

# RECORD OF DECISION

## for the *Deepwater Horizon* Oil Spill: Alabama Trustee Implementation Group Final Restoration Plan I and Final Environmental Impact Statement: Provide and Enhance Recreational Opportunities

---

**May 2017**

**Lead Agency:** National Oceanic and Atmospheric Administration

**Cooperating Agencies:**

Alabama Department of Conservation and Natural Resources  
Geological Survey of Alabama  
United States Department of the Interior  
United States Department of Agriculture  
United States Environmental Protection Agency

**For Further Information Contact:**

National Oceanic and Atmospheric Administration—Dan Van Nostrand, [gulfspill.restoration@noaa.gov](mailto:gulfspill.restoration@noaa.gov)  
Alabama Department of Conservation and Natural Resources—Amy Hunter,  
[amy.hunter@dcnr.alabama.gov](mailto:amy.hunter@dcnr.alabama.gov)

**Suggested Citation:** *Deepwater Horizon* Oil Spill Alabama Trustee Implementation Group. (2017). *Record of Decision for the Deepwater Horizon Oil Spill Alabama Trustee Implementation Group Final Restoration Plan and Environmental Impact Statement: Provide and Enhance Recreational Opportunities*. Retrieved from <http://www.gulfspillrestoration.noaa.gov>

## TABLE OF CONTENTS

1	OVERVIEW .....	3
2	INTRODUCTION AND PURPOSE AND NEED .....	5
	2.1 <i>Deepwater Horizon</i> Incident .....	5
	2.2 Purpose and Need .....	5
	2.3 Alternatives Considered .....	6
	2.3.1 Baldwin County Projects .....	7
	2.3.2 Mobile County Projects .....	8
	2.3.3 No Action Alternative.....	8
3	DECISION MADE BY THE ALABAMA TIG.....	9
	3.1 Factors Considered.....	9
	3.2 Alternatives Selected and Rationale.....	10
	3.3 The Environmentally Preferable Alternative.....	11
4	COMPARISON OF THE ENVIRONMENTAL CONSEQUENCES OF THE ALTERNATIVES.....	12
	4.1 Summary of Impacts of Alternatives .....	12
	4.2 Cumulative Impacts.....	12
	4.3 Mitigation Measures .....	13
5	COMPLIANCE WITH RELEVANT ENVIRONMENTAL LAWS, REGULATIONS, AND EXECUTIVE ORDERS .....	13
	5.1 Consultations Under the Endangered Species Act .....	14
	5.2 Consultation Under the Marine Mammal Protection Act.....	14
	5.3 Compliance Under the National Historic Preservation Act .....	14
	5.4 Compliance with the Migratory Bird Treaty Act and Bald and Golden Eagle Protection Act .....	15
	5.5 Compliance with the Clean Water Act and Rivers and Harbors Act .....	15
	5.6 Compliance with the Land and Water Conservation Fund .....	15
	5.7 Compliance with State and Local Laws and Regulations .....	15
6	PUBLIC NOTICE, REVIEW, AND COMMENT .....	16
	6.1 Scoping for the RP/EIS.....	16
	6.2 Public Review Process for the RP/EIS.....	16
7	MONITORING AND ADAPTIVE MANAGEMENT .....	16
	7.1 Monitoring and Adaptive Management .....	16
8	CONCLUSION .....	17
9	POINT OF CONTACT.....	17
10	EFFECTIVE DATE.....	17
	ATTACHMENT 1: SUMMARY OF IMPACTS.....	1-1

# **RECORD OF DECISION for the *Deepwater Horizon* Oil Spill: Alabama Trustee Implementation Group Final Restoration Plan I and Final Environmental Impact Statement: Provide and Enhance Recreational Opportunities**

## **1 OVERVIEW**

The federal and state natural resource Trustees in the Alabama Trustee Implementation Group (AL TIG) for the *Deepwater Horizon* (DWH) oil spill have prepared a Final Restoration Plan and Final Environmental Impact Statement (Final RP/EIS) for the purpose of restoring injured natural resources and services resulting from the spill. The RP was prepared under the authority of the Oil Pollution Act of 1990 (OPA), 33 U.S.C. §§ 2701 *et seq.*, and integrated with an EIS in compliance with the federal agency decision-making requirements of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. §§ 4321 *et seq.* The Final RP/EIS provides information and analysis concerning the approach proposed by the AL TIG for restoring injured resources and services.

This Record of Decision sets forth the basis for the AL TIG's decision to select six alternatives (described in Final RP/EIS, Section 2.2.4) it has determined best meet both the OPA Evaluation Criteria and the DWH oil spill Trustees' (DWH Trustees') goals and objectives for the "Provide and Enhance Recreational Opportunities" Restoration Type and that would fulfill its mission and responsibilities, giving consideration to economic, environmental, technical, and other factors. These alternatives are selected by the AL TIG because they provide the most effective means, at this time, to meet the RP/EIS purpose of restoring lost shoreline recreational use in the State of Alabama.

Given the potential magnitude and breadth of restoration for injuries resulting from the DWH oil spill, the DWH Trustees prepared a Programmatic Damage Assessment and Restoration Plan/Programmatic Environmental Impact Statement (PDARP/PEIS) under OPA and NEPA to analyze alternative approaches to implementing restoration and to consistently guide future restoration decisions made by each TIG. Based on the DWH Trustees' thorough assessment of impacts to the Gulf's natural resources, a comprehensive, integrated ecosystem restoration approach for restoration implementation was proposed. On February 19, 2016, the DWH Trustee Council issued a Final PDARP/PEIS detailing a specific proposed plan to fund and implement restoration projects across the Gulf of Mexico region over the next 15 years. On March 29, 2016, in accordance with OPA and NEPA, the DWH Trustees published a Notice of Availability of a Record of Decision for the Final PDARP/PEIS in the Federal Register [FR] (81 FR 17438). Based on the DWH Trustees' injury determination established in the Final PDARP/PEIS, the Record of Decision set forth the basis for the DWH Trustees' decision to select Alternative A: Comprehensive Integrated Ecosystem Alternative. The DWH Trustees' selection of Alternative A includes the funding allocations established in the Final PDARP/PEIS. More information about Alternative A can be found in Sections 5.5 and 5.10 of the Final PDARP/PEIS.

The Final PDARP/PEIS also sets forth the process for subsequent restoration planning to select specific projects for implementation, based on the DWH Trustee governance structure detailed in Chapter 7. The Final PDARP/PEIS establishes a distributed governance structure that assigns a TIG for each of the eight Restoration Areas described in Chapter 5. Each TIG makes all restoration decisions for the funding allocated to its Restoration Area. On April 4, 2016, the United States District Court for the Eastern District of Louisiana entered a Consent Decree resolving civil claims by the DWH Trustees against BP Exploration and Production Inc. arising out of the DWH oil spill. This historic settlement resolved the

Record of Decision for the *Deepwater Horizon* Oil Spill Alabama Trustee Implementation Group Final Restoration Plan and Environmental Impact Statement: Provide and Enhance Recreational Opportunities

DWH Trustees' claims against BP for natural resources damages under OPA. Under the Consent Decree, BP agreed to pay a total of \$8.1 billion in natural resource damages over a 15-year period, and up to an additional \$700 million for adaptive management or to address injuries to natural resources that are presently unknown but may come to light in the future. As part of the settlement, proceeds are allocated to the DWH Trustees to conduct restoration within specific Restoration Areas and for specific Restoration Types, which are identified in the Final PDARP/PEIS.

The total natural resource damage assessment (NRDA) funding for the Alabama Restoration Area is \$295,589,305, with a total remaining NRDA allocation of \$234,800,000. Of these funds, \$25 million was allocated to the Alabama Restoration Area for the "Provide and Enhance Recreational Opportunities" Restoration Type pursuant to the Consent Decree. This is in addition to the \$85,505,305 allocated for that purpose during early restoration.

When a PEIS is prepared, the agency(ies) may "tier" subsequent environmental analyses for site-specific plans or projects from that PEIS (40 CFR § 1502.4[b]; 40 CFR § 1508.28). Federal agencies are encouraged to tier subsequent analyses from a PEIS to eliminate repetitive discussions of the same issues and focus on the actual issues ripe for decision at each level of environmental review (40 CFR § 1502.20). The Final PDARP/PEIS describes how the Trustees, via TIGs for each defined Restoration Area, will prepare a series of subsequent restoration plans to propose and select specific projects for implementation, including tiering NEPA analyses for those subsequent restoration plans from the analysis in the PDARP/PEIS. The AL TIG's Final RP/EIS tiers from the Final PDARP/PEIS, and the process outlined in the Final RP/EIS is fully consistent with the goal set out in the Final PDARP/PEIS of providing and enhancing recreational opportunities Gulf-wide, including by increasing beach-going through a combination of ecological restoration and the creation of infrastructure, access, and use opportunities (Final PDARP/PEIS, Section 5.5.14.2). Chapter 2 of the Final RP/EIS describes the screening and identification of a reasonable range of alternatives for evaluation under OPA and NEPA, while Chapter 3 describes the considerations the AL TIG included when performing the OPA evaluation of the alternatives. This evaluation process is informed by the OPA criteria found in 15 CFR § 990.54(a), as well as public comments, including those received on the Notice of Intent (NOI) for the RP/EIS and those received on the Draft RP/EIS. Further discussion of implementation is addressed in Section 8 of this Record of Decision.

The following federal agencies are the designated members of the AL TIG under OPA for this spill:

- The National Oceanic and Atmospheric Administration (NOAA), on behalf of the U.S. Department of Commerce.
- The U.S. Department of the Interior (DOI), as represented by the U.S. Fish and Wildlife Service (USFWS), National Park Service (NPS), and Bureau of Land Management (BLM).
- The U.S. Environmental Protection Agency (EPA).
- The U.S. Department of Agriculture (USDA).

The following state agencies are designated as members of the AL TIG under OPA for the spill:

- Alabama Department of Conservation and Natural Resources (ADCNR).
- Geological Survey of Alabama (GSA).

NOAA serves as the lead federal agency for NEPA compliance for the RP/EIS. Each of the other federal and state co-Trustees is participating as a cooperating agency pursuant to NEPA (40 CFR § 1508.5) and the DWH Trustee Council's Standard Operating Procedures (Section 2.3.3). There are no other cooperating federal, state, or local entities or Indian tribes.

## Record of Decision for the *Deepwater Horizon* Oil Spill Alabama Trustee Implementation Group Final Restoration Plan and Environmental Impact Statement: Provide and Enhance Recreational Opportunities

As cooperating agencies, each federal agency on the AL TIG must make its own independent evaluation of the NEPA analysis in support of its AL TIG decision-making responsibilities. In accordance with 40 CFR § 1506.3 (a), each of the three remaining federal agencies participating on the AL TIG has reviewed the Final RP/EIS, found that it meets the standards set forth in its own NEPA-implementing procedures and accordingly has adopted the Final RP/EIS NEPA analysis. The Trustees are issuing this Record of Decision pursuant to NEPA regulations at 40 CFR § 1505.2 and OPA regulations at 15 CFR § 990. This document serves as the NEPA Record of Decision for NOAA, DOI, EPA, and USDA.

