

Alabama Gulf Coast Recovery Council
Draft Multiyear Implementation Plan
Public Meeting
May 23, 2018
5 Rivers Delta, Theater
6:00 p.m. to 8 p.m.

COUNCIL MEMBERS PRESENT:

Commissioner Frank Burt, Baldwin County
Mayor Karin Wilson, City of Fairhope
Mayor Jeff Collier, Town of Dauphin Island
Director Jimmy Lyons, Alabama Port Authority
Jo Bonner, Representing Governor Kay Ivey
Commissioner Connie Hudson, Mobile County
Mayor Terry Downey, City of Bayou La Batre
Mayor Sandy Stimpson, City of Mobile
Mayor Robert Craft, City of Gulf Shores
Eliska Morgan, Executive Director, AGCRC

COUNCIL MEMBERS ABSENT:

Mayor Tony Kennon, City of Orange Beach

6:17 p.m.

MR. BONNER: Governor Kay Ivey, represented by Jo Bonner, present. Mr. Lyons is on his way, but we will let him sign in officially when he arrives.

Mayor Terry Downey, Town of Bayou La Batre?

MAYOR DOWNEY: Present.

MR. BONNER: Commissioner Connie Hudson, Mobile County?

COMMISSIONER HUDSON: Here.

MR. BONNER: Mayor Jeff Collier, Town of Dauphin Island?

MAYOR COLLIER: Here.

MR. BONNER: Mayor Robert Craft, City of Gulf Shores?

MAYOR CRAFT: Here.

MR. BONNER: Mayor Sandy Stimpson, City of Mobile?

MAYOR STIMPSON: Here.

MR. BONNER: Mayor Karin Wilson, City of Fairhope?

MAYOR WILSON: Here.

So, for those of you who may have been here on March 7th, this is going to seem very similar, because it is very similar, so bear with us as we go through this. You'll see some familiar slides. I think everybody's probably seen this before -- this is the Restore Act -- the breakdown of the Buckets for the funding that comes to the Gulf Coast states as a result of the oil spill, the civil fines. We, tonight, are talking about Bucket One, which is the Direct Component -- which is the 35 percent that's divided equally among the Gulf Coast states. For Alabama, this money will come in over 15 years so in year 2031, we will have received just over \$374,000,000. So, you may have all seen this flow chart before. It's kind of what we live by as far as our project selection process that the council developed several years ago. So, you may wonder "how did the council determine which projects will be included as the Multiyear Implementation Plan?" Well, this is their project selection process, and we have been working our way through this one chart for quite some time. So, this is where we began years ago -- we invite, inform and communicate with the public. We've met with over 40 civic organizations, municipalities, and NGOs to educate them about our project portal, the various funding sources, the eligible activities, and telling them who the decision makers are for each of these funding sources. The project suggestion portal went live in March 2014, so as projects are submitted over the years, we review them for completeness and then post them up on the website for public viewing. For this first round MIP development, the administrator, which is the ADCNR, we determine if the project has met the Restore Act criteria. And then if it further aligns with the Council-selected focus area, which for this first round was infrastructure and economic projects and related planning assistance. The administrator -- we prepared a spreadsheet as the project suggestions for the council to review, which included all of the projects in the portal. But recognizing the challenges and expenses associated with performing detailed reviews on an unlimited number of project suggestions -- we had over 400 projects in our portal -- the council developed a process to move a focus area project forward for more comprehensive evaluation. This process, called a Request for Evaluation or RFE, requires a minimum of four council members to request a detailed evaluation on a project. So, what they were trying to do is bring the universe of 400-plus projects down to a more manageable number so that they could then conduct a detailed evaluation on them. The council members submitted their RFEs for this first-round MIP, and there were 30 projects that moved on to the next phase. The list of RFE projects were posted on the website, and project submitters for those projects were asked to complete detailed evaluation forms for our subject-matter experts to review. And at this point we are about right in here in this process.

(Indicating on power point map.)

