

Initial FPL Amendment
Alabama Comprehensive Living Shoreline Monitoring Program
Response to Public Comments
Public Comment Period: April 22 - May 6, 2020

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Response to Comments

Introduction

From April 22, 2020 to May 6, 2020, the Gulf Coast Ecosystem Restoration Council (Council) sought public comment on a proposed amendment to its 2015 Initial Funded Priorities List ([Initial FPL](#)). The proposed amendment would provide implementation funding for the [Alabama Comprehensive Living Shoreline Monitoring \(AL CLSM\)](#) program. The proposed implementation funding would be administered by the Council pursuant to the [Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies Act of the Gulf Coast States of 2012 \(RESTORE Act\)](#), and comes from the RESTORE Act funding allocation known as the Council-Selected Restoration Component or “Bucket 2.” The Council approves projects and programs for Bucket 2 funding in “Funded Priorities Lists” (FPLs). In its 2015 Initial FPL, the Council approved \$25,000 in planning funds to develop the AL CLSM program. The Initial FPL also identified implementation of the AL CLSM program as a priority for potential future funding and budgeted \$3,975,000 for this purpose. To comply with the National Environmental Policy Act in connection with implementation of the program, the Council proposes to utilize the National Oceanic and Atmospheric Administration (NOAA) Categorical Exclusion (CE) E5 for research activities. NOAA has advised the Council that use of NOAA’s CE E5 would be appropriate for the implementation of the AL CLSM Program.

During the public comment period, the Council solicited public comments via posting at www.restorethegulf.gov as well as via eBlast email notification. The Council accepted written comments digitally via email. The Council has reviewed all comments received by the above deadline. Six individuals submitted comments. The Council appreciates those who participated in the public review and comment process as well as those who have supported Gulf restoration activities for many years.

Summarized Comments and Responses

Comments in Support of the Proposed Amendment (3 total)

Three commenters submitted comments expressing support for the proposed amendment.

Comment: Two commenters highlighted the benefits of living shoreline to birds, fish, and other wildlife. Two commenters also noted living shorelines provide shoreline protection, with one commenter mentioning they can slow marsh loss and another mentioning their benefits to water quality.

Response: The Council appreciates the commenters' expressed support for living shorelines and agrees living shorelines can provide a suite of important environmental benefits.

Comment: Two commenters noted the program will provide concrete monitoring data to demonstrate the efficacy of living shoreline efforts.

Response: The Council agrees the AL CLSM Program will provide for a robust comparison across monitored living shorelines, as well as an evaluation of their success relative to specific site conditions, thus providing valuable information to resource managers, project proponents, homeowners and others interested in utilizing living shorelines approaches.

Comment: Commentors also noted this effort could provide Gulf-wide benefits, including increased knowledge gained from the monitoring. One commenter expressed support for expansion of the program Gulf-wide.

Response: The Council agrees implementation of the AL CLSM Program will provide valuable information that can be utilized to help guide continued Gulf restoration work and could serve as a pilot for the Council to consider as it continues to plan, design, implement and monitor living shoreline projects in watersheds across the Gulf.

Comments Opposing the Proposed Amendment (3 total)

Three commenters submitted comments expressing concerns about approval of implementation funding for the AL CLSM.

Comment: Three commenters advocated for further investment in and prioritization of local capacity building or on-the-job training at the community level through sustainability- and resilience-oriented efforts that will produce direct benefits in historically underserved coastal communities. Two commenters expressed the opinion that such efforts have been excluded from the Council's decision-making process.

Response: The purpose of the AL CLSM program is to produce comprehensive monitoring information that may be used to evaluate the effectiveness of specific living shorelines techniques. With respect to prioritizing increasing local expertise and on-the-job-training, the Council recently voted to amend the Initial FPL to continue support for the Gulf Coast Conservation Corps program. This program provides on-the-job training for youth, many of whom have already been hired into career-path positions. However, the Council recognizes this effort does not fully address the commenters' concerns.

Comment: Three commenters expressed concern with the lack of substantive data or information regarding science review and environmental compliance in the notice of public comments document. One commenter further stated that without this information, it is unclear whether AL CLSM program activities could be funded by other means through private/public partners.

Response: The Council appreciates feedback on the information included in public notice documents. Under the RESTORE Act, only the state and federal members of the Council may apply to the Council for funding. The Council cannot consider proposals from other entities, although each state member has a process for engaging its citizens for project ideas, and member proposals may include additional funding from other public and private sources. The AL CLSM program was approved for planning and identified as a priority for future implementation in the Council's [2015 Initial FPL](#). At that time, the Council independently evaluated the proposed program with respect to eligibility, consistency with the Act and the Initial Comprehensive Plan, best available science, environmental compliance, and budget. This included science evaluations by three external reviewers. The AL CLSM program is intended to build on past and future efforts from public and private partners -- including living shorelines work completed by The Nature Conservancy, Dauphin Island Sea Lab, and *Deepwater Horizon* Natural Resources Damage Assessment restoration efforts. [Environmental compliance](#)

[documentation](#) for the FPL amendment was posted along with the notice of public comment at www.restorethegulf.gov on April 22, 2020.

