

ALABAMA GULF COAST RECOVERY PUBLIC HEARING

Wednesday, September 27, 2017 3:30-5:30 p.m.

Mobile Government Plaza Auditorium

205 Government Street

Mobile, Alabama 36644

MR. CHAIRMAN: First of all, I want to call the meeting to order and call roll.
Governor Kay Ivey, represented by Congressman Bonner?

CONGRESSMAN BONNER: Here.

MR. CHAIRMAN: Governor Kay Ivey is not here.

Mayor Terry Downey?

MAYOR DOWNEY: Here.

MR. CHAIRMAN: Commissioner Merceria Ludgood?

COMMISSIONER LUDGOOD: Here.

MR. CHAIRMAN: Mayor Jeff Collier?

MAYOR COLLIER: Here.

MR. CHAIRMAN: Mayor Sandy Stimpson? Sandy has gotten a little under the weather and had to leave.

Mayor Karin Wilson?

MAYOR WILSON: Here.

MR. CHAIRMAN: Mayor Tony Kennon?

MAYOR KENNON: Here.

MR. CHAIRMAN: Commissioner Chris Elliot?

COMMISSIONER ELLIOT: Here.

MR. CHAIRMAN: We've got a quorum and we want to go ahead and get started. First on our agenda is to give you an update on the NRDA and Federal RESTORE activities, and we will call on Commissioner Chris Blankenship, whom by the way, this is his first public meeting as commissioner, not his first public meeting but his first as commissioner. Congratulations to you. And we want to also congratulate

Congressman Jo Bonner. This is his first public meeting as a representative of Governor Kay Ivey. We welcome Jo to the meeting also.

COMMISSIONER BLANKENSHIP: First of all, I appreciate you being here today. I want to share briefly about some of the other activities that are going on with NRDA and the Federal RESTORE. The NRDA annual trustee council public meeting will be in Mobile this year. It was originally scheduled for the week of September the 12th and that was cancelled due to Hurricane Irma, I think it was. One of the hurricanes cancelled that meeting, so it has been rescheduled for November 30th and it will be at the Riverview Plaza. The open house is at 5:30 and then the actual meeting starts at 6:30. You should have gotten a notice about that. If you have not registered on the website to get those new releases or get information about that meeting, I would encourage you to do that. This is a public meeting. I have residents from all four federal agencies that are involved on that as well as the Gulf states. So again, that's November 30th at Riverview Plaza. And then at the Federal level the Gulf Coast Ecosystem Restore Council, which is similar to the Alabama Gulf Coast Recovery Council, is made up of the federal trustees along with states. All of the federal representatives now have been appointed to that federal council and are underway and they will be meeting in Baton Rouge and New Orleans in October and we will get a working group together for that. Again, there will be some public meetings later on this year so I would encourage you to sign up on the website. Anybody have any questions you'd like add?

(No response.)

MR. CHAIRMAN: Any members have any questions?

(No response.)

MR. CHAIRMAN: Okay. Thank you, Chris. Next on our document agenda is discussion of the direction of bucket one. As you recall, we closed the application for that some time ago and announced the projects selected. There were 30 selected from the list of about 330 on the projects. I'm going to ask Eliska Morgan, our executive director, to give us an update on that.

MS. MORGAN: Thank you, Mr. Chairman. So we have our list of 30 projects. The evaluation forms to gather additional information on these projects have been provided to all of the submitters. Once we receive those back at the end of October, then those will be forwarded to our subject-matter experts to review those projects for their professional opinion on budget reasonableness and to basically validate the materials that have been provided to us regarding those projects. Once those projects are evaluated by the subject-matter experts, they will provide summary reports back to the Council. The Council will review those and then move forward with beginning to develop their draft plan. As far as a timeline goes, we are hoping to have a draft plan that could be provided to the public for review sometime in the early part of the year. We don't have dates certain or months certain, but we are certainly looking at sometime early next year. Any Council members have a question regarding what I just discussed?

COMMISSIONER LUDGOOD: And the plan will go out for public comment?

MS. MORGAN: Yes. Once we do have a draft plan in place, we will put that plan out for a 45 day public comment. And of course comments will be considered, and a draft plan will be revised as appropriate, and then it will be released and submitted to Treasury for approval. Thanks.

