



**Mobile Bay National Estuary Program
Government Networks Committee
October 8, 2021, 8:00 am – 9:30 am**



Zoom Virtual Meeting

<https://disl.zoom.us/j/81004161069?pwd=RmcwbXhGNldZSEVsZmF2dIF4TEpSUT09>

Meeting ID: 810 0416 1069

Passcode: 740457

Dial in

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Agenda

Meeting Objectives:

- a) Provide status of NFWF GEBF & RESTORE funding
- b) Review of SB107 and local impacts
- c) Review Trash Mitigation Strategies for Coastal Watersheds

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 - Amy Hunter, ADCNR
- b) Watershed Planning Update – Christian Miller, MBNEP

4. New Business

- a) Review of SB107 and Local Impacts – Matthew Brown, Baldwin County
- b) Trash Abatement Analysis for the Dog River Watershed – Kelley Barfoot, MBNEP
- c) Other

5. Adjourn

Minutes

In attendance: Billie Jo Underwood, Baldwin County Commission; Merceria Ludgood, Mobile County Commission; William Puckett, Alabama Soil & Water Conservation Committee; Scott Bannon, ADCNR-MRD; Margie Wilcox, AL House of Representatives; Shannon McGlynn, ADEM; Jeff Collier, Town of Dauphin Island; Amy Hunter, ADCNR; Chris Thomas, EPA Region 4; Patty McCurdy, ADCNR-State Lands; Diane Burnett, SARPC; Newton Cromer, Saraland City Council; Mike McMillan, City of Spanish Fort; Casey Rains, City of Spanish Fort; Joseph Snowden, City of Mobile; Leslie Gahagan, City of Foley; Hank Burch, ADCNR; John Valentine, DISL; Henry Barnes, City of Bayou La Batre; Connie Hudson, Mobile County Commission; Elizabeth Roney, Office of Rep. Jerry Carl; Veronica Hudson, City of Saraland; Nicole Taylor, SARPC; Robin LeJune, City of Daphne; TJ Pettway, City of Prichard; Tony Ebright, City of Semmes

Staff: Roberta Swann, Kelley Barfoot, Bethany Hudson, Christian Miller

Takeaways

- ADCNR currently is seeking project proposals through Alabama's Water Quality Program. This RESTORE-funded program will look to implement stormwater management and sewer-related infrastructure projects.
- SB 107 has impacted the way municipalities enforce regulations across their functional police jurisdictions. Currently, Counties are working with various municipalities to reach agreements on functional planning boundaries.
- A recently completed trash abatement assessment for the Dog River Watershed utilized GIS, hydrologic models, and field investigations to develop a strategy for litter management that can be applied across other watersheds in Coastal Alabama.

Meeting was called to order at 8:05 A.M.

Commissioner Underwood welcomed the group and then Commissioner Ludgood motioned to approve the minutes. The motion was made by Commissioner Hudson and seconded by Mayor Gardner.

Next on the agenda Amy Hunter gave an update from ADCNR on the status of BP-related funding and the Center of Excellence.

- There is a 45-day call (open through Oct. 15) for RESTORE buckets 1,2,3 projects.
- This is funding projects through Alabama's regional water quality program. This is funded through a Federal RESTORE funded priorities list. This program has been funded with \$35 million.
- This covers septic to sewer conversions, sanitary sewer infrastructure, and other water quality related projects.
- A webinar with more information can be viewed here:
[https://www.youtube.com/watch?v= RTLN69-RUG](https://www.youtube.com/watch?v=RTLN69-RUG)
- Under AL Gulf Coast Recovery Council have a call for project suggestions under Bucket 1 of approximately \$118 million and under Bucket 3 \$138 million over multiple years.
- Bucket 2 WQ projects will be selected first followed by the Buckets 1 & 3 projects.
- Current projects under RESTORE
 - The Port's Roll on-roll off facility is nearing completion
 - Several of the Bucket 1 projects in Mobile County are finishing E&D and heading to construction. These include, but aren't limited to, Mt Vernon Water Treatment, Satsuma water quality improvements, Bayou La Batre Docks and Water System upgrades.

- NFWF GEBF
 - Baldwin – Fish River projects underway and should include additional work in the Magnolia River Watershed
 - Mobile- Deer River shoreline restoration and Fowl River spits and marshes projects. Working through amendments with NFWF and should have updates after their Nov. Board Meeting.
- Center of Excellence
 - DISL awarded ten research projects from institutions around the State and are working on upgrades to wet lab facilities as a result of this funding.

