality; Coastlines; Environmental Health and Resilience, Heritage and Culture; and Access to Water and Open Spaces. It will also prioritize coastal habitats that were identified by the MBNEP Science Advisory Committee as most stressed.

5.) MBNEP's **Project Implementation Committee's work towards project prioritization** has culminated in a public process to ascertain which of 23 coastal watersheds identified for restoration or protection through the Habitat Tool deserves the most attention. Maps were prepared (with several examples displayed) that contained data that included priority habitats; impaired or TMDL waters; Outstanding Alabama Waters; point sources (from NPDES); percent urbanization; Toxic Release Inventory sites; completed sediment analyses, ADEM technical reports, or watershed management plans; and long-term ADEM monitoring stations.

Public meeting participants were asked to assess each of the watersheds' importance on a scale of one to five (with ones of least importance and fives of greatest importance). Top scorers among the 23 included top scorer Fish River, but with that watershed currently receiving a lot of attention from partner agencies, MBNEP will not prioritize it. The Tensaw Apalachee Watershed (which includes the previously studied D'Olive and Tiawasee Creeks and Joe's Branch Watershed) requires a lot of study. The Big Creek Lake Watershed remains controversial, both because it is outside of the Mobile Bay Watershed and because it is the source of the City of Mobile's (and others') drinking water. The Bon Secour Watershed, threatened by development in the City of Foley, is a priority of MBNEP for planning. The Fowl River Watershed, championed by local Sam St. John, is experiencing severe erosion and is being targeted by MBNEP for sediment analysis and watershed management planning. The ninth of the nine highest scoring watersheds, Grand Bay Swamp, was the highest watershed identified for conservation (as opposed to restoration). If funding was unlimited, MBNEP would first target these nine watersheds for action.

Public Outreach and Education

1.) MBNEP has used **video productions** to educate and outreach. **Stormwater Perspectives** is a short video that was prepared for the Stormwater Summit to highlight local problems with stormwater management. **Fish Slap** was the second in a series of educational videos hosted by the redfish (of Redfish Tales), Jimbo and Thibodeaux. While Redfish Tales concerned nutrient delivery to receiving waters, Fish Slap features the redfish in a television documentary that features problems related to litter delivered to waters. Both can be viewed from the MBNEP website.

2.) Related to the redfish series, travelling three traveling interactive, educational Kiosks prepared for MBNEP by Hamlin University are travelling around Gulf venues to educate visitors on coastal issues such as nutrients and litter. The three are currently located in Corpus Christi

Museum of Science and History, the Weeks Bay Reserve, and the Imaginarium in Fort Myers, FL.

3.) MBNEP is continuing to install educational signage at project locations to inform visitors. The signs are installed in sets of three, with one showing Where You Are in the Watershed, another describing the project, and the third describing the ecosystem benefits provided by the project. Signs were recently installed at Brooks Park and being developed for Jackson Reading Park and the City ball fields near the Joe's Branch restoration in Spanish Fort.

4. Committee Reports

Science Advisory Committee (SAC): Roberta Swann

Ms. Swann discussed the Healthy Watersheds Initiative being conducted by EPA Headquarters and the identification of indicators to be used by a modeling platform to rank the health of Alabama 12-digit HUCs. A May workshop has been postponed and will be scheduled later.

The SAC continues to work towards development of biological indicators of ecosystem health and the development of a Biological Condition Gradient and Habitat Quality Index.

Community Action Committee (CAC): Casi Callaway

Ms. Callaway first provided some background. The Coastal Alabama Stormwater Team (CAST) wants to represent stormwater to the average person, so they began their outreach efforts with a focus group. They utilized Good PR for professional guidance. CAST determined that "heritage" was a primary value among coastal residents. With information secured, they have set about delivering outreach products.

A very generic logo with "Create a Clean Water Future" is being used to brand CAST outreach efforts, being made available to municipalities and partners. An advertisement is appearing in *Lagniappe* and *Mobile Bay Monthly*. A PSA is also currently airing on local television stations, viewed during the 10:00 p.m. news by several committee members.