Comment: Two commenters recommended the Council conduct a comprehensive review and update of the Initial FPL.

Response: The Council recognizes the importance of incorporating lessons learned from previously funded activities and decision-making into future planning. Since 2015, ongoing review of the Initial FPL process has been used to inform the development of future FPL processes as funding becomes available. In 2019, the Council published its [Planning Framework](#). The Planning Framework is a new element of the FPL development process that strategically links past and future restoration funding decisions to the overarching goals and objectives outlined in the [2016 Comprehensive Plan Update](#). Recently the Council approved [FPL 3a](#), which includes two projects, one in Louisiana and another in Alabama. The Council is now developing [FPL 3b](#), where it is considering additional restoration needs in the Gulf of Mexico. As part of making these new funding decisions, the Council continues to consider lessons learned from past investments.

Comment: One commenter expressed concern that the 15-day public comment period established for this FPL amendment does not provide enough time for individuals and communities to respond, noting that any public comment period of less than 30 days is inconsistent with the Council's stated commitment to meaningful public engagement.

Response: The Council appreciates this commentor's engagement with the public comment process, and for highlighting the importance of meaningful public engagement and transparency in connection with the Council's operations and decision-making. As part of the Initial FPL process in 2015, the AL CLSM program proposal was subject to a 45-day public comment period. More information about this process, including the public comments received and associated responses, can be found at restorethegulf.gov on the [public comment page](#). Because the proposed amendment seeks to approve funding for an activity that was previously vetted with the public, a 15-day public comment period was considered by the Council to be appropriate and consistent with its Standard Operating Procedures.

Record of Comments Received

Comments Received via Digital Submission

1. Jackie Antalan, Operation Homecare

- To: The Gulf Coast Ecosystem Restoration Council (Council)

The Council continues to establish comment periods of 15 days which suppresses individual(s) and communities ability to respond. Again, as recommended in numerous comments and public statements any comment period less than thirty (30) days is inconsistent with the Councils “stated” commitment to meaningful public engagement.

This proposed amendment to approve implementation funding for the Alabama Comprehensive Living Shoreline Monitoring (AL CLSM) program, as many previous approval comment notices does not provide specific details, data and/or information for substantive comments. Further, the notice for public comment does not include documentation of satisfaction of certain criteria such as Science review and/or Environmental Compliance, etc.

Therefore, we strongly oppose the approval of implementation funding for Alabama Comprehensive Living Shoreline Monitoring (AL CLSM) program.

We advocated and continue to amplify the dire need for Local Capacity Building and Local Hire utilizing on-the-job training. We continue to be disappointed in the limited investment in directly impacted Black coastal communities. Numerous community-based organizations have many innovative resiliency and sustainability concepts that are consistent with the Council’s goals that are systematically being excluded. Over the past years we have tried repeatedly to engage and be engaged in this current process unsuccessfully.

We are appealing to the Council to immediately initiate a moratorium on the approval any additional implementation funding until a comprehensive review and update of the 2015 Funded Priorities List (Initial FPL) has been conducted.

We are requesting due consideration of these comments.

Sincerely,

Jackie Antalan
Individually and as
Director of Outreach & Programs

2. Mark Berte, Alabama Coastal Foundation

- To Whom it May Concern,

The Alabama Coastal Foundation supports the Gulf Coast Ecosystem Restoration Council approving the proposed amendment of its 2015 Funded Priorities List for implementation funding of the Alabama Comprehensive Living Shoreline Monitoring program. That program will not only benefit Alabama's two coastal counties, but also other Gulf Coast communities who can learn from that effort.

Best,
Mark

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3. C. Deas

- Dear Council Members,

I strongly **oppose** the approval of implementation funding for the Alabama Comprehensive Living Shoreline Monitoring (AL CLSM) program. Data and documentation for such approval by the Council was not provided in the notice for comments. The information or lack of information provided does not appear that these funds would be necessary based on the funding support from TNC and other various public/private partners.

I advocated for Local Capacity Building (LCB) utilizing training during the development of the RESTORE Act and am very disappointed in the limited investment and redefinition of LCB. This activity does not incorporate LCB nor does it reflect meaningful engagement and/or direct community benefit(s). Generally, the greater priority need for Sustainable Targeted Local Capacity Building continues to be systematically excluded.