## 2 INTRODUCTION AND PURPOSE AND NEED

### 2.1 *Deepwater Horizon* Incident

On April 20, 2010, the DWH mobile drilling unit exploded, caught fire, and eventually sank in the Gulf of Mexico, resulting in a massive release of oil and other substances from BP's Macondo well. Tragically, 11 workers were killed and 17 injured by the explosion and fire. Initial efforts to cap the well following the explosion were unsuccessful, and for 87 days after the explosion, the well continuously and uncontrollably discharged oil and natural gas into the northern Gulf of Mexico. Approximately 3.19 million barrels (134 million gallons) of oil were released into the ocean (U.S. v. BP et al. 2015), by far the largest offshore oil spill in the history of the United States. The volume of oil discharged during the DWH spill was equivalent to the Exxon Valdez oil spill re-occurring in the same location every week for 12 weeks.

Oil spread from the deep ocean to the surface and nearshore environment, from Texas to Florida. The oil came into contact with and injured natural resources as diverse as deep-sea coral, fish and shellfish, productive wetland habitats, sandy beaches, birds, endangered sea turtles, and protected marine life. The oil spill prevented people from fishing, going to the beach, and enjoying their typical recreational activities along the Gulf of Mexico. Extensive response actions, including cleanup activities and actions to try to prevent the oil from reaching sensitive resources, were undertaken to try to reduce harm to people and the environment. However, many of these response actions had collateral impacts on the environment. The oil and other substances released from the well, in combination with the extensive response actions, together make up the DWH oil spill incident.

As an oil pollution incident, the DWH spill was subject to the provisions of OPA, which addresses preventing, responding to, and paying for oil pollution incidents in navigable waters, adjoining shorelines, and the exclusive economic zone of the United States. Under the authority of OPA, a council of federal and state "Trustees" was established, on behalf of the public, to assess natural resource injuries resulting from the incident and work to make the environment and public whole for those injuries. As required under OPA, the DWH Trustees conducted a NRDA. The AL TIG then prepared a RP/EIS, which describes its proposed plan to restore for a portion of Alabama's recreational use losses. A Draft RP/EIS was made available for public review and comment, and the AL TIG considered public comments when preparing the Final RP/EIS, as discussed in Chapter 9 of the Final RP/EIS and in Section 6 of this Record of Decision.

### 2.2 Purpose and Need

The AL TIG has undertaken this restoration planning effort to meet the purpose of restoring those natural resources and services injured as a result of the DWH oil spill. The Final RP/EIS is consistent with the Final PDARP/PEIS, which identifies extensive and complex injuries to natural resources and services across the Gulf of Mexico, as well as a need and plan for comprehensive restoration consistent with

OPA. The Final RP/EIS focuses on the restoration of Alabama's natural resources and services, in particular within the Restoration Type: "Provide and Enhance Recreational Opportunities," using funds made available through the DWH Consent Decree and in early restoration.

Specifically, for the purpose of restoring natural resources and services injured as a result of the DWH oil spill, the DWH Trustees needed to address the associated loss of recreational shoreline uses in Alabama. Therefore, the DWH Trustees propose to implement compensatory restoration projects that would provide the public with additional and enhanced recreational shoreline use services in Alabama in a manner consistent with the Final PDARP/PEIS.

## 2.3 Alternatives Considered

The range of alternatives was developed through a comprehensive screening process. The goal of the AL TIG's screening process was to identify a set of alternatives that provides a reasonable range of options for compensating the public for Alabama's lost shoreline recreational use caused by the DWH oil spill. The screening process was designed to identify recreational restoration projects with a reasonable likelihood of satisfying the OPA criteria and with no obvious major negative environmental impacts under NEPA, recognizing that this cannot be assured until more thorough OPA/NEPA evaluations are completed. The phased and sequential screening process included the following steps:

1. Initial OPA eligibility screen,
2. Removal of duplicate projects,
3. Removal of previously funded projects, and
4. Final screening based on AL TIG review of additional project information.

A detailed description of the screening process is provided in the Final RP/EIS, Section 2.1.

Alternatives in the Draft RP/EIS were developed following consideration of those comments received during public scoping. The alternatives in the Final RP/EIS were further clarified based on comments received on the Draft RP/EIS. The AL TIG has considered public involvement to be an important component throughout this restoration planning process (Final RP/EIS, Section 1.5.1). Public involvement for this plan and how it was used to develop alternatives is discussed in Section 1.7 of the Final RP/EIS.

All alternatives that were carried forward for detailed analysis are described below, including those that were preferred (alternatives 1, 2, 5, 6, 7, and 9) and those that were non-preferred (Alternatives 3, 4, 8, and the no action alternative). For all alternatives except Bayfront Park Restoration and Improvement, the Final RP/EIS proposes project planning and implementation. In the case of Bayfront Park Restoration and Improvement, only project planning activities (e.g., engineering and design) [E&D]) are being proposed at this time to provide more information to fully evaluate the alternative at a later date. Bayfront Park Restoration and Improvement was analyzed for the purpose of OPA (Final RP/EIS, Chapter 3), but is not carried through the affected environment (Final RP/EIS, Chapter 4) or environmental consequences (Final RP/EIS, Chapter 5) sections because only E&D activities are being considered at this time. The NEPA analysis appropriate for projects considered only for E&D is addressed in the Final PDARP/PEIS (Final PDARP/PEIS, Section 6.4.1.4) and in Chapter 5 of the AL TIG's Final RP/EIS. A description of the no action alternative is also included in this section.

The AL TIG may evaluate additional alternatives that provide and enhance recreational opportunities for implementation in the Alabama Restoration Area, including, as feasible, projects screened in the Final RP/EIS but not determined to be preferred for selection at this time, in subsequent restoration plans.

### 2.3.1 Baldwin County Projects

- **Alternative 1—Gulf State Park Lodge and Associated Public Access Amenities Project.** This alternative would (1) partially rebuild the Gulf State Park Lodge, which was destroyed in 2004 by Hurricane Ivan; and (2) develop a host of public access amenities that would connect the lodge to other aspects of the park, create and enhance public use and enjoyment of the beach areas at Gulf State Park for all visitors, and increase access to the non-beach areas within the park for all visitors. Construction of a lodge and conference center at Gulf State Park has already begun with the use of state-controlled, non-NRDA funds, but additional funds are needed to complete that project. In addition to partially funding the completion of lodge construction, the AL TIG project would provide funding to the public access amenities described in the Final RP/EIS. The total cost of the project is \$56.3 million. As part of this project, the AL TIG is not funding and is not proposing to fund any portion of the conference center at Gulf State Park.
- **Alternative 2—Fort Morgan Pier Rehabilitation.** This alternative would fund the rehabilitation of a fishing pier located on Fort Morgan Peninsula in southwestern Baldwin County, Alabama. The existing pier is approximately 500 feet long and is located at the Fort Morgan State Historic Site. Until recently, the Fort Morgan fishing pier was heavily used by recreational fishermen. However, the pier, which is over 40 years old, fell into disrepair, and in 2014 the Alabama Historical Commission closed the pier for safety reasons. The proposed project would rehabilitate the pier on its existing foundations, increasing publicly available opportunities for pier-based fishing in Baldwin County.
- **Alternative 3—Fort Morgan Peninsula Public Access Improvements.** This alternative would fund Gulf beach access improvements on Fort Morgan Peninsula in southwest Baldwin County, Alabama. The proposed alternative would construct a mix of parking lots, restrooms, showers, and dune walkovers at 11 existing Baldwin County- and state-owned sites. These sites mainly consist of narrow (50 to 100 feet wide) county-owned parcels at the end of county-owned rights-of-way (ROWs). The sites are currently accessible to the public but lack amenities that would enhance existing public use and/or promote additional use of the sites. Educational signage focused on coastal natural resources would also be placed at the sites to promote environmental awareness and stewardship.
- **Alternative 4—Gulf Highlands Land Acquisition and Improvements.** This alternative would fund the acquisition and transfer of the Gulf Highlands parcel located in southwest Baldwin County to the ADCNR State Parks Division. The property is approximately 113 acres, with more than 2,700 feet of undeveloped Gulf-fronting beach. Once acquired, a parking lot for 40 cars and boardwalk (approximately 1,280 feet long) would be constructed, and educational and interpretive signage would be added. This alternative would increase recreational access to this area, while protecting the area's sensitive resources. This alternative was evaluated under the National Fish and Wildlife Foundation (NFWF) Gulf Environmental Benefit Fund (GEBF) and awarded NFWF GEBF funding; however that funding has not yet been received.
- **Alternative 5—Laguna Cove Little Lagoon Natural Resource Protection.** This alternative involves the acquisition of two undeveloped tracts of land, totaling approximately 53 acres near Little Lagoon in Gulf Shores, Alabama, by the City of Gulf Shores. The tracts contain coastal wetlands and include portions of shoreline along Little Lagoon. In addition to land acquisition, several improvements are proposed to provide recreational access to the site, including a boardwalk, kayak launch, parking, and restrooms. Educational signage focused on coastal resources would be placed around the site to promote environmental awareness and stewardship. Once acquired, the land would be managed by the City of Gulf Shores.

### 2.3.2 Mobile County Projects

- Alternative 6—Bayfront Park Restoration and Improvement. This alternative evaluates engineering and design (E&D) activities to examine restoring Bayfront Park and providing additional improvements to the park. Bayfront Park is located in Mobile County, on Dauphin Island Parkway near the Alabama Port community. The proposed E&D work would evaluate the construction of a living shoreline and/or a sandy beach along Bayfront Park’s currently armored shoreline along Mobile Bay and the development of additional recreational amenities at the park. The new amenities could include improved restroom and playground facilities, a renovated wetland boardwalk and nature trail, expanded birdwatching opportunities, and a geocaching nature trail. In addition, the E&D work would include developing a plan for the addition of signage and interpretive materials promoting environmental education and stewardship. If this project were selected for implementation, additional NEPA analysis to address project implementation (construction and operation of the project) would occur at that time.
- Alternative 7—Dauphin Island Eco-Tourism and Environmental Education Area. Approximately 100 acres of land would be acquired and managed by the Town of Dauphin Island. The alternative would include developing a parking area and visitor amenities, including a bicycle path, boardwalks, a fishing pier, gazebos, and public restrooms. Boardwalks would be placed above wetland habitat to allow visitors access to these habitats while minimizing environmental impacts. Educational signage would be placed at strategic locations to improve public awareness of environmental resources and enhance learning opportunities. This alternative would increase public access to wetland habitats adjacent to Aloe Bay, where very little public access currently exists.
- Alternative 8—Mid-Island Parks and Public Beach Improvements (Parcels A, B, and C). This alternative involves the acquisition of a total of approximately 10 acres and construction of access improvements on three separate parcels of land. Once acquired, the Town of Dauphin Island would manage the land. These acquisitions and improvements would create new passive recreational opportunities and public access to the Alabama shoreline, as well as enhance the quality of the experiences for visitors who currently use Dauphin Island’s public beaches, through the development of new visitor use amenities, including added parking, restroom facilities, and other passive recreational amenities. A portion of this project (acquisition of Parcel A) has been awarded NFWF GEBF funding, although this funding has not yet been received. As further described in Chapter 2 of the Final RP/EIS, this alternative was refined based on public comment on the Draft RP/EIS.
- Alternative 9—Mid-Island Parks and Public Beach Improvements (Parcels B and C). This alternative involves the acquisition and construction of access improvements on two separate parcels of property, which total approximately 2 acres, to collectively offer passive recreational opportunities, public parking, and restroom facilities at Dauphin Island. Once acquired, the Town of Dauphin Island would manage the land. This project is designed to enhance access to the Alabama shoreline, including Gulf-facing beaches. Added parking, restroom facilities, and other passive recreational amenities would increase public access and enhance the quality of visitor experiences. As further described in Chapter 2 of the Final RP/EIS, this alternative was refined based on public comment on the Draft RP/EIS.