MRS. MORGAN: So what factors were used to complete the technical review? Our evaluators looked at this list:

- *What's the benefit in relation to cost?
- *What's the economic benefit?
- *Does it demonstrate a need?
- *Does it create adverse impacts elsewhere and does it offer diversification?
- *Does it create jobs?
- *What's the potential for success and can you measure that?
- *Is the budget reasonable, and once implemented, is it a sustainable project?
- *What are the risks and uncertainties, and what are the regulatory compliance requirements?
- *Will cutting-edge technology be applied?
- *What is the length of time for completion?
- *Is it based on best available science for those projects that are of a more environmental type?
- *And, lastly, are there any outside funding sources that could be tapped into to implement that project?

So, once completed, the technical reports were provided to the council to review to help with their decision-making process. As part of this review process, the following additional criteria were considered by the council:

Activity One: Aloe Bay Harbour Town Phases I, II and III -- what we have here in parenthesis is who will serve as the subrecipient and actually manage the grant -- this project proposes to develop a business district along Aloe Bay to enhance economic and tourism opportunities for the Town of Dauphin Island. Phase I includes planning E&D, acquisition and permitting. Phase II will establish cost and prepare construction documents. And Phase III will facilitate the construction of the project. In addition, as a separate task within this grant, a planning-level feasibility study of the Isle Dauphine Beach and Golf Club property will be developed to determine long-term economic sustainability for the facility as well as to inform alternatives for the best use of the property to enhance and compliment the Aloe Bay Harbour Town development. This project actually was three different projects that were voted on by the council back in March. But from the function of a grant management standpoint, it makes sense to put them together in the same grant, although the Isle Dauphin Club feasibility study will be a separate component of that grant. It will be totally separate from that.

Activity Two: Is redevelop Bayou La Batre City Docks. Mobile County will manage this project. Redevelopment of the Bayou La Batre City Docks project includes upgrades and repairs to the docks property with public space for the enjoyment of residents and tourists and a dock area where local seafood boats can sell directly to the public. The first phase of the project will develop a feasibility study to identify best use options for the property and an assessment of long-term sustainability. Phase II will include E&D and permitting. Phase III will be dedicated to implementing the findings of the first two phases.

Activity Three: Water Distribution System Upgrades. This is a project in Bayou La Batre and will also be managed by Mobile County. The City of Bayou La Batre proposes to replace 86,000 tons of linear feet of two-inch water lines with six-inch or larger lines to improve water pressure and fire protection. This increased capacity will allow the City to be prepared for residential and commercial development and will result in lower insurance rates for residents due to more adequate fire protection.

Activity Four: Northwest Satsuma Water and Sewer Project, again, managed by Mobile County. This project will extend water and sewer infrastructure under I-65 to provide potable water, fire protection and gravity sanitary sewer to households currently relying on individual wells and on-site septic tanks. This project will improve water quality with the removal of approximately 100 septic tanks and will provide growth opportunities for the City of Satsuma.

Activity Five: Mount Vernon Water Treatment Plant, again, managed by Mobile County. This project will include significant upgrades to the plant enabling the town to comply with ADEM and EPA minimum standards and regulations. The current facility has long outlived its useful life and is experiencing frequent failures resulting in public health threats by impaired water quality. These failures require constant repairs, testing, and monitoring by public work staff which is costly, time consuming, and provides only temporary solutions.

Activity Six: Mobile County Blueway Trail Development, again, managed by Mobile County. This project proposes to develop and implement a comprehensive Mobile County Blueway Trail. Using a consultant-led planning process, Mobile County will define the physical and programmatic elements of a water-based trail system. This trail system will be designed to increase public access for the entire county while conserving and protecting coastal natural resources. Phase I of this project includes a planning process to inform development of a Blueway Master Plan. And Phase II includes implementation of the trail construction and a promotional media campaign.