Next Christian gave an update on the status of Coastal Watershed Planning

- The Western Shore WMP has been finalized and is available here: https://www.mobilebaynep.com/assets/pdf/Western_Shore_-_WMP_Final_-_w_Appendices_09_22_2021-1.pdf
- Gulf Frontal and D'Olive are wrapping up and out for comment.
- MTA Delta had an outreach event “Delta Exchange” that provided a lot of key input. WMP will be finalized in early 2022. Eastern Shore and Daupin Island are under development and will be finalized in the first half of 2022.
- RFQs have been released for the Palmetto and Bridge Creek watershed complex as well as the Western Delta.
- The remaining two watersheds Grand Bay Swamp and Bay Minette/Whitehouse creeks will begin development the first of 2022.

Next on the agenda Matthew Brown with Baldwin County gave an overview of SB 107 and its potential impacts to county/municipal governments. This presentation can be viewed here:

<https://www.youtube.com/watch?v=QMjFzCkLVtM>

- Act 2021-297 (SB 107) amended three laws: Police jurisdictions, Planning jurisdictions (Extra Territorial Jurisdictions -or ETJs), and a reporting requirement.
- Became effective July 26, 2021, with a focus on keeping things “the same” for the next two years through agreements while the municipalities and counties worked out details on the new requirements.
- Pre-Act 21-297, an ETJ allowed municipalities up to five miles outside of their corporate limits to enforce subdivision regs. There also existed a “functional” 1.5 to 3-mile police jurisdiction.
- After Act 21-297 went into effect, old ETJs became obsolete and functional police jurisdictions became frozen.
- New planning jurisdictions were created that were equal to the new functional police jurisdictions and exercise of police power was pulled back to functional police jurisdictions.
- New municipal annexation would result in an expansion of the planning jurisdiction while the police jurisdiction would remain unchanged.
- Law also requires that municipalities resolve overlaps in police jurisdictions through equidistant boundaries.
- Municipalities may enter into an agreement with counties to regulate subdivisions in less than the full planning jurisdiction.
- As a starting point, Baldwin County drafted a map that ignored municipal “islands” and lasso annexations, applied a GIS buffering tool to account for equidistant boundaries, and then sent the draft map to municipalities for input.
- Baldwin County is working with municipalities to finalize agreements on new boundaries and is

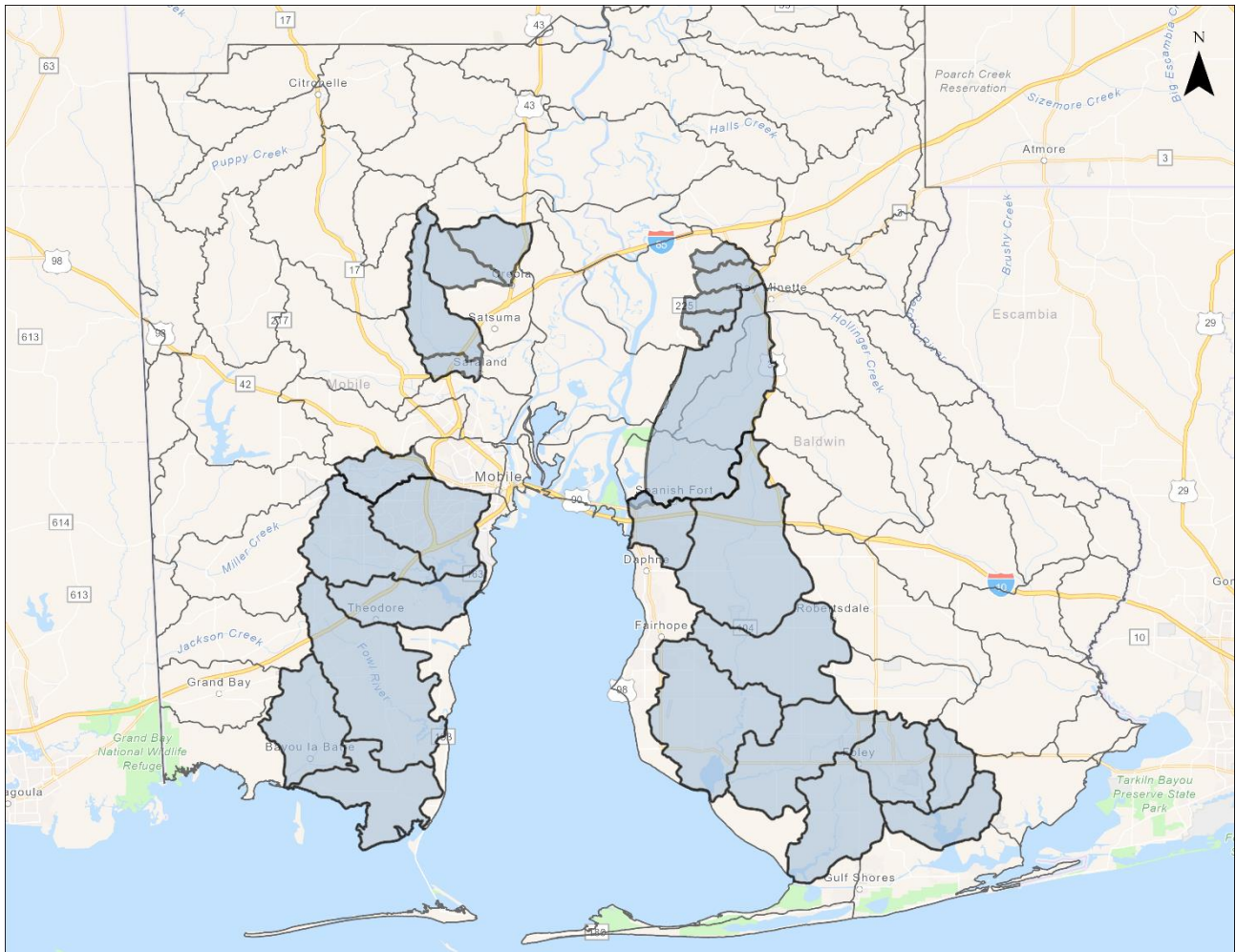
open to discussing any suggested changes.