### 2.3.3 No Action Alternative

The alternatives under consideration must include the “no action” alternative as prescribed by 40 CFR § 1502.14. Under the no action alternative, the AL TIG would not, at this time, select and implement the



## Record of Decision for the *Deepwater Horizon* Oil Spill Alabama Trustee Implementation Group Final Restoration Plan and Environmental Impact Statement: Provide and Enhance Recreational Opportunities

restoration projects in the RP/EIS to compensate for lost recreational shoreline use services resulting from the DWH oil spill. Under the no action alternative, only recreational use projects selected and/or implemented during early restoration (see the Final Phase III ERP/PEIS and Final Phase IV ERP/EA) (DWH Trustees, 2014; 2015) would compensate the public for lost recreational use in Alabama at this time. Providing additional compensation to the public would be delayed pending the completion of a future restoration plan. Accordingly, the no action alternative would not meet the purpose and need for implementing projects that address lost recreational use as described in Section 5.4.6 of the Final PDARP/PEIS and in Section 1.2 of the AL TIG RP/EIS, because it would not help meet the restoration goals of the “Provide and Enhance Recreational Opportunities” Restoration Type.

The no action alternative represents no change from current management and is considered with respect to the individual project-specific action alternatives. If this plan was not implemented, none of the projects proposed as preferred alternatives would be selected for implementation. If the no action alternative was selected, what represents “the continuation of current management” would be different for each of the projects under consideration. Section 2.2.3 of the Final RP/EIS details what would occur for each project type under the no action alternative.

### **3 DECISION MADE BY THE ALABAMA TIG**

This Record of Decision sets forth the basis for the AL TIG’s decision to select six specific restoration alternatives, five for full implementation and one for E&D. The factors considered, rationale for decision, and alternatives selected are discussed below.

#### **3.1 Factors Considered**

In reaching its decision, the AL TIG considered the purpose and need for the action as described in Section 2.2 of this Record of Decision, including the evaluation criteria developed for the RP described in Section 2.1 of the Final RP/EIS. The AL TIG also carefully considered public comments. The Final RP/EIS provides the AL TIG’s comparison of alternatives (see Final RP/EIS Chapter 5, Section 5.4, Comparison of Alternatives), based on the OPA Evaluation Standards (15 CFR § 990.54[a][1]–[6]) (see Final RP/EIS, Section 3.0), and supported by the consideration of the environmental consequences of the alternatives, summarized in Section 4.1 below.

The AL TIG followed the OPA regulations identifying minimum criteria to evaluate alternatives. The AL TIG evaluated and selected proposed restoration projects based on the following OPA evaluation standards:

- The cost to carry out the alternative.
- The extent to which each alternative is expected to meet the AL TIG’s goals and objectives in returning the injured natural resources and services to baseline and/or compensating for interim losses.
- The likelihood of success of each alternative.
- The extent to which each alternative would prevent future injury as a result of the incident and avoid collateral injury as a result of implementing the alternative.
- The extent to which each alternative would benefit more than one natural resource and/or service.
- The effect of each alternative on public health and safety.

### 3.2 Alternatives Selected and Rationale for Decision

Based on the NEPA and OPA analysis, the AL TIG has selected the following alternatives for implementation at this time, as described in the Final RP/EIS:

- Gulf State Park Lodge and Associated Public Access Amenities Project
- Fort Morgan Pier Rehabilitation
- Laguna Cove Little Lagoon Natural Resource Protection
- Bayfront Park Restoration and Improvement (E&D Only)
- Dauphin Island Eco-Tourism and Environmental Education Area
- Mid-Island Parks and Public Beach Improvements (Parcels B and C)

These alternatives have been selected for implementation because the AL TIG has determined that they best meet both the OPA evaluation criteria (15 CFR § 990.54) and the DWH Trustees' goals and objectives for the "Provide and Enhance Recreational Opportunities" Restoration Type (Final PDARP/EIS, Section 5.5), and that these alternatives would fulfill the AL TIG's mission and responsibilities, giving consideration to economic, environmental, technical, and other factors. Additionally, these alternatives were selected for implementation because they provide the most effective means to meet the Final RP/EIS purpose of restoring lost shoreline use in the State of Alabama.

The OPA analysis indicates that each of these six alternatives would provide recreational benefits with a strong nexus to the shoreline injuries caused by the DWH spill. The alternatives all occur in areas that either were directly oiled by the spill, were the location of response activities, or are in proximity to these areas. Recreational benefits would accrue from land acquisitions that protect valuable habitat and create public access to coastal natural resources and through the development of infrastructure and environmental stewardship resources that enhance shoreline recreation and the appreciation of Alabama's coastal natural resources. These benefits would be broadly available to the public over an extended timeframe.

Although the focus of the alternatives included in the Final RP/EIS is shoreline recreation, these alternatives would also benefit other natural resources and services. Land protection would prevent the negative environmental impacts of development (e.g., habitat loss, impaired water quality). Similarly, infrastructure would be designed and implemented to manage public access in ways that would minimize impacts on valuable habitats and species. These approaches would also ensure that any collateral damage to the environment is minor and mitigated. Furthermore, no adverse impacts on public health are anticipated from any of the selected alternatives.

Based on Trustee experience in Alabama, each of the six alternatives could be implemented at a reasonable cost and would have a high probability of success. The alternatives include provision of funding for both maintenance and monitoring to ensure these benefits would be available over the planned life of the projects. In the case of alternatives that include land acquisition, an appropriate land protection instrument (i.e., deed restriction, conservation easement) will be included to ensure that the purpose of compensating for lost recreational use as described in the Final RP/EIS is maintained for the life of the project.

The AL TIG also evaluated three additional projects as part of the set of reasonable alternatives:

- Fort Morgan Peninsula Public Access Improvements
- Gulf Highlands Land Acquisition and Improvements

## Record of Decision for the *Deepwater Horizon* Oil Spill Alabama Trustee Implementation Group Final Restoration Plan and Environmental Impact Statement: Provide and Enhance Recreational Opportunities

- Mid-Island Parks and Public Beach Improvements (Parcels A, B, and C)

The OPA evaluation indicates that these three alternatives have good potential for providing public natural resource benefits, but do not meet the AL TIG's objectives at this time. The Gulf Highlands Land Acquisition and Improvements and Mid-Island Parks and Public Beach Improvements (Parcel A) alternatives have been awarded funding from other restoration funding sources (e.g., NFWF GEBF). This NFWF GEBF funding would accomplish the restoration described in the Final RP/EIS plan and provide similar restoration benefits. Thus, the use of NRDA funds for other efforts not yet identified for funding would best maximize overall restoration in the Alabama Restoration Area. If the approved funding through NFWF GEBF is not finalized, these projects could be reconsidered in a future restoration planning process. Although a portion of the Gulf State Park Lodge and Associated Public Access Amenities Project is being funded with Alabama's oil spill economic damages settlement and BP grant funding, that funding alone is not sufficient to complete the project. Therefore, the project is selected for implementation because, absent funding from DWH NRDA, the project would likely need to be funded privately, and it is not known if the proposed public access amenities would be completed or would be as broadly accessible to the public as is proposed in the Final RP/EIS (see Appendix F of the Final RP/EIS). For these reasons, funding of the Gulf State Park Lodge and Associated Public Access Amenities Project is selected because, unlike the Gulf Highlands Land Acquisition and Improvements and Mid-Islands Parks and Public Beach Improvements (Parcel A) alternatives, it is not known if the restoration benefits of this project could be fully implemented without NRDA funds.

Based on the OPA evaluation, including concerns raised by Baldwin County, it was determined that a third alternative, the Fort Morgan Peninsula Public Access Improvements, is not expected to provide adequate public benefits because it would create overcrowding at the beach access sites and limit the ability of the county to conduct operations in response to hurricanes. Overcrowding and the inability to address hurricane impacts on the beaches could reduce the long-term benefits of the alternative.

Projects not selected (Gulf Highlands Land Acquisition and Improvements, Fort Morgan Peninsula Public Access Improvements, and Mid-Island Parks and Public Beach Improvements [Parcels A, B, and C]) do not best meet the AL TIG's objectives at this time. Per the OPA and NEPA analysis in the Final RP/EIS (Chapters 3 and 5 of the Final RP/EIS, respectively), however, these projects could be viable projects in the future and could be revisited in a future restoration planning effort, as described above, if not otherwise funded by another source.

### **3.3 The Environmentally Preferable Alternative**

As required by the Council on Environmental Quality (CEQ) NEPA implementing regulations, a Record of Decision must identify the alternative or alternatives considered to be environmentally preferable (40 CFR § 1505.2[b]). The environmentally preferable alternative is the alternative that causes the least damage to the biological and physical environment and best protects, preserves, and enhances historical, cultural, and natural resources.

The AL TIG has determined that the six preferred alternatives collectively are the environmentally preferable alternative. In addition to representing the best path to addressing the injuries to natural resource services from the spill, these alternatives provide a comprehensive approach to address restoration of lost shoreline recreational opportunities and have outcomes to address these injuries, while having multiple benefits, such as land acquisition and protection, which both provide recreational enhancements and protect sensitive coastal habitats. Further, each project has an educational component designed to increase public awareness and promote stewardship of the natural resources.

## 4 COMPARISON OF THE ENVIRONMENTAL CONSEQUENCES OF THE ALTERNATIVES

The AL TIG considered the environmental impacts as part of the decision making described in this Record of Decision. This section summarizes and compares the environmental consequences of the nine proposed alternatives in addition to the no action alternative.

### 4.1 Summary of Impacts of Alternatives

As part of the EIS, potential long- and short-term physical, biological, and socioeconomic impacts of restoration under the alternatives were evaluated. A site-specific analysis found the proposed alternatives would affect the Gulf Shores or Dauphin Island area during and after their proposed construction times.

