

**Mobile Bay National Estuary Program
Executive Committee Meeting Minutes
May 11, 2012 10:00 am until 12:00 pm
Five Rivers Delta Resource Center, Blakely Classroom**

In Attendance: Shayla Beaco (Mobile Area Chamber of Commerce, for Winn Hallett), Scott Brown, (ADEM), Casi Callaway (BayKeeper), Gloria Car (EPA Gulf of Mexico Program), Jennifer Denson (Partners for Environmental Progress), Jeff DeQuattro (The Nature Conservancy), Carl Ferraro (AL Department of Conservation and Natural Resources), Commissioner Charles “Skip” Gruber (Baldwin County Commission), Commissioner Gunter Guy (ADCNR, Costal Section), Steve Heath, (Sustainable Ecosystem Restoration), Bob Howard (EPA Region IV), Teddy King (AL Department of Public Health), Commissioner Merceria Ludgood (Mobile County Commission), Jimmy Lyons, (Alabama State Port Authority), Dr. Susan Rees, (US Army Corps of Engineers), Ed Struthers (Fowl River Area Community Association), Dr. John Valentine (Dauphin Island Sea Lab), Dr. Russell Wright, (Auburn University)

Staff: Roberta Swann, Brenda Lowther, Tom Herder, Christian Miller, Kathy Eddy

Call to Order and Approval of Minutes

The meeting was called to order at 10:08 a.m. by Commissioner Guy. Participants introduced themselves around the table.

Merceria Ludgood made a motion to approve the minutes of the January 31, 2012. Jennifer Denson seconded. Motion passed.

Committee Reports

Science Advisory Committee (SAC): Commissioner Guy called on Steve Heath to present the SAC report. Mr. Heath showed slides about the committee’s work to identify stressors on habitat ecosystem services. Members of the committee will meet on May 22, 2012 to “start to flush out” information related to the biological gradient system. They will then report back to the full SAC.

Project Implementation Committee (PIC): Jeff DeQuattro discussed three major projects addressed at the April 5 PIC meeting.

- 1) Brookley Hole Filling as part of the Bay beneficial use of dredge material program. He displayed the short-term option that would alleviate the need for hopper dredges carrying material from the upper Bay to disposal areas in the Gulf. The plan is to fill the hole to the level of the adjacent bay bottom, where productivity would be enhanced by increased mixing and concentrations of dissolved oxygen. The estimated time for filling the hole is 5 years.

Dr. Rees stated that the public notice will come out in the next couple of weeks, prior to certification. She said this disposal method is preferred to upland disposal. Ms. Swann said this will enhance habitat. Mr. DeQuattro said the Port Authority is very supportive of this program which will keep the ship channel deep enough to support commerce.

- 2) The Fish River Watershed Study is a modeling effort that was recently completed to identify problem areas and solutions for improved stormwater management. The modeling study, performed by John Curry of Hydro Engineering, Inc., recommends strategic, largely upstream placement of regional retention/detention ponds to improve management of stormwater volume and velocity throughout the length of the river.

Commissioner Gruber explained that the Commission decided to do studies “watershed by watershed” and that the County will rewrite its regulations based on findings of the report with more attention to the top of the watershed and not just the bottom. The county will

acquire property as needed to implement the recommendations of the study. Ms. Swann said the goal is to maintain a consistent volume and flow. Commissioner Gruber agreed. He said that watershed studies for Wolf Bay and Bon Secour will be done next, as funding allows.

Casi Callaway voiced her excitement about the project and stated that reducing flooding is not the only benefit to improved stormwater management. She asked if the recommendations addressed environmental protection.

Commissioner Gruber said the stormwater “tax” “changed a lot of people’s minds about why managing stormwater was important to maintaining water quality in the county. This study main objective is to improve stormwater management to protect water quality.

Mr. Howard said there should be some on-site retention. Commissioner Gruber said retention ponds are in the current regulations but the problem is that they must be maintained. Typically homeowners associations have very limited capacity or commitment to maintaining them. By creating regional retention, the County will become the responsible entity for maintenance. Mr. DeQuattro said that constructed wetlands may be better than retention ponds in some locations. Commissioner Gruber stated that for this study, the focus was on regional retention and that a part of that would be construction of adjacent wetlands.

- 3) Carl Ferraro reported on the NRDA Marsh Island Project. Public comments are now being received on the early NRDA restoration plan. Marsh Island is one of eight projects across the Gulf Coast selected for early NRDA funding. It will take about nine months to permit and 18 months from time of permit application to completion.