MR. CHAIRMAN: The next item on our agenda is a discussion on the Alabama Center for Excellence designation. Some of you may recall some time ago this was before we had any BP money released, the BP money, as you may recall, was to be released over a period of years and we were providing BP money in a formula. So we received a revised proposal because of this, and we received a presentation by Director Valentine with an updated proposal. The good news in that they haven't been able to get started is there will be additional dollars and research and improved modified programs that will be included and essentially get final approval -- they have to approve this and get final approval from the Department of Treasury. The Council members heard the same presentation I did and sought information that was given to us in an e-mail. Are there any discussions about these proposals?

MAYOR COLLIER: Mr. Chairman, I'd like to make a motion on the updated proposal and move forward on the proposal.

MAYOR DOWNEY: Second.

MR. CHAIRMAN: I've got a motion by Mayor Collier and a second by Mayor Downey. Any further discussion on this matter?

(No response.)

MR. CHAIRMAN: All in favor?

COUNCIL MEMBERS: Aye.

MR. CHAIRMAN: Opposed?

(No response.)

MR. CHAIRMAN: We have a unanimous vote in favor of this proposal. The next is the discussion on the project selection plan for Bucket Three, which was just announced that we would open the portal up once again for additional projects. We had quite a few additional projects handed to us. That process is closed now. We have discussed the use of the same selection process we've already been through, which seemed to work well with our narrowing the list down from Bucket One, so we feel like we are closer to the next one, and it should move a little bit faster. Sadly, we are the only state that has to go through the process of a council, everything else you have a single state entity whether it was the governor or a department in charge of this process. Despite all of that, I don't think we are that far behind. The document showing the process will be available on-line through our website. And one thing that's different about this one, the first bucket we had limited criteria we would select upon. This case there are no limitations, so any items that are listed in the RESTORE Act -- there are only 12 items -- are eligible for selection. So when the council moves to vote to add to the list, we will consider all projects. And one additional factor presented for council to review is consistency with the goals of the Federal Council's comprehensive plan, but we will open that and begin our process of selection over the coming weeks. The cutoff is in November, and after the cutoff, shortly thereafter, be able to announce the projects selected under a short list on Bucket Three projects. Any comments from the Council before we go further?

(No response.)

MR. CHAIRMAN: With that, we will go forward. There are a number of parties that want to speak and I'll just call you out in the order that I have your card. First is Mr. Glen Coffee. You will have three minutes to speak. Eliska has an iPad set up on a timer and we will put it to where you can see it. And if you would -- we are doing one thing differently from the prior other meetings. We have used tape-recorders and used the help from the Department of Conservation to help us take notes and minutes, which we feel -- we have not had any complaints of any inaccuracies, but it takes a little longer, a little bit more effort. So we have hired a professional court reporter to do the work for us. I think it will be extremely accurate and it will be done in a more timely manner than we do it ourselves. So she may ask you to spell names like Mr. Coffee and others. Go ahead, Glen.

MR. COFFEE: Again, my name is Glen Coffee, and I appreciate the opportunity to speak today to council members on behalf of the Sierra Club in Alabama that has over 4,000 statewide members. I'm here to speak on behalf of a project supported by the Sierra Club, Project 92. I don't know what bucket it would fit in, but we need to put it in a bucket. Anyway, Project 92 is known as the "West End Beach and Barrier Island Restoration Project". The project would help restore 4.25 miles of Dauphin Island severely eroding western shoreline that also was heavily impacted during the oil spill. The county developed that project through a NOAA grant of 1.5 million dollars completed in 2011, and it was developed and designed for the entire island. They have already implemented the eastern end of it through funds but the rest of the island needs to be fixed quick. And any one that knows anything about shoreline projects knows that they are expensive. I know the mayor of Fairhope, Gulf Shores and Orange Beach know. Project 92 can be done at three levels -- 21 million dollars and 38 million and 59 million, and all of those three levels are ready for construction today. It will not take them long from an engineering standpoint. And despite the monetary commitment, I know Mayor Collier personally, and I know how hard he's worked on projects before, and we cannot afford any of those three prices even the 21 million dollar, so they've got to have some help. And why does the Sierra Club support a beach restoration project on Dauphin Island, which usually some people will say they do not have a reason but, you know, either way we look at this, any benefits that come to the property owners doesn't include the joy of restoring the beach line, we think those are incidental. But look at the bigger picture and those include, first off, the fact that Dauphin Island is Alabama's only barrier island. And as such, that island, which has existed for the last 6,000 years, is the reason Mississippi sound and Mobile Bay are what they are today. Without that island, 10,000 acres of marsh that presently characterize the presence of Mobile County would not exist.

(Three-minute timer going off.)

MR. COFFEE: Am I out of time?