We recommend that the Council not approve any additional implementation funding until a comprehensive review and update of the 2015 Funded Priorities List (Initial FPL) is conducted.

Best,
C. Deas

4. E. Holmes

- Dear Gulf Coast Ecosystem Restoration Council Members,

As a resident of Alabama's Gulf Coast, I continue to be concerned about the transparency and process to track the allocation of the Billions of dollars BP had to pay to settle its legal obligations. The Council's notice failed to provide documentation that justifies specific cost benefits for the approval of the commitment of funds for implementation of this activity. Therefore, **I oppose** the Council's proposal to approve implementation funding for the Alabama Comprehensive Living Shoreline Monitoring (AL CLSM) program.

I strongly recommend that the Council initiate a moratorium on all future implementation funding activities until a comprehensive review has been conducted, updating and ensuring compliance. Additionally, during this moratorium technical assistance to the historically underserved impacted coastal communities in Southwest Mobile County, Alabama should be provided.

Respectfully,
E. Holmes

5. Kara Lankford Fox, National Audubon Society

- Dear Council Members:

The National Audubon Society (Audubon) is a nonprofit conservation organization whose mission is to protect birds and the places they need, today and tomorrow, throughout the Americas. Audubon has had a presence on the Gulf Coast for nearly a century and is invested thoroughly in the region. Audubon staff are working to advance restoration, conservation, and stewardship with the goal of having healthy and resilient coastal and marine ecosystems that support populations of birds, fish, wildlife, and people throughout the Gulf's five coastal states. On behalf of our over 1.7 million members, Audubon appreciates the opportunity to comment on the proposed Funded Priorities List (FPL) Amendment for Comprehensive Living Shoreline

Monitoring Programs (Implementation).

Audubon is highly supportive of living shorelines as a type of natural infrastructure and an alternative to grey infrastructure. These innovative designs provide many benefits to birds and other wildlife.

Living shorelines provide protection of shorelines and reduce wave energy on intertidal habitats that provide important food for foraging shorebirds. The reduced wave energy on low-lying beaches and shell rakes where shorebirds and seabirds like to nest can reduce or even prevent flooding of nests. Living shorelines can also benefit marsh-dependent birds by allowing for the restoration of marsh in areas where marsh loss is a concern. Additionally, they can slow the rate of marsh loss which will allow marsh-dependent birds to adapt to new habitats as sea level rises.

This comprehensive monitoring program will provide concrete data on the success of living shorelines in Alabama as an alternative to shoreline armoring. Audubon supports this project moving forward and also supports this project being expanded Gulf-wide.

Please feel free to reach out if we can be of any assistance.

Sincerely,
Kara Lankford Fox
Director, Gulf Coast Restoration
National Audubon Society

6. David Muth, National Wildlife Federation, Gulf of Mexico Restoration Program

- Dear Council Members,

Thank you for the opportunity to comment on the proposed amendment to the Gulf Coast Ecosystem Restoration Council's (Council) Initial Funded Priorities List (FPL) for implementation funding to support the Alabama Comprehensive Living Shoreline Monitoring (AL CLSM) program.

The National Wildlife Federation (NWF) has a long history of advocacy in the Gulf of Mexico region, and in the wake of the Deepwater Horizon oil disaster and after the passage of the RESTORE Act, we have worked to support the recovery and restoration of the Gulf environment. We work to advance coordinated, strategic, and science-based investments of funds resulting from the spill, with an emphasis on the health of the Gulf's estuaries. We have been following the Council's work and we applaud this next step to advance ecosystem restoration.

On behalf of our more than six million members and supporters across the country, we write you in support of the implementation of Alabama Comprehensive Living Shoreline Monitoring (AL CLSM) program to conduct a 5-year program to monitor and evaluate the success of living shoreline restoration sites in Mobile and Baldwin counties. Living shorelines, especially those incorporating oyster reefs, improve water quality, protect shorelines, and provide habitat for hundreds of species of fish and other wildlife. Our recent report, [*Softening Our Shorelines: Policy and Practice for Living Shorelines Along the Gulf and Atlantic Coasts*](#), identified that the lack of monitoring data presents a challenge for demonstrating the efficacy of living shorelines. The AL CLSM project should address this need.

We hope that this project results in living shoreline projects that fulfill the purpose of the RESTORE Act. As more of the projects in the Council's Initial FPL are implemented, we hope to see tangible benefits in the Gulf of Mexico such as increased numbers of fish, birds and wildlife and also lasting benefits to the quality of life and the economy on the Gulf Coast. Thank you very much for considering our comments.

Sincerely,

David Muth, Director, Gulf of Mexico Restoration Program