Unless specified otherwise, impacts caused during construction are generally considered “short term,” and impacts lasting after the completion of the project are generally considered “long term.” The methodology for determining impacts and the definitions of thresholds for each resource topic are detailed in Section 6.3.2 of the Final PDARP/PEIS and provided in Table 5-1 of the Final RP/EIS. The Final RP/EIS found beneficial and adverse, and minor, moderate, or major impacts resulting from the proposed alternatives depending on the specific characteristics of the projects, including size, location, design, operation, and other aspects of future project development. However, there are some similarities in impacts across resources. For example, benefits to physical and biological resources are typically long term and result from habitat preservation that results from land acquisition. Adverse impacts are generally short term, such as disturbances associated with construction activities. Long-term, adverse impacts include impacts on geology, substrates, and habitat as a result of conversion of habitat from one type to another that occurs as part of restoration activities, construction of infrastructure, and increased human presence in the area. The impacts of the proposed alternatives evaluated in the Final RP/EIS are consistent with the Final PDARP/PEIS analysis. A full analysis of the impacts can be found in Section 5.0 of the Final RP/EIS, and a summary is provided in Attachment 1 of this Record of Decision.

### 4.2 Cumulative Impacts

A cumulative impacts analysis was conducted that assessed the impacts of the proposed alternatives when added to other past, present, and reasonably foreseeable future actions. Based on the analysis, the AL TIG concluded that numerous physical, biological, and socioeconomic benefits would be expected to result from the six preferred alternatives, such as improved health of wildlife and fish populations, increased opportunities for wildlife viewing and fishing, and regional benefits from tourism and recreation due to restoration of barrier islands and beaches and other important habitats, among others. None of the alternatives would contribute substantially to cumulative adverse impacts for any of the affected resources analyzed. Based on information available for this analysis, the six alternatives would not contribute substantially to short-term or long-term cumulative adverse impacts to physical, biological, or socioeconomic resources when analyzed in combination with other past, present, and reasonably foreseeable future actions. In many situations, implementing one of the action alternatives would likely help reduce overall long-term, adverse impacts by providing a certain level of offsetting benefits, especially when considered in concert with other actions of a similar nature (e.g., stewardship programs or non-NRDA restoration).

The cumulative impacts analysis is evaluated by affected resource to address potential impacts in more detail and can be found in Section 5.3.5 of the Final RP/EIS.

### 4.3 Mitigation Measures

In developing and selecting the preferred alternatives and associated best management practices (BMPs) and mitigation measures, the AL TIG ensured that all known and practicable means that could be used to avoid or minimize potential adverse effects when planning and implementing restoration projects were considered and have been adopted by the TIG. Site-specific mitigation measures identified during planning and/or resulting from consultations were considered and adopted (see Section 5 and Appendix J of the Final RP/EIS). As new best practices are established, existing best practices are refined, or new techniques and information are informed by implementation, these measures would be considered and could be adopted as part of ongoing project implementation. In this capacity, the selected projects would have available the current range of best practices to support project design and implementation.

Additionally, all projects implemented under the Final RP/EIS would secure all necessary state and federal permits, authorizations, consultations, or other regulatory processes, including those related to sensitive habitats (e.g., wetlands or essential fish habitat), protected species, and cultural and historic resources, and additional measures to avoid and minimize potential adverse effects would be considered and adopted, as appropriate, based on these future processes and reviews.

Based on the best practices identified in Section 5 and Appendix J to the Final RP/EIS and the AL TIG's decision to adopt additional mitigation measures for the selected projects based on future environmental reviews and compliance and site-specific circumstances, the AL TIG has determined that all practicable means to avoid or minimize environmental harm from the preferred alternatives have been adopted and, as appropriate, would be adopted during future planning and project implementation.

## 5 COMPLIANCE WITH RELEVANT ENVIRONMENTAL LAWS, REGULATIONS, AND EXECUTIVE ORDERS

Before selecting the preferred alternatives, the AL TIG reviewed the proposed action to ensure that taking such action would be consistent with relevant federal laws, regulations, and Executive Orders. Section 6.0 of the Final RP/EIS details the compliance process.

Federal environmental compliance responsibilities and procedures would follow the *Trustee Council Standard Operating Procedures for Implementation of the Natural Resource Restoration for the Deepwater Horizon (DWH) Oil Spill*, which are laid out in Section 9.4.6 of that document and described in the Environmental Compliance Manual Appendix (DWH Trustees, 2016c). Following these standard operating procedures, the implementing Trustee for each project would ensure that the status of environmental compliance (e.g., completed versus in progress) is tracked through the Restoration Portal. Implementing Trustees would keep a record of compliance documents (e.g., Endangered Species Act [ESA] biological opinions, United States Army Corps of Engineers [USACE] permits) and ensure that they are submitted for inclusion to the Administrative Record.

In addition to OPA and NEPA requirements, requirements of other federal laws may apply to the RP/EIS and projects evaluated in the RP/EIS. The AL TIG considered relevant laws, regulations, and Executive Orders (EOs) with respect to the selected alternatives. Federal laws reviewed as part of the RP/EIS process are: the ESA; the Magnuson-Stevens Fishery Conservation and Management Act; the Marine Mammal Protection Act; the Coastal Zone Management Act (CZMA); the National Historic Preservation Act; the Coastal Barrier Resources Act; the Migratory Bird Treaty Act (MBTA) and Bald and Golden Eagle Protection Act; the Clean Air Act; the Clean Water Act; the Rivers and Harbors Act; the Marine

Record of Decision for the *Deepwater Horizon* Oil Spill Alabama Trustee Implementation Group Final Restoration Plan and Environmental Impact Statement: Provide and Enhance Recreational Opportunities

Protection, Research and Sanctuaries Act; the Archaeological Resource Protection Act; and the Land and Water Conservation Fund. Chapter 5.0 of the Final RP/EIS evaluates the impacts of the alternatives and compliance with the following EOs: EO 11988: Floodplain Management, EO 11990: Protection of Wetlands, EO 12898: Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, EO 13112: Invasive Species, EO 13175: Consultation and Coordination with Indian Tribal Governments, EO 13186: Responsibilities of Federal Agencies to Protect Migratory Birds, and EO 13693: Planning for Federal Sustainability in the Next Decade. Prior to the completion of regulatory reviews and approvals of subsequent projects tiered from the PDARP/PEIS, the AL TIG would not make any irreversible or irretrievable commitment of resources on that project that has the effect of foreclosing alternative measures to protect trust resources. This does not prohibit the AL TIG from conducting or authorizing nondestructive project planning activities before completion of regulatory reviews and approvals. Documentation related to these compliance processes is also provided in the projects' Administrative Record.

Consultations that are in progress and ongoing are described below. These compliance requirements would be completed before project implementation. Further information on these processes can be found in Chapter 6.0 of the Final RP/EIS.

### **5.1 Consultations Under the Endangered Species Act**

The process to comply with the ESA is detailed in the Final PDARP/PEIS (Section 6.9.1.) and in the *DWH Trustee Council Standard Operating Procedures – Appendix F Environmental Compliance Manual* (DWH Trustees, 2016c). For the alternatives proposed under the Final RP/EIS, the AL TIG is engaged in Section 7 consultation with the appropriate agencies for ESA compliance. All formal and informal consultations required by USFWS or the National Marine Fisheries Service (NMFS) under the ESA have either been initiated and/or completed. The initiation documents are included in Appendix K of the Final RP/EIS. For those not completed, project implementation would not begin until this compliance has been completed.

### **5.2 Consultation Under the Marine Mammal Protection Act**

Although some of the alternatives described in the Final RP/EIS may result in directed or incidental (e.g., entrapment or noise harassment from pile driving) take of marine mammals, directed take (e.g., scientific research and monitoring) is not expected. Incidental takes are those that are unintentional, but not unexpected. Further information on the types of take and compliance required can be found in the Final PDARP/PEIS, Section 6.9.3. For the efforts under the Final RP/EIS that include in-water work (i.e., Fort Morgan Pier Rehabilitation, Laguna Cove Little Lagoon Natural Resource Protection, and Dauphin Island Eco-Tourism and Environmental Education Area), the AL TIG would continue to coordinate with NMFS to determine if the projects require authorization under the Marine Mammal Protection Act. Appropriate BMPs would be implemented to avoid or minimize potential impacts to marine mammals.

### **5.3 Compliance Under the National Historic Preservation Act**

All projects tiered from the Final PDARP/PEIS, including the alternatives selected for implementation, will be reviewed under Section 106 of the NHPA prior to any project activities that would restrict consideration of measures to avoid, minimize, or mitigate any adverse impacts on historic properties located within a project area. Alternatives will be implemented in accordance with all applicable federal and state laws and regulations, including those laws and regulations concerning the protection of cultural and historic resources. NHPA consultation for the alternatives proposed in the RP/EIS has been initiated. As part of the consultation process, the AL TIG will further evaluate existing information in

Record of Decision for the *Deepwater Horizon* Oil Spill Alabama Trustee Implementation Group Final Restoration Plan and Environmental Impact Statement: Provide and Enhance Recreational Opportunities

coordination with the State Historic Preservation Office to determine if proposed activities would have an adverse effect. For the Gulf State Park Lodge, by letter dated April 13, 2015, DOI concurred that the project, as evaluated in the Final Phase III ERP/PEIS, would have no adverse effect on historic properties. Components of the Gulf State Park Lodge and Associated Public Access Amenities Project that were not included in the previous NHPA consultation will be reviewed under Section 106 of the NHPA.

#### **5.4 Compliance with the Migratory Bird Treaty Act and Bald and Golden Eagle Protection Act**

USFWS is reviewing the alternatives selected for implementation to ensure that take, pursuant to the MBTA, is not likely to occur. The review process includes the project sponsor documenting species or groups of birds likely to be present in the project area, and the likely behaviors those birds would be exhibiting on or near the project site (i.e., breeding, nesting, feeding, foraging, resting, or roosting). If migratory birds are present in a project area, avoidance measures will be implemented to ensure that these birds (including parts, nests, eggs, or products) are not wounded or killed during construction or use of the project area. Alternatives that will need to be implemented throughout several seasons will utilize BMPs to discourage migratory birds from using an area during construction. BMPs will be coordinated between USFWS and ADCNR.

#### **5.5 Compliance with the Clean Water Act and Rivers and Harbors Act**

Selected alternatives that involve the discharge of dredged or fill material into waters of the United States, including wetlands, or work affecting navigable waters will be coordinated with USACE pursuant to the Clean Water Act Section 404 and Rivers and Harbors Act Section 10. Coordination with USACE and final authorization pursuant to the Clean Water Act and Rivers and Harbors Act, where applicable, will be completed prior to project implementation.

#### **5.6 Compliance with the Land and Water Conservation Fund**

Certain areas of Gulf State Park have received funding from the Land and Water Conservation Fund for development or acquisition. On October 29, 2015, ADCNR formally requested approval from the Land and Water Conservation Fund State Liaison Officer, the Director of the Alabama Department of Economic and Community Affairs, pursuant to the authority granted to the Alabama Department of Economic and Community Affairs by a January 16, 2014, Guidance Memo issued by NPS, to rebuild the Gulf State Park Lodge and associated conference center. On December 23, 2015, the Director of the Alabama Department of Economic and Community Affairs approved the proposed rebuilding of the Gulf State Park Lodge and associated conference center. Additional documentation supporting this decision was provided to NPS on January 29, 2016, and NPS is currently reviewing the Gulf State Park Lodge and Associated Public Access Amenities Project pursuant to the Land and Water Conservation Fund.