MR. CHAIRMAN: Try to wrap it up.

MR. COFFEE: Okay. Anyway, it wouldn't exist. We also wouldn't have oyster production. That would never have developed in Mississippi sound. And coastal developers have recognized Dauphin Island as important to maintain Alabama's coastal fishing effort and support the recreational -- lots of folks here like to go Trout fishing and they wouldn't have that in the shape it is now if it wasn't for Dauphin Island and what it's been over the years. I'll tell you what I can cut off here, if you'd like. I've got a copy. I don't want to -- I've got a number of other things I want to say, I'm just too long-winded, I guess. But any way I appreciate you listening. I will get each of you a copy. And I hope you will give serious

consideration to Project 92 because if y'all don't this council is going to join a long list of politicians and elected leaders that have ignored the problem for far too long. And as we continue to ignore it, Dauphin Island is going to continue to disappear. I thank you again for listening.

MR. CHAIRMAN: Thank you, Glen. Next is Steve Parker a Mobile Bay resident. We have a number of people on the list and to save time we will go ahead and call who is next so we can give them a heads up. So next would be Sara Kindt with Mobile County Water.

MR. PARKER: Thank you. I am here representing the residents of West Mobile Bay that are currently on septic tank and concerning the sewer project. My story begins in 1987 the year our family bought a home on West Mobile Bay. The home was built in 1980. It's the first home we owned with a septic tank system. Since that day I have not had any minimal problems with my septic tank. But let me tell you the rest of the story. Soon after living on the bay, I encountered neighbors on both sides up and down the bay with septic woes. Let me say this: Before I retired I owned an underground equipment business that sold trenchers, word got around. So to the do-it-yourself-ers, I became quite popular. It was no quickly as I could get home I was involved in a septic line project. I noticed several different techniques, different depths, different material being used, and I became curious: Why are they having all these problems, and I did not? And where are my septic lines? About this time, my daughter graduated from Alabama with a biology degree and went to work for the Mobile Health Department. So I asked her to talk to her peers and get the skinny and try to get me what I needed to know about septic tank systems. The first thing she asked me was did I have a copy of the drawing submitted to the County Health Department. I said I did not, but I would get some. What I received was a photo copy of squiggly lines that looked to me that were originals submitted on a napkin -- not that there is anything wrong with napkins. But when Brookie asked how deep the lines were, I had to say I don't know. It doesn't say. How long? It doesn't say. How many? It's like three, possibly four. But according to the big "N" on the top depicting North, I think they are located in the median in the horseshoe. I bring this up for us to understand how lax the regulations must have been back when hundreds of septic tanks were being installed. She then began to tell me the current regulation of 18 inches of good soil between the field line and the water table. This is to enable the effluent to filter through the soil before entering the water table. I told her my opinion is and my neighbors is we don't have any good soil period and certainly not between field lines and water table. And those who try to adhere to that regulation have lines so shallow that they leach up and come up to the ground. In other words --

(Three-minute timer going off.)

MR. PARKER: Is my three minutes up?

MR. CHAIRMAN: It's okay, just try to wrap it up very quickly.

MR. PARKER: Okay. So what about the squiggly line septic tank, why has it not had a problem? She said, dad they were probably so deep that they leach into the water table. And where does the water run? My well, my neighbor's well and again Mobile Bay. Is it any wonder that when the rain comes and rivers swell filling the bay with fresh water and lowering the salinity the bacteria count goes so high that my children and grandchildren can't swim in the bay. This was a time before raised bed systems so there were no answers to keep the effluent out of the bay and there are hundreds of these systems still in business slaughtering our bay every day. At best our soil is not conducive to filtering the effluent. At worst I'm afraid some sewer systems go straight in the bay affecting the bay. At this time we have an

opportunity to fix this by providing a sewer system that these people can afford to use and protect one of our most valuable resources, our beautiful Mobile Bay. I hope you will strongly consider this. Thanks for listening to my story.

MR. CHAIRMAN: Thank you, Mr. Parker. Sara Kindt? Next up is O'Neil Robinson.