Activity Seven: Baldwin Beach Express I-10 to I-65 Extension Right of Way Acquisition managed by Baldwin County. This project seeks funding for Right of Way property acquisition to accommodate the proposed 24.5-mile Baldwin Beach Express Extension between Interstate 10 and Interstate 65.

cyclists immediately adjacent to Three Mile Creek in the City of Mobile. This phased project will reconnect neighborhoods with designated access along the Trail and includes artwork, which interprets the historic significance of Three Mile Creek. Implementation of this project will create a more resilient environment while providing the opportunity to combine recreation, commuting, and culture.

Activity 14: Working Waterfront and Greenspace Restoration Project. The City of Fairhope will manage this project. This phased project proposes improvements to the shoreline and bluffs along the Eastern Shore of Mobile Bay in Fairhope, Alabama to insure its resiliency and sustainability. The project will be located at the Fairhope Municipal Pier site, which includes the pier landing at the foot of Fairhope Avenue and the area to the south along the shoreline known as South Beach Park. Phase I includes the development of conceptual plans, design, and engineering. Phase II will be dedicated to implementing the findings of the first phase.

Then our last Activity – 15 – is a Planning Grant to Amend our Multiyear Implementation Plan. And the Department of Conservation will be the recipient of this grant. The purpose of this planning grant is to develop an amended Multiyear Implementation Plan that will prioritize eligible activities for future Direct Component funds and to obtain broad-based participation from individuals, businesses, and organizations in the Gulf Coast Region of Alabama.

The council's website is www.restorealabama.org. If you go to this website under news and announcements, you can click on the announcement where our plan was released, so you can view the plan at this website address. If you would like to e-mail comments, you can e-mail them to this address or you can send them via U.S. Mail to the address on the screen. Please remember the deadline is June 4th. I'll come back to this screen during the comment period so it will be up there for a while. As always, this is our Alabama Coastal Restoration comprehensive website. This is where you can go to submit a project suggestion or to view project suggestions that are already in the portal. And, please, if you do nothing else, sign up for our e-mail updates, so you can be notified when we have these types of meetings and when our final plans are released and any other information that comes out of our office regarding oil spill restoration. So, Mr. Chairman, I think we can move into the comment stage. I think you have some comment cards -- I'm bringing them to you.

PUBLIC COMMENTS

MR. CHAIRMAN: All right. This section of the meeting is reserved for public comments. I have a number of people signed up – not that many quite truthfully, so when we get through, if time allows, if anyone else has a second thought during the course of the meeting, we will allow that. We would like to restrict your comments to three minutes in order to give everybody here an opportunity to make their remarks and make their comments. Eliska will be timing and giving you the eye sign if you get close to the minutes. If you would, please, speak into the microphone. We do have a court reporter here who is going to provide us with an accurate transcript of this meeting. We started doing this several meetings ago, and we were trying to manage it ourselves, and we found this is a much better way to go. So, the first speaker is O'Neil Robinson.

(O'NEIL ROBINSON, Chairman of Saraland Water and Sewer Board)

MR. ROBINSON: It's good to see y'all again. I'm from Saraland. I'm the Chairman of Saraland Water and Sewer Board, and I'm here for Project 222. I'll give you some information on our sewer system. We have been working diligently to upgrade it, keep it going like we have been doing for the last three or four years. About 18-20 months ago, we started a plan of smoke testing, on how to do and find leaks, and things that are going on. Smoke testing might not be important to some people, but in the sewer business, it is. On an average day, we do 1.52 million gallons of waste in the sewer plant. If it rains, we do

COMMISSIONER BURT: Well, if you would send it to me -- if you would send it to my cell phone by text message 709-0000.

MS. BELL: Thank you, Mr. Burt.

COMMISSIONER BURT: 709-0000 if you send me a text message with those questions, I sure would appreciate it, and I will call Mr. Cooper. He answers my calls. He's a fine fellow, and I believe we can get the answers to your question.

MS. BELL: I appreciate it.

COMMISSIONER BURT: I will be glad to do it.