#### **5.7 Compliance with State and Local Laws and Regulations**

The AL TIG will ensure compliance with all applicable state and local laws and other applicable federal laws and regulations relevant to the State of Alabama. Additional laws and regulations included in the Final RP/EIS include: the Alabama Department of Environmental Management Division 8 Coastal Program Rules; the Alabama Department of Environmental Management Division 6 Volume 1 Water Quality Program (National Pollutant Discharge Elimination System); and the Alabama Regulations on Game and Fish and Fur Bearing Animals Published Annually (Ala. Adm. Code R. 220-1-1 et seq.). The AL TIG will ensure compliance with all applicable state and local laws.

## **6 PUBLIC NOTICE, REVIEW, AND COMMENT**

OPA and NEPA require the AL TIG to consider public comments on the DWH restoration planning process. Public outreach and involvement have been an integral part of restoration planning in the Alabama Restoration Area since 2010.

### **6.1 Scoping for the RP/EIS**

The DWH Trustees first provided public notice on the need for restoration planning for the DWH oil spill in October 2010 (DOI, 2010; DPS&C, 2010). In addition, during each of the five phases of early restoration planning (discussed in Chapter 5.4.3 of the Final PDARP/PEIS), the DWH Trustees published a draft restoration plan, held public meetings, solicited public comments, and responded to comments in a final restoration plan. Although these comments were targeted at early restoration, much of the input was relevant and incorporated into this restoration planning process.

Since the DWH consent decree was entered into in April 2016, the AL TIG has engaged the public at several different times, including obtaining input during the public scoping comment period, and through a variety of means, including electronically through the DOI's Planning, Environment, and Public Comment (PEPC) online system, by email, or by letter. The AL TIG considered all comments in the development of the RP/EIS and reviewed and considered all comments and project ideas as part of restoration planning and during development of the RP/EIS.

On July 6, 2016, the AL TIG published an NOI to prepare an RP/EIS and conduct public scoping (81 FR 44007). Publication of the NOI initiated a 30-day public scoping period through August 5, 2016, during which members of the public were invited to submit restoration project ideas and other comments regarding the scope, content, and any significant issues that should be considered in the RP/EIS via mail or internet. In addition, ideas submitted to the DWH Trustee Council website, known as the DWH project submission portal, and Alabama project portal were reviewed. Ideas and comments from both of these sources were also considered as part of this restoration planning process.

### **6.2 Public Review Process for the RP/EIS**

The AL TIG encouraged the public to review and comment on the Draft RP/EIS during a 45-day review period that began on December 16, 2016, and ended on January 30, 2017. During this time, the AL TIG held two public meetings to facilitate the public review and comment process; in Dauphin Island and Gulf Shores, AL. The AL TIG considered all relevant comments received during the comment period and revised the RP/EIS as appropriate. A summary of comments received and the AL TIG's responses are included in Chapter 9 of the Final RP/EIS, and all correspondences received are provided in Appendix B of the same document.

## **7 MONITORING AND ADAPTIVE MANAGEMENT**

### **7.1 Monitoring and Adaptive Management**

According to the NRDA regulations for OPA (15 CFR § 990.55), a RP should include "a description of monitoring for documenting restoration effectiveness, including performance criteria that will be used to determine the success of restoration or need for interim corrective action." Given the unprecedented temporal, spatial, and funding scales associated with the RP, the AL TIG recognizes the need for a robust monitoring and adaptive management framework to measure the beneficial impacts of restoration and support restoration decision-making. For consistency with the PDARP/PEIS and Trustee Council SOPs, a



## Record of Decision for the *Deepwater Horizon* Oil Spill Alabama Trustee Implementation Group Final Restoration Plan and Environmental Impact Statement: Provide and Enhance Recreational Opportunities

monitoring plan for each project was developed and is included in Appendix C of the Final RP/EIS. Project-specific monitoring data and reports will be provided to the public on, at least, an annual basis. The data and reports will also be provided to the Trustee Council to demonstrate the Trustees' collective progress toward meeting the ecosystem goals described in the PDARP/PEIS, and to determine whether any updates based on newly emerged science and/or restoration procedures and/or Trustees' experience managing and implementing this restoration program are needed.

## 8 CONCLUSION

Through the Final RP/EIS, and as documented in this Record of Decision, the AL TIG has reviewed the injury to resources in the Alabama Restoration Area, analyzed restoration alternatives to address those injuries to shoreline recreational use losses in the Alabama Restoration Area as determined by the PDARP/PEIS, analyzed environmental impacts associated with those alternatives and the extent to which any adverse impacts could be mitigated, and considered the objectives of the proposed restoration actions. The AL TIG has also considered public and agency comments received during the public review periods. Further, in balancing the analysis and public interest, the AL TIG has decided to select and implement its preferred alternatives:

- Alternative 1: Gulf State Park Lodge and Associated Public Access Amenities Project.
- Alternative 2: Fort Morgan Pier Rehabilitation.
- Alternative 5: Laguna Cove Little Lagoon Natural Resource Protection.
- Alternative 6: Bayfront Park Restoration and Improvements.
- Alternative 7: Dauphin Island Eco-Tourism and Environmental Education Area.
- Alternative 9: Mid-Island Parks and Public Beach Improvements (Parcels B and C).

The AL TIG also concludes that all practicable means to avoid or minimize environmental harm from the alternatives selected have been adopted, and, where consultations are currently incomplete, the AL TIG will commit to additional minimization measures in forthcoming consultations.

## 9 POINT OF CONTACT

Further information concerning this Record of Decision and associated RP/EIS authorized under this decision may be obtained by contacting:

National Marine Fisheries Service

Office of Habitat Conservation

1315 East-West Hwy

Silver Spring, MD 20910

[gulfspill.restoration@noaa.gov](mailto:gulfspill.restoration@noaa.gov)

## 10 EFFECTIVE DATE

This Record of Decision for the AL TIG RP/EIS will be effective for all Trustees when each signatory has signed.

Record of Decision for the *Deepwater Horizon* Oil Spill Alabama Trustee Implementation Group Final Restoration Plan and Environmental Impact Statement: Provide and Enhance Recreational Opportunities

FOR THE DEPARTMENT OF THE INTERIOR:

5/16/17

\_\_\_\_\_  
Date



\_\_\_\_\_  
KEVIN REYNOLDS


Deepwater Horizon NRDAR Case Manager,  
Department of the Interior

Record of Decision for the *Deepwater Horizon* Oil Spill Alabama Trustee Implementation Group Final Restoration Plan and Environmental Impact Statement: Provide and Enhance Recreational Opportunities

FOR THE U.S. ENVIRONMENTAL PROTECTION AGENCY:

5/16/17

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
MARY KAY LYNCH  
Alternate to Principal Representative,  
U.S. Environmental Protection Agency

Record of Decision for the *Deepwater Horizon* Oil Spill Alabama Trustee Implementation Group Final Restoration Plan and Environmental Impact Statement: Provide and Enhance Recreational Opportunities

FOR THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION:



05/16/17

Date

DAVID G. WESTERHOLM  
Director  
Office of Response and Restoration  
National Ocean Service  
National Oceanic and Atmospheric Administration

05/16/17

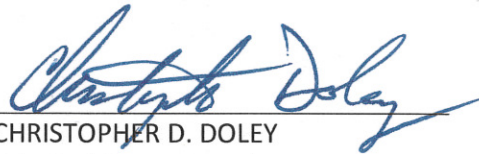
Date



PATRICIA A. MONTANIO  
Director  
Office of Habitat Conservation  
National Marine Fisheries Service  
National Oceanic and Atmospheric Administration

05/16/17

Date



CHRISTOPHER D. DOLEY  
Principal Representative  
National Oceanic and Atmospheric Administration

Record of Decision for the *Deepwater Horizon* Oil Spill Alabama Trustee Implementation Group Final Restoration Plan and Environmental Impact Statement: Provide and Enhance Recreational Opportunities

FOR THE U.S. DEPARTMENT OF AGRICULTURE:

5/16/17

Date



HOMER WILKES

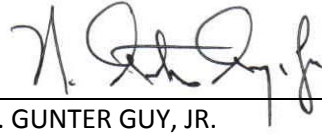
Principal Representative for the  
U.S. Department of Agriculture

Record of Decision for the *Deepwater Horizon* Oil Spill Alabama Trustee Implementation Group Final Restoration Plan and Environmental Impact Statement: Provide and Enhance Recreational Opportunities

FOR THE STATE OF ALABAMA:

5/16/17

Date



N. GUNTER GUY, JR.

Principal Representative for Alabama Trustees

## ATTACHMENT 1: SUMMARY OF IMPACTS

**Table 1: Summary of Impacts to Geology and Substrates**

Alternative	Summary of Impacts to Geology and Substrates
<b>No Action</b>	<p>Access Improvements Projects on Currently Owned Public Lands: Recreational amenities on these sites would not be developed, and no short- or long-term impacts are expected on geology and substrates.</p> <p>Land Acquisition and Access Improvement Projects: If sites are developed, short- and long-term minor impacts to substrates and short-term minor impacts to geology would be expected. No long-term impacts to geology would be expected. If sites are preserved, no short- or long-term impacts on geology and substrates are expected.</p> <p>Projects Currently Under Construction: Construction of the Gulf State Park Lodge would continue and would be expected to result in short-term, minor, adverse impacts to geology and soils from construction activities. After construction and final grading is completed, bare soils would be revegetated to prevent erosion. Long-term minor impacts to substrates are expected from the presence of new structures. There would be no long-term, adverse impacts on soil resources during operation because no long-term, ground-disturbing activities would occur.</p>
<b>Gulf State Park Lodge and Associated Public Access Amenities Project</b>	Short- and long-term impacts. Adverse, including dune alteration, bedrock drilling, sediment excavation, and erosion. Beneficial including dune enhancement and revegetation.
<b>Fort Morgan Pier Rehabilitation</b>	Short- and long-term impacts. Adverse, including dune alteration, bedrock drilling, sediment excavation, and erosion. Beneficial including dune enhancement and revegetation.
<b>Fort Morgan Peninsula Public Access Improvements</b>	Short- and long-term impacts. Adverse, including dune alteration, bedrock drilling, sediment excavation, and erosion. Beneficial including dune enhancement and revegetation.
<b>Laguna Cove Little Lagoon Natural Resource Protection</b>	Short- and long-term impacts. Adverse, including dune alteration, bedrock drilling, sediment excavation, and erosion. Beneficial including dune enhancement and revegetation.
<b>Gulf Highlands Land Acquisition</b>	Short- and long-term impacts. Adverse, including dune alteration, bedrock drilling, sediment excavation, and erosion. Beneficial including dune enhancement and revegetation.
<b>Dauphin Island Eco-Tourism and Environmental Education Area</b>	Short- and long-term impacts. Adverse, including dune alteration, bedrock drilling, sediment excavation, and erosion. Beneficial including dune enhancement and revegetation.
<b>Mid-Island Parks and Public Beach Improvements (Parcels A, B, and C)</b>	Short- and long-term impacts. Adverse, including dune alteration, bedrock drilling, sediment excavation, and erosion. Beneficial including dune enhancement and revegetation.
<b>Mid-Island Parks and Public Beach Improvements (Parcels B and C)</b>	Short- and long-term impacts. Adverse, including dune alteration, bedrock drilling, sediment excavation, and erosion. Beneficial including dune enhancement and revegetation.