MS. KINDT: Hi and thank you for listening. My name is Sara Kindt. I'm an environmental consultant here in the Mobile area. I represent today Mobile County Water and Sewer and Fire Protection Authority. The project that I'm speaking on behalf of is also what Mr. Parker spoke on, which is Project 201, which is Mobile County Sanitary Sewer System and Oyster Reef Protection Program. Mr. Parker came here on his own free will to speak about this project because he has concerns. And one of the aspects that he really didn't get to is that he has concern that his property is polluting in the area. And he has concerns that lots and lots of other people in the area are as well due to poorly percolating soils that septic tanks and wetlands really don't work together very well. So what we are proposing to do is actually Phase II OCF Project that we received to install additional sanitary sewer lines and several lift stations to be able to take these people with poorly functioning septic tanks off line and to put them on sanitary sewer systems to protect basically our lifestyle here in South Mobile County. To protect the fishery and seafood industry, to protect the ecotourism industry that's flooding and growing, and also to protect the health of our citizens and also the citizens of all of Coastal Alabama. That once this untreated sewage goes coastal waters it's everywhere in the waters. So we encourage you to hopefully strongly consider this project that's not just a sewer project but a lifestyle improvement project as well. Thank you.

MR. CHAIRMAN: Thank you. I apologize for the microphone. Next up is Tom Williams.

MR. ROBINSON: Good afternoon. Thank you for listening. My name is O'Neil Robinson. I'm chairman of Saraland Water and Sewer Board. I'm here to talk to you about funding Project 222. As we know, the City of Saraland is a separate entity from the water and sewer. We provide water and sewer for about 5,000 customers. Two years ago this coming Saturday we will be working diligently with the sewer company granted this by the council and our Mayor Dr. Rubenstein. The overall operation of our sewer company is out of date. Equipment that's not functioning, UV lights, overloaders, other 2 equipment is not functioning. At the present time we have had the opportunity to clean out the sewer tanks, replace it with diffusers and upgrade as much as we possibly can. Because of the efforts of our employees, we have improved the water by Sara Creek discharge and out to Mobile Bay and into the Wetlands and also the Tensaw River, that's very important to us in the future. Saraland's current water and sewer continues to struggle with efforts to identify costs and proper affects and sustainable solutions that will improve the water quality to the citizens of Saraland. We have several challenges before us. We are surrounded by rural water districts funded by Federal USDA grants. We also are not eligible for any of these USDA rural loans and grants. Second, we are putting a strain with the amount of income we have to hire employees because of our income. Third, we have lost operators and employees that have taken over and retired and this has put an additional strain on our employees. Number four, since we are not associated with the City of Saraland, we can't benefit from sales taxes or any ad valorem increase associated with the City. In conclusion on behalf of Saraland Water and Sewer Board and with the complete support of the Mayor and Council of the City of Saraland, the Board requests your support of Project 222 Waste, Water Treatment Upgrade. This project was selected for funding through Bucket One. We feel that it is a great fit for Bucket Three as implementation of this project will provide also benefits to the water quality of Bayou Sara. I appreciate your time and thank you for listening.

MR. CHAIRMAN: Thank you for your timely remarks. Tom Williams? Next up will be Anthony Pritchett.

MR. WILLIAMS: I'm Tom Williams with the City of Satsuma. Thank you for letting me speak before you today. I'm speaking on behalf of Project 386. The official name is the 3rd Street Canal Restoration. It's really not a canal. It's a ditch. Through the years it's handled all of the run-off water very well. With the growth of the City, though, it no longer does so. We have homes that flood and we have two lift stations that now get under water when we have a hard rain. This project would allow for right of way acquisition with approximately one-half mile to 3rd Street all the way to the flood plain. At the present time we have no right of way on either side and unable to mitigate it in any way. I appreciate you very much for allowing me to speak before you. We would certainly like to protect these preservations from getting under water with hard rain and also we have a number of homes in that area that flood every time it rains. I thank you so very much for allowing me to speak.

MR. CHAIRMAN: Thank you, Mayor. I appreciate you. Next will be Casi Callaway.

MR. PRITCHETT: Thank you very much for having me here. I'm Tony Pritchett from Fairhope. I'm on the Fairhope Environmental Advisory Committee. I'm here as a citizen of Fairhope. I'm here on a number of complaints that have been raised and I'm here to provide support on Projects 396, 398 and 412, which have to do with sewage spilling out into Mobile Bay and coming over into the Fairhope side. With the influx of people and the building in the City of Fairhope, we need to address the issues of sewage spilling into our Mobile Bay. Fairhope City has tried to address this, ultimately funding is an issue and it's too much rain for one City. One is to help build a runoff for not only sewage water but for all of the water from all of the rain increase we no longer have areas for water to filter waste and this vast increase of water is not able to be treated so the issue of recycling water should be a big asset. I strongly ask for you to support these three projects for the citizens and I thank you very much for your time on this issue.