A website is being developed – very generic by design – with a partners' page containing all logos and links to partner web pages. Ms. Callaway hopes to add partners and to expand outreach activities. A pocket guide with tips and information on reducing polluted stormwater runoff every day has been created and is available for download from the website. Currently, partners include PEP, the City of Mobile, the City of Fairhope, the Dog River Clearwater Revival, Weeks Bay National Estuarine Research Reserve, the Weeks Bay Foundation, the Alabama Coastal Foundation, and MAWSS.

Dr. Swann asked what type of budget would be necessary for saturation, and whether only TV is being used or radio, too. Ms. Callaway reported that \$70K will be used for April/May, September/October, and early 2014 telecasts on TV. Dr. Swann asked whether Waste Management has been approached, and it was agreed that that was a good idea.

Ms. Swann assumed the floor and indicated that MBNEP was planning public CCMP meetings. She summarized future Committee assignments:

- Government Networks Committee – build capacity plan for regulatory issues
- Business Resources Committee – BC Plan for developing incentives
- Project Implementation Committee – development of a restoration plan with identified watersheds and projects

- Community Action Committee – expand citizen water quality monitoring and promote stormwater awareness.
- Science Advisory Committee – development of Coastal Biological Monitoring Program with Habitat Quality Index.
- Finance Committee – plan for future leveraging and financing of CCMP implementation.

Finance Committee Report (FC) – Roberta Swann. Ms. Swann reported that we need to re-budget our existing EPA grant. To close out this grant, we'll ask for a one-year extension. The following modifications to the current EPA grant were indicated by red-circles:

Expenses

- \$27,600.00 (from \$24,950) – for 2nd year of indicator research
- \$8,686 (from \$6,139) – to support volunteer water quality monitoring

Ecosystem Restoration and Protection

- \$25,000 (no previous budget allocation) – to support identification of septic system failures within the Eight Mile Creek Watershed
- \$58,787 (from \$5,035) - to address restoration of the northern tip of Mon Louis Island Education and Outreach
- \$13,355 (same) – to develop interpretative signage for Steele Creek Lodge in Satsuma, Jackson Reading Park in Prichard, and the Spanish Fort ball fields (for the Joe's Branch Restoration).
- \$23,622.30 (new allocation) – to develop Dauphin Island Oral History/Climate Change Video
- \$40,279 (from \$25,279) – to develop an MS4 Primer Video for elected officials and outreach materials from the Create a Clean Water Future campaign

Ms. Powell asked for a motion to approve budgetary reallocations. Dr. Rees made the motion, which was seconded by Ms. Bender and passed unanimously.

Ms. Swann then addressed the Year 18 Work Plan recommendations (2013-1014), developed under projections of level funding from the State and other non-federal entities. Committee members agreed that entering into contracts with local government sources for match funding is acceptable, and the match funding plan will be considered as approved as part of the motion to approve the Year 18 Work Plan. She reported that the EPA faced sequestration of 5.2% across the board. Mr. Howard elaborated that NEPs were reallocated at \$512K. Congressional discussions are ongoing, and it is uncertain whether allocations will be at \$512K or more. He said that we'll know in mid-June.

Ms. Swann reported that we are proceeding under the assumption of level funding, since it's easier to reduce budgets. Mr. Howard agreed that it makes sense to "come in higher," since it's administratively easier to reduce.

Under **Status and Trends**, \$55K was budgeted for Biological Monitoring Support, \$17.5K for a Sediment Analysis for Fowl River, and \$5K to support expansion of citizen monitoring programs with Alabama Water Watch. Some discussion ensued regarding ADEM's continuation of a Beach Monitoring Program.