**Table 2: Summary of Impacts to Hydrology**

Alternative	Summary of Impacts to Hydrology
<b>No Action</b>	<p>Access Improvements Projects on Currently Owned Public Lands: Recreational amenities on these sites would not be developed, and no short- or long-term impacts are expected to hydrology.</p> <p>Land Acquisition and Access Improvement Projects: If sites are developed, short-term minor impacts to hydrology would be expected.</p> <p>Projects Currently Under Construction: Impacts to hydrology would be short term and minor, and BMPs would be employed to minimize discharge into neighboring water bodies. Long-term facility design will be sensitive to the hydrologic process of the surrounding area.</p>
<b>Gulf State Park Lodge and Associated Public Access Amenities Project</b>	Impacts during construction would be short term and minor. Impacts on surface water during the operation of the project would be long term, minor, and adverse.
<b>Fort Morgan Pier Rehabilitation</b>	There would be no short- or long-term impacts.
<b>Fort Morgan Peninsula Public Access Improvements</b>	Short-term impacts from runoff during construction would be adverse, localized, and minor. Long-term impacts would be minor and localized.
<b>Laguna Cove Little Lagoon Natural Resource Protection</b>	Impacts during construction would be short term and minor. Long-term impacts would not occur.
<b>Gulf Highlands Land Acquisition</b>	Impacts from runoff during construction would be adverse but short term, localized, and minor. Long-term impacts would be adverse but minor.
<b>Dauphin Island Eco-Tourism and Environmental Education Area</b>	Short-term impacts on the hydrology of the site would be adverse and minor. The use of pervious pavers and stormwater BMPs would minimize long-term effects and result in minor, adverse long-term impacts.
<b>Mid-Island Parks and Public Beach Improvements (Parcels A, B, and C)</b>	With the correct BMP implementation, impacts on hydrology from construction would be short term, localized and minor. The presence of excessively drained sands, combined with the appropriate BMPs, would result in minor and localized long-term impacts.
<b>Mid-Island Parks and Public Beach Improvements (Parcels B and C)</b>	With the correct BMP implementation, impacts on hydrology from construction would be short term, localized and minor. The presence of excessively drained sands, combined with the appropriate BMPs, would result in minor and localized long-term impacts.

**Table 3: Summary of Impacts to Water Quality**

Alternative	Summary of Impacts to Water Quality
<b>No Action</b>	<p>Access Improvements Projects on Currently Owned Public Lands: Recreational amenities on these sites would not be developed, and no short- or long-term impacts are expected to water quality in the absence of development.</p> <p>Land Acquisition and Access Improvement Projects: If sites are developed, short-term minor and long-term adverse impacts to water quality would be expected from development, but development would be expected to occur in accordance with all local regulations. If properties were acquired for preservation, no short-term</p>



Record of Decision for the *Deepwater Horizon* Oil Spill Alabama Trustee Implementation Group Final Restoration Plan and Environmental Impact Statement: Provide and Enhance Recreational Opportunities

Alternative	Summary of Impacts to Water Quality
	<p>impacts on water quality are expected because the sites would remain in their current condition. Long-term benefits would occur to water quality because the preserved land would provide infiltration of water through natural habitats.</p> <p>Projects Currently Under Construction: Impacts from wetland disturbance would be short term and minor during ongoing construction. During operation, restoration of wetlands would have long-term benefits.</p>
<b>Gulf State Park Lodge and Associated Public Access Amenities Project</b>	<p>Impacts from construction may be adverse, but localized, short term, and minor. Long-term impacts would be short-term, minor, localized and adverse.</p>
<b>Fort Morgan Pier Rehabilitation</b>	<p>Impacts would be short term, minor and adverse. No long-term impacts would occur.</p>
<b>Fort Morgan Peninsula Public Access Improvements</b>	<p>No short-term impacts would occur. Long-term, minor, and adverse impacts on the neighboring Gulf of Mexico would occur.</p>
<b>Laguna Cove Little Lagoon Natural Resource Protection</b>	<p>Impacts on water quality during construction would be short term and minor. With appropriate measures, long-term impacts on would be minor.</p>
<b>Gulf Highlands Land Acquisition</b>	<p>Impacts from runoff during construction would be adverse but short term, localized, and minor. Impacts from the implementation of long-term stormwater BMPs would be long term, minor, and adverse.</p>
<b>Dauphin Island Eco-Tourism and Environmental Education Area</b>	<p>Impacts during the construction process would be adverse but short term and minor.</p> <p>Any long-term adverse impacts would be negligible.</p>
<b>Mid-Island Parks and Public Beach Improvements (Parcels A, B, and C)</b>	<p>An increase in turbidity of the sub-bay of Graveline Bay may occur during the construction process and impacts would be short term and minor. Due to the lack of surface water on the project parcels and the size of the surrounding waters, adverse impacts would be negligible in the long term.</p>
<b>Mid-Island Parks and Public Beach Improvements (Parcels B and C)</b>	<p>An increase in turbidity of the sub-bay of Graveline Bay may occur during the construction process and impacts would be short term and minor. Due to the lack of surface water on the project parcels and the size of the surrounding waters, adverse impacts would be negligible in the long term.</p>

**Table 4: Summary of Impacts to Floodplains**

Alternative	Summary of Impacts to Floodplains
<b>No Action</b>	<p>Access Improvements Projects on Currently Owned Public Lands: Recreational amenities on these sites would not be developed, and no short- or long-term impacts are expected to floodplains.</p> <p>Land Acquisition and Access Improvement Projects: If sites are developed, short-term minor and minimal long-term adverse impacts to floodplains would be expected from disturbance to floodplains, but development would be expected to be built in accordance with the CZMA and placed landward of the Coastal Construction Line. If properties were acquired for preservation, no long- or short-term impacts on floodplains are expected because the sites would remain in their current condition.</p> <p>Projects Currently Under Construction: No short- or long-term impacts to floodplains</p>

Record of Decision for the *Deepwater Horizon* Oil Spill Alabama Trustee Implementation Group Final Restoration Plan and Environmental Impact Statement: Provide and Enhance Recreational Opportunities

Alternative	Summary of Impacts to Floodplains
	would occur.
<b>Gulf State Park Lodge and Associated Public Access Amenities Project</b>	No adverse impacts on the floodplain or the coastal zone are anticipated.
<b>Fort Morgan Pier Rehabilitation</b>	No short- or long-term impacts would occur.
<b>Fort Morgan Peninsula Public Access Improvements</b>	No short- or long-term impacts would occur.
<b>Laguna Cove Little Lagoon Natural Resource Protection</b>	The structures would be built above the base flood elevation, no changes to the base flood elevation or the 100-year floodplain would occur and there would be no short-term, adverse impacts. No long-term adverse impacts would occur.
<b>Gulf Highlands Land Acquisition</b>	No short-term, adverse impacts would occur. Long-term, negligible, adverse impacts would occur.
<b>Dauphin Island Eco-Tourism and Environmental Education Area</b>	Construction of the proposed project elements would be in compliance with all required permits and would not result in short-term, adverse impacts. No long-term adverse impacts would occur.
<b>Mid-Island Parks and Public Beach Improvements (Parcels A, B, and C)</b>	No short- or long-term impacts would occur.
<b>Mid-Island Parks and Public Beach Improvements (Parcels B and C)</b>	No short- or long-term impacts would occur.

**Table 5: Summary of Impacts to Wetlands**

Alternative	Summary of Impacts to Wetlands
<b>No Action</b>	<p>Access Improvements Projects on Currently Owned Public Lands: Recreational amenities on these sites would not be developed, and no short- or long-term impacts are expected to wetlands.</p> <p>Land Acquisition and Access Improvement Projects: If sites are developed, short-term minor and long-term adverse impacts to wetlands would be expected from wetland disturbance and establishment of permanent structures. If properties were acquired for preservation, no long- or short-term impacts on wetlands are expected because the sites would remain in their current condition.</p> <p>Projects Currently Under Construction: Impacts from wetland disturbance would be short term and minor during ongoing construction. During operation, restoration of wetlands would have long-term benefits.</p>
<b>Gulf State Park Lodge and Associated Public Access Amenities Project</b>	Wetlands are being affected by current facility construction, and BMPs, as required by the USACE 404 permit, are being used to minimize impacts. No other impacts would occur from the construction of the public access amenities.
<b>Fort Morgan Pier Rehabilitation</b>	Impacts would be short term and minor. No long-term impacts would occur.

Record of Decision for the *Deepwater Horizon* Oil Spill Alabama Trustee Implementation Group Final Restoration Plan and Environmental Impact Statement: Provide and Enhance Recreational Opportunities

Alternative	Summary of Impacts to Wetlands
<b>Fort Morgan Peninsula Public Access Improvements</b>	No designated wetlands exist within any of the access point sites; therefore, there would be no short-term impacts.
<b>Laguna Cove Little Lagoon Natural Resource Protection</b>	Adverse but short-term and minor impacts during the construction process would include increased turbidity from piling installation and compressed vegetation from construction equipment. There would be minor, long-term, adverse impacts from the presence of the boardwalk.
<b>Gulf Highlands Land Acquisition</b>	Impacts would be avoided and minimized to the maximum extent practicable. Any unavoidable impacts would be offset by appropriate compensatory mitigation, resulting in long-term, no more than minor, adverse impacts on wetlands.
<b>Dauphin Island Eco-Tourism and Environmental Education Area</b>	With the appropriate BMPs in place, short-term adverse impacts on wetlands would be minor. Long-term impacts would be avoided and minimized to the maximum extent practicable. Any impacts would be offset by appropriate compensatory mitigation.
<b>Mid-Island Parks and Public Beach Improvements (Parcels A, B, and C)</b>	The construction of the parking lot on Parcel C would cause minor, increased turbidity to the wetlands. Impacts would be adverse but short term, minor, and negligible. Impacts from appropriate runoff BMPs on Parcel C would be long term, but minor.
<b>Mid-Island Parks and Public Beach Improvements (Parcels B and C)</b>	The construction of the parking lot on Parcel C would cause minor, increased turbidity to the wetlands. Impacts would be adverse but short term, minor, and negligible. Impacts from appropriate runoff BMPs on Parcel C would be long term, but minor.