MR. CHAIRMAN: Thank you. Casi Callaway?

MS. CALLAWAY: I'm Casi Callaway and I'm the director of Mobile Baykeeper. And I want to say welcome to Jo Bonner. We are glad for your support. Governor Ivey made a fabulous decision. Thank you. And thank you, again, also for having a public meeting. I have more questions then I have suggestions. A lot of it y'all touched on today in your presentation part of the meeting really drove more questions for me, so I'm going to kind of barrel through a few of them. Public commission, the subject matter experts, we would love to know who the subject matter experts are. The sheet that's gone out to the projects, we would love to see that sheet to see public projects to know what additional information we would like to have and impose. I think as much as you can make public through this process, the easier it's going to be for you to move forward through everything that you are doing with the decisions you are making. It will also help you justify the decision you are going to be making. It's not just for people like me, who come to every meeting, but for people like Mr. Pritchett, who I have not met before who made his way down here and Mr. Parker as well. I think all of us want to see as much information as we possibly can and making it clear and simple is a really good way to do that. At our January 25th meeting y'all made a reference to one-year, three-year, five-year planning with the funding and I haven't seen a response to that yet. Is it going to be one, three or five? We would all like to know that to figure out how much money we are going to spend and what kind of projects we should be putting forward. What will the comment period look like come January 20th or closer with the 45-day comment? Will that be public comments or are you going to respond to comments in some way, shape or form? So these are

all things we still need to understand. I quickly scanned through the project hotline and you have a slew of projects that y'all all put forward as the ones for sewer. We have a sewer problem. Twenty-four million gallons have spilled into Mobile Bay since January one. This is from all of the facilities that we can find and that have reported and have reported accurately. We have problems. It's not just sewer but it's also our responsibility for restore council to pay for the problem. So the other thing I want to strongly encourage to you is whatever you can claim what a perfect opportunity to get all of the municipalities and frankly all of the cities that have sewer line problems to gather to look at this and encourage you to work with us.

MR. CHAIRMAN: Thank you, Casi. This isn't designed for Q and A, but I will answer a couple of your questions. The subject matter expert is a team that's led by Volkert and a company that's heavily involved in the Mississippi process. And as far as the evaluation sheet, specifics are going to be put up on the website. Next will be Jan McKay.

MS. MCKAY: Good afternoon, everyone. I'm with Project 392, the Gulf Coast Exploreum in Downtown Mobile Tourism Impact Project. I'm Jan McKay with the Gulf Coast Exploreum. I'm the executive director of the Exploreum. Thank you very much for your time today. We are the only Exploreum site on the Gulf Coast, been around for 20 years. We are explore tourism for the Gulf Coast. We are going to have our 20th anniversary next year as I mentioned. We have a two-phase project, both are to create more tourism experiences along the Gulf Coast, to keep our seasonal tourists and also to do a much better job in serving convention and business meetings in Mobile, and in particular, downtown. We are a prime location for tourism. We are right across from the Convention Center right on the corner of Royal, Government and Water Streets. We also have one of just 26 IMAX Dome Theaters in North America. And what we propose is that we bring this into the current century that is currently using 70mm film. We want to really enhance the experience in that theater by installing not only are we the only one on the Gulf Coast but only the third in North America, a digital laser dome projection. And what this will do is it will be unsurpassed -- the quality for tourists in streaming video, and it will allow us to use it for video conferences for those who are holding meetings, corporate meetings and to have a very unique tourist spot there. Our second phase of the project would be something for families as well as conditioned visitors. And that would be in our outdoor courtyard install a splash pad with fountains, coves, lighting and create a fun place for the kids. We have 140 thousand people that come through our doors every year. And at night this would no longer be a family place. On certain nights we could make it into a jazz club where people have an outdoor center who are staying downtown, tourists could come across, relax, enjoy the music and have a special spot like none other in Downtown Mobile.

(Three-minute timer going off.)

MS. MCKAY: Oh, is that my three --

MR. CHAIRMAN: You can finish up.

MS. MCKAY: Okay, thank you. So we thank you, and we want to ask for your support to increase the experience for tourism in the Gulf Coast. We have a vision for Mobile and with all of the attractions we have lots that come visit us every year, and we want to do a better job for conventions. So that's what I ask of you, and I thank you for your time.

MR. CHAIRMAN: Scott Ritter?