MR. CHAIRMAN: Next up is Riva Fralick.

(RIVA FRALICK, Chapter Leader of Citizens Climate Lobby for Mobile Bay)

MS. FRALICK: Good evening, elected officials. My name is Riva Fralick. Hopefully my voice won't shake as much as it did at the last meeting, and I'll try to really work on being coherent. I'm the Chapter Leader of Citizens Climate Lobby for Mobile Bay. I'm a member of the Sierra Club, and I'm also the head of the Environmental Action Committee in the Fairhope Unitarian Fellowship as well. I just want to read a quick letter to y'all. As of May 17th, Mobile had 11 days of 90 degree plus temperatures and hit 90 degrees a month ahead of last years' first 90 degrees temperature. Two of the eligibility requirements of the Multiyear Implementation Plan are consideration of short-term versus long-term economic benefits and qualifying eligible activity based on best-available science and additional other factors. Other than Activity No. 10, Ambassadors of the Environment, there is no acknowledgement of the climate crisis caused by the burning of fossil fuels. These Greenhouse Gases are altering the chemistry of the oceans and contributing to sea level rise and more intense and frequent heat/drought/storms and flooding. The Deepwater Horizon accident was a result of human activity in the fossil fuel industry. Once BP money dries up, I hope you will consider passage of a statewide carbon fee and dividend (CF&D) on all fossil fuels produced in or passing through Alabama, the proceeds of which can be used to invest in the production of solar, wind, and other renewable energy alternatives and energy-efficient technologies and also clean up the Alabama Power Plant Barry coal ash pond. Climate change is proven serious and a great threat to future generations. Switching clean energy sources requires long-term foresight, planning, political courage and willingness to do what is right. Alabama can be the State that takes this bull by the horns while we still have time to make a difference. I ask you to consider this proposal of a long-term funding source, CF&D, and help keep Alabama green. The economy, jobs, and the health and welfare of our residents depend on your leadership and will truly help us prosper this century. Thank you.

MR. CHAIRMAN: Thank you very much. Jessica Bibza? Did I pronounce your name correctly?

MS. BIBZA: You did.

MR. CHAIRMAN: Okay.

(JESSICA BIBZA, National Wildlife Federation)

MS. BIBZA: Hi there, good evening. I'm Jessica Bibza, and I'm with National Wildlife Federation. I think you may recall Jill Mastratoto speaking to you before, and I'm the new Jill. NWF supports the projects that restore the economy and the ecology of the region such as efforts that improve water quality

to display our history to tell our story. With all of that being said and done, I would just like to also let you know that at the next meeting, can I retain the usage of my one minute and forty-two seconds?

MR. CHAIRMAN: Thank you, Mr. Portis. Casi Callaway?

(CASI CALLAWAY, Director of Mobile Baykeeper)

MS. CALLAWAY: It's good to see everybody today. Hi. I'm Casi Callaway, Director of Mobile Baykeeper, and I want to thank you all again for moving these projects forward. We have definitely seen some projects that we really like. We've definitely seen some projects that we don't dislike, which is fine. I think to kind of start on the worry, though, is we've got about 76 million dollars in the economic development projects with pot-one projects that look good. They are the kind of projects that can move us forward. Most of them have little to no environmental impact. There are a couple that we are going to more formally comment on to say, please, be cautious. Look at these projects holistically, look at these projects with what the environmental impact could be, and let's work together to find ways to mitigate, eliminate, and ensure that these projects do not cause harm to the environment. We've got about \$17,000,000 in parks and trails projects. That is fabulous. That's the kind of phenomenal thinking that we are really, really excited about. And we want to see those go forward. We have less than \$9,000,000 on water infrastructure sewer projects. And we have \$68,000,000 in road projects. That is a serious challenge and a big concern of ours. Especially when you look at the 50-some-odd million dollars and projects across. I think one thing we really do want to understand is exactly where all of those are and where all the design of the impact statement process. We have commented on many of those because we know they are going to cause significant impacts to wetlands, to water quality. So those are projects that I'm not sure are going to be able to get a permit, and therefore get funded, so those are things we have to keep a good close look at. And again, I think the thing we also have to just underscore is how are we building these projects and how are we looking at it moving forward. We have a serious problem with the sewage treatment facility. It had 26 million gallons of sewage spilled in 2017 alone. We have oyster agriculture already closed this year for 52 days. We need to invest. And this is once-in-a-lifetime money that could help us invest in upgrading and protecting water quality. So, we need you to lead on that issue as those projects move forward. We are definitely grateful for what you have done with the projects for the vast majority look very good for the next five years. But before it becomes year six, let's really make sure that we are investing in projects that are going to make sure that the reason people live here is the reason they will be able to stay here. Water quality is important to every one of us. Let's make sure we are investing in it. Thank you.