Under **Ecosystem Restoration**, \$25K was budgeted as seed funding for initial implementation of projects recommended in the Three Mile Creek Watershed Management Plan, and \$9,543 was budgeted towards further implementation of the D'Olive Watershed Management Plan. The \$320,000 of match projected for implementation of the Three Mile Creek WMP was anticipated

from the City of Mobile's Community Development Block Grant program. Commissioner Ludgood warned that it may be risky to assume that \$320K would be available from the City.

Under **Building Capacity**, \$13K was allocated to the continued support and expansion of Estuary Corps to an adult-level population. \$10K was allocated to Clean Water Partnership for continued support of Christian Miller's cost-share position. With a sediment study projected for completion by the end of next year, \$60,000 was budgeted for development of a Watershed Management Plan for the Bon Secour River Watershed.

Under **Outreach and Education**, \$20K was allocated to development of educational and outreach videos related to current and planned projects, \$14,557 to special events in the two coastal counties (e.g., Coastal Kids Quiz, Wolf Bay Watershed Watch Kid's Fishing Tournament, Coastal Cleanup, and Bird Fest), and \$5K was budgeted towards purchase of outreach materials with estuary messaging.

Under **Planning and Administration**, Staff salaries, website maintenance, professional services reserve and operational costs were budgeted at \$471,391. The Sea Labs discounted indirect rate of 15% (which allows capture of 27.6% as unrecovered DISL costs in support of MBNEP) was budgeted at \$96,899.

Ms. Powell asked for a motion to approve Year 18 Work Plan recommendations. Some conversation followed about developing a tracking or break down system for the large allocation devoted to "Admin," and no resolution has yet been developed that would recognize that this amount is largely project-related and not simply overhead. Ms. Powell asked for any further discussion, and hearing none, sought a motion to approve. Commissioner Gruber made the motion, which was seconded by Mr. Bender and approved unanimously.

5. Old Business

Mr. Lyons provided a report of Restore Council proceedings.

- 1) He reported that the Conservation Department was engaged as Administrator. He noted that 80% of fines would be divided between the five coastal states and that the Restore Council would decide how that money would be spent. Guidance from the Federal government is still being awaited. Two and a half percent of fines would fund Centers of Excellence (like the recently designated Dauphin Island Sea Lab).
- 2) He noted that regulations will have to come down from the Federal government and that the U. S. Department of Treasury will release draft regulations to the states in the next few weeks, before release to the public for comment. He guessed that definitive regulations could be in place by November. He said that the decision process will depend upon regulations. In developing a coastal recovery plan, we can take advantage of the Mississippi plan as a template for decision-making and project submission. He said a pre-application process may be employed to "separate the wheat from the chaff."
- 3.) Money is the remaining issue, and litigation is ongoing.

Ms. Powell discussed some of the complexities of the Restore Act funding process, and Mr. Howard elaborated on "the buckets." He said that water quality is one of the items which can be addressed with Restore Act funds and that there will be opportunities to "look upstream."

Mr. Lyons said that the CCMP can provide us with a core from which to press forward. He encouraged getting it ready to go and recommended selecting projects that ensure sufficient backing with real science. He concluded that MBNEP and the CCMP will be critical.

6. New Business

Ms. Swann reported that with the USA Brookley campus closing down, MBNEP would relocate to the sixth floor of the Commerce Building on the corner of St. Louis and Royal streets. Parking will be limited, but many of our partners are within easy walking distance of the new location.

MBNEP will host the ANEP meeting in November. There was some discussion of boats, with hopes of hosting an on-the-water event for visiting NEP staffs. The meeting will be conducted under a Tech Transfer format, with a request for proposals for six NEPs to present successful programs at the meeting.

Phillip Hinesley reported that the Weeks Bay Foundation would host the Bald Eagle Bash from 4-7 p.m. on Saturday, May 18.

7. Other

No other business was brought forth.

8. Adjourn

Ms. Powell asked for a motion to adjourn. The motion was made by Dr. Swann, seconded by Ms. Bender, and it carried unanimously. The meeting was adjourned at 12:02 p.m.