- The largest environmental impact to date associated with the new law relates to how some municipalities were enforcing wetland/stream protection regulations in their ETJs (the law pulled enforcement back to their corporate limits).
- Baldwin County is currently working to modify/enhance their own wetland/stream protection regulations but has limited authority to implement/enforce these outside of currently zoned areas. New ordinances would be focused on flood protection and water quality.
- Baldwin County recently passed amendments to subdivision regs to add stream buffers and synchronize wetland regulations. Also increased regulations related to RV parks due to their recent proliferation.

Next, Kelley Barfoot presented a trash abatement analysis for the Dog River Watershed.

- The goal of the plan was to reduce waterborne trash and litter through:
 - Using outputs from hydrologic modeling and data to identify litter pathways
 - Identification of strategic locations for instream litter capture devices
 - Identification of strategic areas to promote community clean-ups
 - Identification of areas to mitigate litter related to commercial uses.
- The Dog River Watershed is made up of three HUC12 watersheds accounting for approximately 60,000 acres. This Watershed drains a large portion of the City of Mobile and is highly urbanized
- The watershed encompasses 101 smaller drainage areas called “catchments” which were the focus of this plan
- NLCD land cover data was utilized to determine the areas of highest concentration of impervious surfaces
- A Hydrologic Model was completed for the Watershed in 2019 which measures how water flows through the system and to inform management decisions. The Dog River Hydrologic Study report can be downloaded here:
https://www.mobilebaynep.com/assets/uploads/main/DogRiver_WatershedStudy_June2020.pdf
- The model indicates areas where water accumulation is enough to pick up and move trash through the system.
- The methodology utilized in the analysis was to use the hydrologic model results and geospatial analysis along with data from current instream litter catchment devices to identify target catchments throughout the watershed for management actions after validation from field surveys.
- The criteria used for designating a target catchment includes:
 - At least 25% urbanized, and
 - Hydro model output indicating areas of pooling determined great enough to pickup/move litter, or
 - The catchment includes streams draining an adjacent catchment meeting the first two criteria,
 - The catchment falls below the 25% urbanized threshold but includes concentrated urbanized areas near locations with significant water accumulation.
- Based on the established criteria, 12 catchments were selected as targets for management action, five of these contained active litter catchment devices.
- Based on analyzing the data and field surveys two additional catchments were recommended for litter catchment devices and five catchments were recommended for community cleanups.
- It was also recommended that all target catchments have additional resources brought to them in the form of enforcement actions, routine street sweeping, and additional trash/recycling receptacles.
- This work should provide a template for the City of Mobile to combat litter in the Dog River Watershed and the methodology should be readily transferable to other coastal watersheds.

- This report can be downloaded here:
https://www.mobilebaynep.com/assets/pdf/GISAnalysisReport-V9_Final.pdf



Areas covered under already completed watershed hydrologic models.

Other Business

- An update to the South Alabama Stormwater Regulatory review has recently been completed which is a comprehensive overview of Pre/Post construction stormwater regs, shoreline protection regs, LID requirements, and includes an overview of trash/litter/recycling regs that was requested by our municipal and county partners participating on the Coastal Alabama Stormwater Team. This report can be downloaded here: https://www.mobilebaynep.com/assets/pdf/Final-South-AL-Stormwater-Regulatory-Review-Update_w-appendicies.pdf
- The MBNEP is currently planning for an in-person Annual Breakfast Meeting
- GNC members indicated that it would be nice to continue to have the option to attend GNC meeting virtually but want to go back to the traditional in-person format.

Meeting was adjourned at 9:10 AM