MR. CHAIRMAN: Thank you very much, Casi. Karrie Quirin?

MS. QUIRIN: It's Quirin.

MR. CHAIRMAN: Quirin. Okay.

(KARRIE QUIRIN, Mobile Baykeeper)

MS. QUIRIN: I am Karrie Quirin. I was rushed a little bit with the traffic on the causeway. I'm here as a resident of Mobile, Alabama, and I have a question to ask. But first I just want to speak as a member of the youthful community and just encourage you to include that type of thinking whenever you are planning this -- planning anything. Think about what you want the future to look like for your children and their children. And it's just a simple question: I have been doing some research on these projects, and I can't really find more than maybe like two or three paragraphs about each. Is there any resources besides the web site that can provide me with a larger amount of information on each project?

be addressing all the comments that are received both here tonight as well as those we get in writing. And we certainly appreciate your comments and your interest. We've got one more. Okay.

MS. ANTALON: I wasn't going to speak.

MR. CHAIRMAN: Jackie Antalón?

MS. ANTALON: Yes.

(JACKIE ANTALON, Operation Home Care)

MS. ANTALON: Operation Home Care. Again, I want to remind you all why you are here. How you got here. It's from the work of communities that's not been represented, that are not being represented now by many of these projects. The core tenant of the RESTORE Act is to empower, build local capacity, capability and resiliency of directly impacted communities. Again, every time I come, I have to remind you that those communities closest to the next of (inaudible) are not being assisted. They are not receiving any benefits. We have given this council -- and I know it's a lot of new people here -- time. We were told at the beginning well, we don't even know if there is even going to be any BP money. We said the communities that's not directly impacted -- the communities that's directly impacted we appeal to the various members, but some of us are no longer here, that we needed the technical support to put our projects into the portal. We were told we are going to get that, but we don't know if it's any money coming. So, the money is here. I'm here appealing to this council, again, to do what the public, who are directly impacted, to give us an opportunity. It's past the early restoration. We asked over and over again for technical assistance for poor community, poor community, poor when BP happened they are poor now, the city and the county barely have any -- isn't that right, Bayou La Batre? So, the things is this, we were depending on you to be fair. We were depending on you to come back to our communities once this money actually came about, and say okay, how can we work together? How can we make this happen? What is your need? Water quality is a number one needed. A dime shouldn't be put on anything else. But water quality as I see it now because, what, this money is never going to be here again. And these communities deserve good clean air and clean water. If you don't do anything else, that will be your legacy that your community needs. Thank you.

MR. CHAIRMAN: Thank you very much. Okay, come on up. If you would, please, identify yourself for the court report's sake, identify yourself, and if it's not an easy name to spell, please spell it.

MR. ANDERSON: I apologize. I got here a little bit late. I thought you had my card, but I can do that in a moment.