Government Network Committee (GNC): Commissioner Gruber said the committee is trying to schedule a meeting this summer and is investigating the possibility of inviting the Region 4 EPA Administrator to speak and Congressman Jo Bonner for a report on the RESTORE Act. The draft agenda includes a balance of State agency overviews (hopefully from ADCNR or ALDOT) and local government perspectives.

Ms. Callaway asked if the conference will be open to all.

Commissioner Ludgood said it is really designed to improve networking between State agencies and elected officials as outlined in the revised organizational structure adopted in 2006. Mr. Howard requested that the organizational structure document be sent to executive committee members. Ms. Swann said she would do so.

Community Action Committee (CAC): Ms. Callaway said that Mobile Baykeeper has joined the Community Action Committee in recognition that their organization could work with this group to expand community involvement efforts and to that extent had joined Ed Struthers as co-chair of that group. She stated that the CAC’s first priority will be to engage stakeholders in a comprehensive Stormwater Outreach and Awareness campaign design to support the efforts of the many place based grassroots groups in both counties. She explained that this upcoming stormwater public relations and marketing campaign would produce materials that could be used by a variety of organizations and that each could “personalize” the materials by putting their logo on them when distributing. She stated that funding for the campaign is coming from MBNEP with match provided by Baykeeper and additional funds may be made available through a Supplemental Environmental Project now being negotiated between MBNEP and Gulf Coast Asphalt. Ms. Swann is set to meet with representatives of Gulf Coast Asphalt in a couple of weeks to solidify the agreement.

Ms. Callaway invited all to attend that CAC meeting on May 22.

Mr. DeQuattro asked, "What organizations are you trying to reach?" Ms. Swann said place based grassroots citizen groups but that once the campaign kicks off, the materials would be available to all. Commissioner Ludgood suggested starting grass root groups in areas where none exist and offered to help Ms. Callaway do so. Ms. Callaway welcomed Commissioner Ludgood's assistance and stated that Baykeeper has an EPA Environmental Justice granting pending to undertake community engagement in the Three Mile Creek watershed that would provide financial support to engagement efforts.

Finance Committee (FC): Ms. Swann said the Finance Committee met in April to review the proposed workplan and recommends the following actions. She stated that the Executive Committee must approve the workplan today (including any recommended modifications) so that the program can submit to EPA by June 1. She went through several slides (see attached), showing first the revenues and expenses for the organization, then the budget vs. actual for each project, categorized by the four major working groups: ecosystems status and trends, ecosystem restoration and protection, technical assistance and capacity building, and program implementation and reporting.

In regards to the estimated match funded, Ms. Swann said that the amount was based on City of Daphne estimates for \$10,000/year and Spanish Fort estimates of \$5,000/year but that MBNEP will still make annual requests to those and other municipalities. Commissioner Gruber asked if MBNEP will make a request to the Baldwin County Commission. Ms. Swann stated that it was being considered. She stated that Baldwin County did provide in-kind match in the amount of \$90,000 last year for the money invested in the Fish River Watershed Study, but that no cash had been received for the past 2 years. Commissioner Gruber suggested that we submit a request and copy to his attention.

Ms. Swann stated that sources of Year 17 funding will come from the annual EPA appropriation with matching funds coming from local municipalities and the counties, as in the past. 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 17 Work Plan.

In the Status and Trends section, Ms. Swann stated that the SAC continued its work in developing a Biological Condition Gradient Framework to measure stress on ecosystem services provided by priority habitats. At present the SAC was developing a scope for measuring ecosystem response to three different restoration projects: Dog River Park, Helen Wood Park, and Mon Louis Island. Ms. Swann stated that this information would feed into the gradient development. Dr. Just Cebrian, DISL has agreed to sponsor this graduate student work. In addition \$20,000 has been allocated to watershed sediment studies to continue to develop an understanding of what is happening in the waters that feed into Mobile Bay. These sediment studies provide the initial direction for subsequent watershed planning efforts.

Ms. Swann said the ongoing restoration projects are being pushed back until after hurricane season. She reported that Joe's Branch lost another 10 feet last week in the big storm (Wednesday, May 2 had 9.5 inches of rain) and that the workplan includes an additional \$25,000 reserve to support unforeseen restoration efforts. This funding is in addition to a conservative contingency included in the project grant.

She reported that the Request for Proposals for Mon Luis Island is being developed.