**Table 6: Summary of Impacts to Air Quality and Greenhouse Gas Emissions**

Alternative	Summary of Impacts to Air Quality and Greenhouse Gas Emissions
<b>No Action</b>	<p>Access Improvements Projects on Currently Owned Public Lands: Access improvements on currently publicly owned lands would not be implemented, and there would be no short- or long-term impacts on air quality.</p> <p>Land Acquisition and Access Improvement Projects: If properties were acquired for preservation, no long- or short-term impacts on air quality are expected because there would be no construction activities or resulting facility operation. If the properties were developed, impacts on air quality would be long term and adverse because development of infrastructure (e.g., condominiums, parking lots) would result in emissions during construction and operation of this infrastructure. The increase in emissions would be directly related to the intensity and type of development.</p> <p>Projects Currently Under Construction: Construction of the proposed project is expected to have short-term, minor, adverse impacts on air quality. The lodge and conference center would be built to include sustainable design features and would seek LEED Gold certification. Operation of the lodge and conference center would have long-term impacts on air quality that may be measurable, but would be localized and would not exceed the EPA's <i>de minimis</i> criteria for a general conformity determination.</p>
<b>Gulf State Park Lodge and Associated Public Access Amenities Project</b>	Construction of all Baldwin County projects are expected to cause greenhouse gas (GHG) emissions and impacts from fugitive dust emissions would be adverse, but minor. The increase in vehicle traffic to the sites is expected to have long-term negligible to minor adverse impacts. Operation of the proposed projects would

Record of Decision for the *Deepwater Horizon* Oil Spill Alabama Trustee Implementation Group Final Restoration Plan and Environmental Impact Statement: Provide and Enhance Recreational Opportunities

Alternative	Summary of Impacts to Air Quality and Greenhouse Gas Emissions
	cause long-term impacts, but would not exceed minor and adverse.
<b>Fort Morgan Pier Rehabilitation</b>	Construction of all Baldwin County projects are expected to cause GHG emissions and impacts from fugitive dust emissions would be adverse, but minor. The increase in vehicle traffic to the sites is expected to have long-term negligible to minor adverse impacts. Operation of the proposed projects would cause long-term impacts, but would not exceed minor and adverse.
<b>Fort Morgan Peninsula Public Access Improvements</b>	Construction of all Baldwin County projects are expected to cause GHG emissions and impacts from fugitive dust emissions would be adverse, but minor. The increase in vehicle traffic to the sites is expected to have long-term negligible to minor adverse impacts. Operation of the proposed projects would cause long-term impacts, but would not exceed minor and adverse.
<b>Laguna Cove Little Lagoon Natural Resource Protection</b>	Construction of all Baldwin County projects are expected to cause GHG emissions and impacts from fugitive dust emissions would be adverse, but minor. The increase in vehicle traffic to the sites is expected to have long-term negligible to minor adverse impacts. Operation of the proposed projects would cause long-term impacts, but would not exceed minor and adverse.
<b>Gulf Highlands Land Acquisition</b>	Construction of all Baldwin County projects are expected to cause GHG emissions and impacts from fugitive dust emissions would be adverse, but minor. The increase in vehicle traffic to the sites is expected to have long-term negligible to minor adverse impacts. Operation of the proposed projects would cause long-term impacts, but would not exceed minor and adverse.
<b>Dauphin Island Eco-Tourism and Environmental Education Area</b>	Long-term impacts to air quality would be minor and adverse. Because of the small scale and use of energy saving measures when applicable, GHG emissions would be small.
<b>Mid-Island Parks and Public Beach Improvements (Parcels A, B, and C)</b>	Long-term impacts to air quality would be minor and adverse. Because of the small scale and use of energy saving measures when applicable, GHG emissions would be small.
<b>Mid-Island Parks and Public Beach Improvements (Parcels B and C)</b>	Long-term impacts to air quality would be minor and adverse. Because of the small scale and use of energy saving measures when applicable, GHG emissions would be small.

**Table 7: Summary of Impacts to Noise**

Alternative	Summary of Impacts to Noise
<b>No Action</b>	<p>Access Improvement Projects on Currently Publicly Owned Lands: Access improvements on currently publicly owned lands would not be implemented, and there would be no long- or short-term impacts on noise.</p> <p>Land Acquisition and Access Improvement Projects: If properties were acquired for preservation, no long- or short-term impacts on noise are expected because no construction activities or resulting operation and maintenance of recreational amenities would occur. If the properties were developed, there would be short- and long-term, adverse impacts on noise because development of infrastructure (e.g., condominiums, parking lots) would result in noise from construction as well as operation of this infrastructure. The increase in noise would be directly related to the intensity and type of development.</p>

Record of Decision for the *Deepwater Horizon* Oil Spill Alabama Trustee Implementation Group Final Restoration Plan and Environmental Impact Statement: Provide and Enhance Recreational Opportunities

Alternative	Summary of Impacts to Noise
	Projects Currently Under Construction. Short-term, localized, and minor impacts would occur during construction. Operation of the proposed project would result in long-term, minor impacts. The lodge and conference center would increase noise that could attract attention, but its contribution to the soundscape would be localized and minor and is not expected to affect current user activities. Some of the additional amenities may also be constructed but because of their small scale and size, they are not expected to contribute noise impacts in the short or long term.
<b>Gulf State Park Lodge and Associated Public Access Amenities Project</b>	Impacts from noise during construction would be no more than short term, minor, and adverse.
<b>Fort Morgan Pier Rehabilitation</b>	Impacts from noise during construction would be no more than short term, minor, and adverse. Impacts from operations would be long term, negligible to minor, and adverse.
<b>Fort Morgan Peninsula Public Access Improvements</b>	Impacts from noise during construction would be no more than short term, minor, and adverse. Impacts from operations would be long term, negligible to minor, and adverse.
<b>Laguna Cove Little Lagoon Natural Resource Protection</b>	Impacts from noise during construction would be no more than short term, minor, and adverse. Impacts from operations would be long term, negligible to minor, and adverse.
<b>Gulf Highlands Land Acquisition</b>	Impacts from noise during construction would be no more than short term, minor, and adverse. Impacts from operations would be long term, negligible to minor, and adverse.
<b>Dauphin Island Eco-Tourism and Environmental Education Area</b>	Impacts from noise during construction would be no more than short term, minor, and adverse. Impacts from operations would be long term, negligible to minor, and adverse.
<b>Mid-Island Parks and Public Beach Improvements (Parcels A, B, and C)</b>	Impacts from noise during construction would be no more than short term, minor, and adverse. Impacts from operations would be long term, negligible to minor, and adverse.
<b>Mid-Island Parks and Public Beach Improvements (Parcels B and C)</b>	Impacts from noise during construction would be no more than short term, minor, and adverse. Impacts from operations would be long term, negligible to minor, and adverse.

**Table 8: Summary of Impacts to Habitats**

Alternative	Summary of Impacts to Habitats
<b>No Action</b>	<p>Access Improvements Projects on Currently Owned Public Lands: Recreational amenities on these sites would not be developed, and no short- or long-term impacts are expected to habitats.</p> <p>Land Acquisition and Access Improvement Projects: If sites are developed, short-term minor to moderate impacts and long-term adverse impacts to habitats would be expected. If acquisition occurs with other Gulf restoration funding mechanisms and recreational amenities are not constructed, there would be no short-term impacts on habitat because these sites would remain in their current conditions.</p> <p>Projects Currently Under Construction: Construction of the Gulf State Park Lodge</p>

Record of Decision for the *Deepwater Horizon* Oil Spill Alabama Trustee Implementation Group Final Restoration Plan and Environmental Impact Statement: Provide and Enhance Recreational Opportunities

Alternative	Summary of Impacts to Habitats
	would continue, and short-term, minor impacts and any long-term, adverse impacts would be negligible.
<b>Gulf State Park Lodge and Associated Public Access Amenities Project</b>	Impacts from the pedestrian trail and construction would be short term, minor, and adverse. The proposed lodge would have long-term and beneficial impacts on wetland and dune habitats and associated native vegetation from the expansion and enhancement of wetland habitat. Any adverse long-term impacts would be negligible.
<b>Fort Morgan Pier Rehabilitation</b>	Short-term impacts would be minor and adverse. Any potential long-term, adverse impacts are expected to be negligible, and habitats would naturally rehabilitate over time.
<b>Fort Morgan Peninsula Public Access Improvements</b>	Site conditions, combined with the implementation of BMPS at all construction sites would result in short-term, minor, adverse impacts on vegetation. Overall, impacts on habitats in these areas would be long term, minor, and adverse from removal of habitat, with long-term benefits from concentrating public access.
<b>Laguna Cove Little Lagoon Natural Resource Protection</b>	Impacts from construction would be short term, minor and adverse because BMPs would be employed to minimize impacts, and all habitats are expected to return to normal functioning following construction. Acquisition of land would greatly benefit habitats because the parcel had large development plans that would no longer occur, allowing the majority of the site to remain undisturbed, resulting in overall long-term beneficial impacts.
<b>Gulf Highlands Land Acquisition</b>	All short-term impacts on vegetation are expected to be minor and adverse. While some long-term, minor, adverse impacts could occur from permanent removal of habitat as a result of development, the preservation of this large and important site would result in overall long-term, beneficial impacts.
<b>Dauphin Island Eco-Tourism and Environmental Education Area</b>	There would be long-term beneficial impacts with the acquisition of land and short-term, minor and adverse impacts on habitats from disturbance during construction.
<b>Mid-Island Parks and Public Beach Improvements (Parcels A, B, and C)</b>	BMPs would minimize impacts and all habitat areas are expected to naturally rehabilitate after construction, impacts from construction to habitats would be short term, minor, and adverse. While some habitat may be lost, the facilities would be established in a way that would allow the remaining habitat to continue to function, resulting in long-term, minor, adverse impacts.
<b>Mid-Island Parks and Public Beach Improvements (Parcels B and C)</b>	BMPs would minimize impacts and all habitat areas are expected to naturally rehabilitate after construction, impacts from construction to habitats would be short term, minor, and adverse. While some habitat may be lost, the facilities would be established in a way that would allow the remaining habitat to continue to function, resulting in long-term, minor, adverse impacts.

**Table 9: Summary of Impacts to Wildlife Species**

Alternative	Summary of Impacts to Wildlife Species
<b>No Action</b>	Access Improvements Projects on Currently Owned Public Lands: Recreational amenities on these sites would not be developed, and no short- or long-term impacts are expected to wildlife species.  Land Acquisition and Access Improvement Projects: If sites are developed, short-

Record of Decision for the *Deepwater Horizon* Oil Spill Alabama Trustee Implementation Group Final Restoration Plan and Environmental Impact Statement: Provide and Enhance Recreational Opportunities