MR. RITTER: Thank you. I'm here to talk about the Project 295 Mid-Island Parks. It's my understanding that that project was already approved. I don't know how we found this out by digging on that website, it's a disaster, and it takes some time to go through it. But I got this notice about this meeting, so I'm here to talk about that. I represent some of the owners down at Dauphin Island. We have petitioned the town against part of this project mainly the boat ramp that's part of this project. The boat ramp is located -- I brought a drawing -- in a west central area with houses on three sides. Within a 100 yards of the boat ramp, there is nine to 10 houses and 12 lots total that are owned by private citizens of Dauphin Island. There is no other boat launch in Mobile County that has that kind of residential homes around it. They are usually in parks. There is only one that is close, and it has two houses within a 100 yards. And we think it's a safety hazard, noise pollution in the morning, trash that you see down in boat launches and so forth. We just think it's a bad idea the location that it's located. We are not against progress but it just doesn't make sense, and we are not sure how that ever got approved, who even thought that would be a good idea. You know, there are three parcels A, B and C. And A on the Gulf side we think that would be great to preserve that parcel for use by the public and so forth. But putting a boat launch in an area where there is residential on three sides is just not a good thing. It just doesn't make sense. There's not any place else in Mobile County like that. I'd much rather see parcels B and C go away and we get parcel A. And I'd rather see that money go towards the problems we have with raw sewage water going into Mobile Bay fixing a big problem that we have and cleaning up our water systems. Thank you very much.

MR. BLANKENSHIP: Excuse me, Mr. Chairman?

MR. CHAIRMAN: Mr. Blankenship?

MR. BLANKENSHIP: Would you like for me to comment on that briefly?

MR. CHAIRMAN: I wasn't going to say anything. I know a little bit about it, because I have a place on Dauphin Island. But Chris, if you would like to comment on that, I'd appreciate it.

MR. BLANKENSHIP: Sure. Just for informational purposes, that is not a project that's on the Alabama Gulf Coast Recovery Council list. That's a NRDA improvement and the boat ramp is not a project.

MR. RITTER: This is the problem we have. We get a notice that this project is out there, and it shows all of the projects and this project is still approved just like that. So it makes the residents in that area nervous that something is going to happen.

MR. BLANKENSHIP: I understand that. I'll leave it to the council members to clear that up. But I'll give you my card, and if you have any questions, just give me a call.

MR. CHAIRMAN: Yeah. This was basically for multiple purposes. It was for NRDA, it was for the Federal Restore and it was for the Alabama RESTORE, which is what we are. And, of course, we have to flip all through 440-something on a list, and then drill down on them makes it a little bit more challenging. But that's the problem we have.

MR. RITTER: Okay.

MR. CHAIRMAN: Next up is Richard Peterson.

MR. PETERSON: Good afternoon and thank you for your time. I'm the director of operations for the City of Fairhope. And I'm here to speak to you on behalf of Projects 396, 398 and 412. Fairhope is, according to the latest census, one of the fastest growing cities in Baldwin County, which happens to be one of the fastest growing counties in the State of Alabama. What we are trying to do is in these three projects provide some short-term relief and look for some longer-term measures to accommodate perhaps getting the sewer out of the bay altogether, utilizing the golf course and Auburn Extension Center as places for water irrigation services. The first project is short-term fixes to what we consider in our capacity in and around Fairhope. We have identified four major pump stations and we need to upgrade those. As far as that upgrade it would include some systems further into town which is where we have overflow at times. We have asked for some money the past couple of years, and it's time we renew contracts for sewer repair and pipe repairs. And we would have an assessment team that continues to identify the weaknesses within the system and fixes regularly as well as manage the system with regular maintenance. That would be our short-term project for the City of Fairhope. The longer-term project looks to identify what those irrigation demands may be, so the City can start directing those east of Fairhope and hopefully get it out of the bay. We are also concerned about it extending into Mobile Bay. Fairhope is kind of in a cove and when you look at some of the modeling of Mobile Bay the documents have shown it looks as if there is an egress maybe just in Fairhope. It keeps the new irrigation we put in along Fairhope along with some of the bacterial contamination from the storm water and it seems like it stays and circles around in Fairhope longer than needed. We've got close to half-mile of public beach to swim, and we host an annual triathlon that requires all of the contestants to be in the water and swim in our bay. And we would like to keep Fairhope special.

(Three-minute timer going off.)

MR. PETERSON: Thank you for your time and I appreciate it.

MR. CHAIRMAN: Next is Charles Hyland.