(ERNEST ANDERSON, President, Organized Seafood Association of Alabama)

MR. ANDERSON: I'm Ernest Anderson. I'm President of Organized Seafood Association and I'm also a seafood processor. I'm a resident of Mobile. But I have businesses located in Bayou La Batre and I have interest in Baldwin County so a lot of these projects I would love to be able to move forward and be able to keep up and be a part of. But one of the things -- and I think I'm probably reiterating a lot of what's been said tonight, I'm just saying it in a different way. But what I would ask the council moving forward is that the managers that as these funds move forward and has a lot of interest in it, I think the next part is the design. And what I'm hearing tonight is a lot of folks wanting to have a lot of input in those designs of what's happening. So, I would ask that you, I guess, reach out to those managers and those project managers to make sure that there is plenty of public input at least especially in the design so that the community and folks can make sure that they have input and will be happy with things. I know a lot of the folks up here knows my passion is the seafood industry. I'm interested in working waterfronts and

MR. CHAIRMAN: Go ahead, Frank.

COMMISSIONER BURT: I may be out of order here if I responded to one lady who brought out a concern to so many of us here who are concerned about doing studies don't wait until after your project is due and then start doing the studies. But I can only say that the 24.5 miles of Baldwin Beach Express has had every study done, every Federal permit, every interstate access permit, water access, we've done drilling and paid for it with Baldwin County taxpayer money. It's sitting there ready to go. All we need is a right-of-way and the money to build the project. And so, we did get ahead and make the plan. And I'm certain that ALDOT has done the same thing. I've forgotten who brought this up about the road project, but the permits are in place on our side, and I hope they are over here. Thank you.

MR. CHAIRMAN: Any other board members have any comments that they would like to make? Jo?

MR. BONNER: Thank you, Mr. Chairman. I would just say this is exactly what the people in Congress and the people in the communities that were affected by BP on our horizon intended to have happen and that's for the public to come and have an opportunity to speak about projects that are presented to you and to our communities in our area. There is one point made in the slide presentation that Mrs. Morgan did that I think is also worth repeating. Viable projects that were not selected for first-round funding are eligible for reconsideration in amended plans. We all know there is not enough money to do everything that we would like to do, but there is still a lot of money. And we did hear, since the last time we met, some criticism. We appreciate the comments tonight and the compliments, but we also appreciate the constructive criticism. Some have said that we didn't fund a project that was important to a particular community or a particular individual. That doesn't mean that that project isn't worthy and can't be considered in the future. But I would point out, and it's very unfair to point out one person in a community as large as south Alabama, but this Council can never appreciate the full impact and value of the project if we don't hear from people who know it best. The Mayor of Satsuma, Alabama, who is here tonight who has spoken, made every member of this Council -- and I've only been representing the governor for about eight months -- he made me aware of his project about three or four times. Ladies and gentlemen, that's called lobbying. There is nothing wrong with that. That's what the people of Satsuma wanted him to do and other elected officials, county commissioners, mayors, and city council members and citizens-at-large have done the same thing. But we are not mind readers. If there is something that's important, or you know something that we need to know, the best way to do it is to follow Mayor Williams lead. Let us know how these projects can have the most lasting impact, because that's what we all want, is not something that's going to be beneficial for the moment, but it's going to have a lasting impact, a positive impact for this region that we call our home. So, Mayor, forgive me for calling you out, but thank you for doing what the people of your community wanted you to and that's contacting all of these members countless times and letting us know how important that system was for the people of Satsuma.

MR. WILLIAMS: Let me just say I appreciate you all talking to me all those times. Thank you so very much.

MR. BONNER: Thank you, Mr. Chairman.

MAYOR WILSON: Mr. Chairman, I want to say a couple of words about that as well. If you have a project in the portal, now is the time to pull it out and redo it, make it better, collaborate with your neighbors. I mean, there is so much opportunity, and there are so many funds still left because this really is the time to reevaluate it and make it better and look at these factors that we look at because that really does help you.

(HEARING WAS ADJOURNED 7:24 PM)


ALABAMA GULF COAST RECOVERY COUNCIL

By: 

Governor Kay Ivey

Its Chair

ATTEST:

By: 

Director James K. Lyons

Its Vice-Chair