Ms. Swann explained that \$64,000 was reprogrammed from the Local Restoration Partnership line for the completion of the Mobile Bay Model by Tetra Tech which will be used by ADEM to develop TMDLs for the coastal area. The modeling should be complete by the end of the year.

She reported that the watershed planning process for Three Mile Creek is in a pre planning phase and that MBNEP is in the process of assembling resources to begin the study. She reported that Estuary Corps will be active in two schools and that the second water quality video "Fish Slap" is 90 percent complete.

Commissioner Guy asked for a motion to approve the Year 17 Work Plan. Mr. Lyons made the motion, Dr. Rees seconded. Commissioner Guy asked if there was any discussion; there was none and the motion carried unanimously.

Old Business

Ms. Swann reviewed the Balanced Scorecard Strategy Map which was discussed at the January meeting. Based on Mr. Howard's comments, she recommended leaving out the word "Demonstration" so that it reads "Manage and Execute Projects." Mr. Howard clarified that demonstration projects are part of the task, just not all of it. (Mission slide, Internal Processes, middle box)

Commissioner Gruber made a motion to approve the Strategy Map. The motion seconded by Dr. Rees. There was no discussion and the motion carried.

Ms. Swann explained the method for updating the CCMP. She is visiting and talking to community groups (i.e. Rotary and Chambers of Commerce) for input. This process will be done by the end of June and those comments will be considered when revising the CCMP. She reported that by the end of July, "We should have a good sense of the stressors and sources." Her vision is to have the SAC do its work and the PIC committee then identify possible restoration project that related to the priority habitats identified in the SAC work. The Government Networks Committee focus on the stressor side of the equation, and will be asked to make recommendations of actions to address impacts of stressors to the system. A larger meeting will be held at the end of the summer/beginning of fall to present the work of those two committees to the participants and ask participants to prioritize and further refine the actions identified, and this will form the basis of our CCMP. She plans to have the CCMP done by the end of the year.

Mr. Lyons discussed the transition of the Coastal Alabama Leadership Council and said they are in the process of re-organizing and are reaching out to a diversity of community leaders. Ms. Swann stated that CALC could emerge as a potential vehicle for the Community Resource Committee as their focus is evolving to be one of supporting existing efforts and filling in gaps. Mr. Lyons stated that NEP is a great example of a regional group that could plug into the new CALC framework as well in terms of addressing environmental needs. Dr. Rees said the CALC model worked post-Katrina in Mississippi because it had a major funding stream. Her concern was that without the resources, regional planning would be a tough sell.

New Business

Ms. Swann discussed the vision for making Three Mile Creek a community asset. The creek runs through all three County Commission Districts and five City Council Districts. She reported that MBNEP is working on raising funding for a watershed management plan for the creek. Request for proposals will be developed in June. She reported that ADEM would like trash curtains installed, but that with 287 outfalls, a strategy would have to be developed to determine placement of a few curtains for the best results. There also are concerns over the maintenance of the curtains and who would be responsible.

Dr. Rees suggested that MBNEP contact Mr. Curtis Flakes to inquire about Planning Assistance to States (PAS)" assistance. Dr. Rees said the grant typically helps a local or state elected body. Mr. Lyons commented that this would allow money from the study phase to be moved to implementation. Ms. Swann will follow up with Mr. Flakes and Todd Boatman.

Other Business

The next meeting will be held August 10, 2012 and will be attended by John Hankinson of Gulf Coast Ecosystem Restoration Task Force. Someone commented that State Representative Joseph Mitchell wants to be on the committee and that he used to be on it. He has an interest in Three Mile Creek. Dr. Rees and Commissioner Guy suggested looking at the bylaws. Commissioner Guy asked Ms. Swann to

research it and suggested looking into having Representative Mitchell be the proxy for Representative Randy Davis.

Ms. Swann asked for input on a process for conducting an evaluation of the Director. Since her appointment there has not been one conducted and in fact one had not been conducted of David Yeager for several years other than what was prepared by Dr. Crozier. Dr. Rees stated that there used to be a personnel committee and suggested checking MBNEP history to determine the members. Commissioner Ludgood made a motion that the previous members or their successors be activated to evaluate Ms. Swann. The motion was seconded by Dr. Valentine. Mr. Howard commented that the evaluation should be done every year or two. The motion carried.

At 11:45 a.m., a motion to adjourn was made by Mr. Lyons and seconded by Dr. Rees. The motion carried unanimously.

Submitted by:

Roberta Arena Swann, Director