MR. HYLAND: Good afternoon. I'm Charles Hyland the Director of Mobile Area Water and Sewer System. I appreciate the opportunity to be here today. The first thing I'd like to do is thank the council for your support. I appeared before you in January asking for consideration of a project for Bucket One funding. It was moved to the next level. It's a project that would replace old sewer lines to extend the life of some major sewer lines. And it's something that we feel like will definitely be an improvement as far as to the aging infrastructure and the water quality in that area. As current today there are many challenges with sewer overflows and funding efforts and projects to protect the environment and water quality. And I'm here today to ask for your support a similar project, Project No. 277. We feel it's a great fit for Bucket Three because it creates a significant impact in water quality. This project would remove 438 septic tanks and put those to public sewer. And these are located in a very low-lying coastal area on the south side of Dog River, the west side of Mobile Bay and north of the Theodore ship channel. We feel like that's a project that's been talked about for a number of years and it was included as a Tier Two Project for the State back in 2010. We feel like if we are able to move forward or get some consideration and help for this project, then it will really fit in with what we are doing overall. And overall we are looking at projects that are both short-term and long-term solutions to deal with existing aging infrastructure and fixing that infrastructure not just for today but for the future. We feel like that's needed for the sustainability for all of our communities. And we do very much appreciate and understand that

other utilities (like other utilities in the south part of Mobile County over the years) have gotten those State and Federal funding that have helped with sanitary and sewer systems. And that's gone a long way towards protecting the environment and we would like to continue that momentum by having this Project 277 move forward and funded. And we think that that would also help protect the environment. Thank y'all very much for your time today.

MR. CHAIRMAN: Thank you. Next is Walter Ernest.

MR. ERNEST: My name is Walter Ernest, Director of Operations, Pelican Coast Conservancy in Mobile. I'm a resident of Fairhope, Alabama. This project aims to preserve this remaining undeveloped property on the city's bay shore and conserve habitats. This parcel is over 140 acres of waterfront parcels in the City of Mobile. This project will perpetually conserve and restore marshes and flats, forests, wetlands and upland habitats to improve water quality and expand recreation and maintain the quality of life to the Coast of Alabama. That's all I ask. Thank you for all of your hard work.

MR. CHAIRMAN: Thank you, Walter. Jonathan Dyal?

MR. DYAL: I actually have two projects that I would love to have six minutes, if possible. Most of this, as you can see, is all in your packet so you can look at it later on. I'll talk very quickly. My name is Jonathan Dyal with Balch & Bingham. I have Riley Roby with me, my partner from Montgomery. I have Matthew Day. We are with Balch & Bingham and Cunningham Bounds here in Mobile. We represent land owners who have some of the last private property found on the Alabama Gulf Coast. If you look at this drawing -- this is No. 9 in your booklet -- if you look at all of these properties Henderson and Sara Moore properties that have been in their families for 100 years, we represent all 26 family members that are willing to potentially sell this property to the State of Alabama with whatever resources you've got under a Yellow Book Appraisal. We represent a lot of people following this BP Oil Spill that have island property and beach front property. And what we understand is that if you decide to potentially fund this project and you purchase the property with the State of Alabama, then they send out the Yellow Book Appraiser, that Yellow Book Appraiser determines what that value is and you and the State and the family member decides to sell it or not sell it. So we have 1,660 acres of marshland. That includes Raccoon, Lady and Cat Islands. I know everybody is familiar with it. There are the three islands 1,660 acres. It's right across from the Dauphin Island. And so this property is only coast land. It's got 1,703 acres of riparian rights. It's Projects 380 and 381. We filed this on May 9, 2017. We also want to talk about this property. If it's sold in the State of Alabama, the family members can transfer a fee simple title and allow Alabama to place a conservation easement on all of the acquired property, restore the shorelines from the marshes to the Alabama Gulf Coast and restore the oyster beds. Let me tell you what happened right after the hurricane but prior to the oil spill. Auburn came down to test the oyster bed all across the coast line. The oysters were hurting. The oil spill occurred and they have had trouble trying to grow oysters in the oyster beds. They are coming out and trying to replenish them but it's been a slow process since the oil spill. So we are trying to let you know that these islands, if you are not familiar with them, they've got birds that nest on these islands. They've got Reddish Egrets, which are very -- there are only three pair and they nest on one of these three islands. You've got the Tropical Herons -- you've got various animals that are on these islands. And these islands are shrinking and not being restored at this time. Part of this would be for the State of Alabama for y'all to have it for perpetuity to use it for all of the citizens of Alabama. And what we are saying is whatever that fair market value, whatever that Yellow Book appraisal is -- you can have one or two of them nationwide to come down and say based on this being an island property or marsh property -- here's what the value is worth.

(Three-minute timer going off.)

MR. DYAL: Real quick. There are three publications for multiple regional planning initiative. Mobile Bay National Estuary Program, Comprehensive Conservation Management Plan has backed this project. The Alabama State Wildlife Plan is constantly serving Alabama's coastal habitats and restoration priorities of Mobile and Baldwin Counties. This is the project we are wanting you to potentially fund with this money. So this is a once in a lifetime opportunity. I'm telling you this because if you don't want to potentially buy it or don't like the project or whatever, the problem is people are going to pass away after generation after generation the more family members are going to get together and sell it to a commercial developer and you don't want to do that. They are giving us the opportunity since we dumped them to the BP Oil Spill to potentially put this up to the State of Alabama at a fair market value. They are not trying to get money out of State of Alabama, they don't want anything less. I'm just saying whatever that appraisal is we will get together as family members and potentially sell this to the State of Alabama. We have Projects 380 and 381. Tab number six in your booklet and it shows you -- we broke them up into two different projects because certain family members own certain portions of the island and some of them own certain portions of the island with marshes so you may want to take one project versus the other or both. We've got both opportunities for the State of Alabama. We've got all of the family members together right now at this period of time. We did have one of our owners pass away, Mr. Bruce Henderson, a month ago. And his wife said she would sign off to keep this going. So we have had to do estates and had to do this to keep this going to see if there is an opportunity for the State of Alabama. We filed our application. I have no idea what bucket we are in. We would appreciate your consideration for Projects 380 and 381. Thank you.

MR. CHAIRMAN: Thank you. Well, that's the last of them. We had one more speaker sign up but I saw him leave, so that's the last of our cards we have here. I want to thank everybody for being here and listening to these very interesting presentations. There is more information on our website. Would any board members like to make any comments? Go ahead, Mr. Bonner.

MR. BONNER: Mr. Chairman, this is my first meeting here. I just wanted to thank all of y'all for coming out to support the projects that you are interested in. When I had a different responsibility and privilege of working with people in this district during the BP Oil Spill, and working with Senator Shelby, Senator Sessions and members of Congress, Democrats and Republicans all along the Gulf Coast to try to create what we have today, I can tell you this is exactly what we had hoped for would be that the citizens would come to petition their local leaders. When Governor Ivey asked me, Mr. Chairman, back in May if I would represent her today to sit for her on this council and that I would be here listening to this RESTORE Act I remember when it was first introduced in Congress, and I just want to say as one member representing the Governor this is exactly what we wished for. Since that tragic explosion occurred in April 2010, it's been seven years. Seven years is a long time and a lot of people lost their livelihoods along the Gulf Coast. Most of us here remember the fear, the angst and concern about our way of life. When the governor asked me to represent her, that's what I thought of so I'm sitting here on behalf of the governor. I had the privilege of sitting down with each member of the council, the mayors, commissioners, and I can tell you there is lot of frustration on their part. BP just made their very first deposit in April, so there has not been any money spent by this council because there has not been any money to spend. But I can tell you that every person on this council is anxious to take these projects and run with them and take them very seriously. And just my initial observation this morning, whether it's the project you are initiating or a project you may have heard about from one of your fellow citizens, this is

an opportunity for us to make a difference in the lives of these two counties that we love and that shape the future of our State. So I'm honored to represent the Governor. Thank you, Mr. Chairman, for your words. And I also think we should thank Commissioner Ludgood and Mayor Stimpson for making this available for us to commence this here today.

MR. CHAIRMAN: Thank you, Congressman Bonner. Thank you, Commissioner Ludgood. Anything else from council?

(No response.)

MR. CHAIRMAN: Can I get a motion for dismissal?

COMMISSIONER ELLIOT: So move.

MR. CHAIRMAN: Can I get a second?

MR. BONNER: Second.

COUNCIL MEMBERS: Aye.

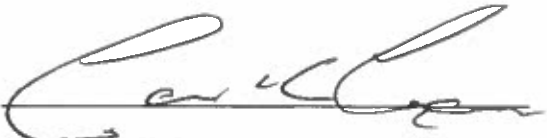
MR. CHAIRMAN: Meeting is adjourned.

ALABAMA GULF COAST RECOVERY COUNCIL

By:  _____
Governor Kay Ivey

Its Chair

ATTEST:

By:  _____
Director James K. Lyons

Its Vice-Chair