Alternative	Summary of Impacts to Wildlife Species
	<p>term minor and long-term adverse impacts to wildlife species would be expected. If acquisition occurs with other Gulf restoration funding mechanisms and no improvements are implemented, there would be no short-term impacts, but overall beneficial impacts from the preservation of large areas of habitat and areas for wildlife.</p> <p>Projects Currently Under Construction: Construction of the lodge and conference center would continue and result in short- and long-term, minor impacts.</p>
<p><b>Gulf State Park Lodge and Associated Public Access Amenities Project</b></p>	<p>Construction may result in short-term, minor, adverse impacts on wildlife species inhabiting the proposed project site and nearby vicinity. Temporary disturbance to wildlife during construction from noise and temporary displacement (including less mobile species such as invertebrates, mammals, and migratory birds) may occur. Long-term, adverse impacts on wildlife species, and their habitats, which are known to occur or may potentially occur at the Gulf State Park Lodge and Associated Public Access Amenities Project site are characterized in the Final Phase III ERP/PEIS (Section 11.7.6.7).</p>
<p><b>Fort Morgan Pier Rehabilitation</b></p>	<p>Construction may result in short-term, minor, adverse impacts on wildlife species inhabiting the proposed project site and nearby vicinity. Temporary disturbance to wildlife during construction from noise and temporary displacement (including less mobile species such as invertebrates, mammals, and migratory birds) may occur. Overall impacts on wildlife during construction would be short term, minor, and adverse. New or additional displacement of wildlife from utilization of the site is not expected to occur. Any adverse impacts are expected to be long term and minor.</p>
<p><b>Fort Morgan Peninsula Public Access Improvements</b></p>	<p>Construction may result in short-term, minor, adverse impacts on wildlife species inhabiting the proposed project site and nearby vicinity. Temporary disturbance to wildlife during construction from noise and temporary displacement (including less mobile species such as invertebrates, mammals, and migratory birds) may occur. Impacts on all other species would be adverse, short term and minor. While some long-term, minor, adverse impacts could occur from species avoiding areas, overall, impacts would be long term and beneficial from reducing the amount of disturbance in these areas.</p>
<p><b>Laguna Cove Little Lagoon Natural Resource Protection</b></p>	<p>Construction may result in short-term, minor, adverse impacts on wildlife species inhabiting the proposed project site and nearby vicinity. Temporary disturbance to wildlife during construction from noise and temporary displacement (including less mobile species such as invertebrates, mammals, and migratory birds) may occur. While some minor impacts could occur from species avoiding areas, overall, impacts would be long term and beneficial from placing the majority of the site into conservation and preserving species and their habitat in this area.</p>
<p><b>Gulf Highlands Land Acquisition</b></p>	<p>Construction may result in short-term, minor, adverse impacts on wildlife species inhabiting the proposed project site and nearby vicinity. Temporary disturbance to wildlife during construction from noise and temporary displacement (including less mobile species such as invertebrates, mammals, and migratory birds) may occur. Construction would not interfere with the overall movement of wildlife species around the project site due to the limited area of disturbance. Human use of the site could result in long-term, adverse impacts. Long-term benefits would occur from removing the development potential of this land and preserving it as open space with limited access improvements.</p>
<p><b>Dauphin Island Eco-Tourism and</b></p>	<p>Construction may result in short-term, minor, adverse impacts on wildlife species inhabiting the proposed project site and nearby vicinity. Temporary disturbance to</p>

Record of Decision for the *Deepwater Horizon* Oil Spill Alabama Trustee Implementation Group Final Restoration Plan and Environmental Impact Statement: Provide and Enhance Recreational Opportunities

Alternative	Summary of Impacts to Wildlife Species
<b>Environmental Education Area</b>	wildlife during construction from noise and temporary displacement (including less mobile species such as invertebrates, mammals, and migratory birds) may occur. While some minor impacts could occur from species avoiding areas, overall, impacts would be long term and beneficial from placing the majority of the site into conservation and preserving species and their habitat in this area.
<b>Mid-Island Parks and Public Beach Improvements (Parcels A, B, and C)</b>	Construction may result in short-term, minor, adverse impacts on wildlife species inhabiting the proposed project site and nearby vicinity. Temporary disturbance to wildlife during construction from noise and temporary displacement (including less mobile species such as invertebrates, mammals, and migratory birds) may occur. While some minor, adverse impacts could occur from species avoiding areas, overall, impacts would be long term and beneficial from placing the majority of the site into conservation and preserving species and their habitat in this area.
<b>Mid-Island Parks and Public Beach Improvements (Parcels B and C)</b>	The short-term impacts of this project would be the similar to Mid-Island Parks and Public Beach Improvements (Parcels A, B, and C); however, it would be less adverse because no construction would occur on the beach where Parcel A is located. Short-term impacts would be minor and adverse. The long-term impacts of this project would be the same as those described for Mid-Island Parks and Public Beach Improvements (Parcels A, B, and C).

**Table 10: Summary of Impacts to Marine and Estuarine Fauna**

Alternative	Summary of Impacts to Marine and Estuarine Fauna
<b>No Action</b>	<p>Access Improvements Projects on Currently Owned Public Lands: Recreational amenities on these sites would not be developed, and no short- or long-term impacts are expected to marine and estuarine fauna.</p> <p>Land Acquisition and Access Improvement Projects: If sites are developed, short-term minor to moderate and long-term moderate to major adverse impacts to protected species would be expected depending on the extent of the development. If acquisition occurs with other Gulf restoration funding mechanisms with no or limited associated access infrastructure, there would be long-term benefits from the preservation of large areas of habitat, including habitat for marine species.</p> <p>Projects Currently Under Construction: No short- or long-term impacts would occur.</p>
<b>Gulf State Park Lodge and Associated Public Access Amenities Project</b>	No in-water work would be part of this alternative, and no impacts on marine habitats would occur.
<b>Fort Morgan Pier Rehabilitation</b>	The rehabilitation of the pier may have minor, adverse and short-term impacts on marine mammals, such as manatees (discussed under protected species below) and dolphins; nearshore fish, such as redfish, trout, flounder, ground mullet, speckled trout, and Spanish mackerel; and shellfish, such as oysters, shrimp, and crab; and sea turtles. Impacts include bottom sediment disturbance causing an increase in turbidity and underwater noise which would disturb habitat and displace fish. Long-term impacts would revert back to when the pier was in full use.
<b>Fort Morgan Peninsula Public Access Improvements</b>	No short- or long-term impacts would occur.
<b>Laguna Cove Little Lagoon Natural Resource Protection</b>	Construction would potentially cause adverse impact fish in the lagoon, such as speckled trout, redfish, and flounder, as well as shellfish such as shrimp and crab due to bottom sediments being disturbed and underwater noise which would disturb



Record of Decision for the *Deepwater Horizon* Oil Spill Alabama Trustee Implementation Group Final Restoration Plan and Environmental Impact Statement: Provide and Enhance Recreational Opportunities

Alternative	Summary of Impacts to Marine and Estuarine Fauna
	habitat and displace fish. Any adverse impacts would be short term and minor. The fishing pier located on the eastern side of the property could cause minor adverse impacts on species being fished.
<b>Gulf Highlands Land Acquisition</b>	No short- or long-term impacts would occur.
<b>Dauphin Island Eco-Tourism and Environmental Education Area</b>	Construction of the fishing pier would cause minor adverse impacts on species that inhabit nearshore environments. Species displaced by disturbance are expected to return to the site shortly after the construction period. Any adverse impacts would be short term and minor. The fishing pier would cause adverse impacts on species being fished and as a result of bycatch; however, these adverse effects are expected to be minor due to the abundance of most fish species in the vicinity of the pier and the abundance of other habitat near to the fishing pier that are utilized by fish species.
<b>Mid-Island Parks and Public Beach Improvements (Parcels A, B, and C)</b>	No short- or long-term impacts would occur.
<b>Mid-Island Parks and Public Beach Improvements (Parcels B and C)</b>	No short- or long-term impacts would occur.

**Table 11: Summary of Impacts to Protected Species**

Alternative	Summary of Impacts to Protected Species
<b>No Action</b>	<p>Access Improvements Projects on Currently Owned Public Lands: Recreational amenities on these sites would not be developed, and no short- or long-term impacts are expected to protected species.</p> <p>Land Acquisition and Access Improvement Projects: If sites are developed, short-term minor to moderate impacts to protected species would be expected depending on the extent of the development. If acquisition occurs with other Gulf restoration funding mechanisms, these sites would remain in their current conditions or have limited access infrastructure similar to the alternatives proposed in the Final RP/EIS, resulting in minor, long-term adverse impacts from loss of habitat, but overall beneficial impacts from the preservation of large areas of habitat and areas for protected species.</p> <p>Projects Currently Under Construction: Construction of the Gulf State Park Lodge would continue and would result in short- and long-term, minor impacts.</p>
<b>Gulf State Park Lodge and Associated Public Access Amenities Project</b>	Short- and long-term, adverse impacts on protected species and their habitats are known to occur or may potentially occur at the Gulf State Park project site. Impacts of additional project elements would be long term, minor, and adverse.
<b>Fort Morgan Pier Rehabilitation</b>	Rehabilitation of the pier would cause temporary disturbances to both terrestrial and marine protected species, due noise and the presence of construction equipment and crews. Due to the small construction footprint, impacts are expected to be short term, adverse and minor. Long-term, adverse impacts would be similar to previous conditions at the site, when the pier was in full use and could include bycatch impacts associated with pier operation.
<b>Fort Morgan Peninsula</b>	Construction of proposed project amenities would cause short-term, adverse, but

Record of Decision for the *Deepwater Horizon* Oil Spill Alabama Trustee Implementation Group Final Restoration Plan and Environmental Impact Statement: Provide and Enhance Recreational Opportunities

Alternative	Summary of Impacts to Protected Species
<b>Public Access Improvements</b>	minor impacts on protected species. Potential impacts would include soil compaction, nest disturbance, temporary noise and the presence of construction equipment and crews. The installation of lighting associated with some proposed amenities could adversely impacts nesting sea turtles over the long term. Overall, long-term impacts on protected species would be adverse but minor.
<b>Laguna Cove Little Lagoon Natural Resource Protection</b>	Construction would result in temporary disturbances to protected species due to noise and the presence of construction equipment and crews. This could temporarily displace Alabama beach mice or migratory birds (including piping plover and red knot), if present during construction. Overall, short-term impacts on protected species would be adverse but minor. Long-term impacts are expected to be adverse, but minor due to the small size of the project and the large amount of adjacent habitat.
<b>Gulf Highlands Land Acquisition</b>	Construction of the parking lot and boardwalk would result in temporary disturbances to protected species due to noise and the presence of construction equipment and crews. Potential impacts are anticipated to be adverse, but short term and minor. Methods would be used to minimize potential impacts resulting in minor, adverse, short-term impacts. The increase in human presence could cause adverse impacts on protected species such as sea turtles, Alabama beach mice, and birds (including piping plover and red knot) over the long term.
<b>Dauphin Island Eco-Tourism and Environmental Education Area</b>	Construction of the proposed amenities would result in adverse, but short-term and minor impacts to protected species due to noise and the presence of construction equipment and crews. This could temporarily displace migratory birds (including piping plover, red knot, and wood stork), if present during construction. Long-term impacts from increased visitation and pedestrian traffic would be adverse but minor.
<b>Mid-Island Parks and Public Beach Improvements (Parcels A, B, and C)</b>	Impacts to from noise from the presence of construction equipment and crews could temporarily displace migratory birds (including piping plover, red knot, and wood stork) or manatees, if present during construction. These impacts would be adverse, but short term and minor. Construction of dune walkovers on Parcel A would cause short-term, minor, and adverse impacts to the nesting sites for loggerhead and/or Kemp’s ridley sea turtles; however, BMPs would be used to minimize potential impacts. Long-term impacts from increased visitation and pedestrian traffic would be adverse but minor. The acquisition of Parcel A would prevent future development, resulting in long-term, beneficial impacts on protected species.
<b>Mid-Island Parks and Public Beach Improvements (Parcels B and C)</b>	Construction could result in short-term, adverse, and minor impacts to protected species from noise and the presence of construction equipment and crews. This could temporarily displace migratory birds (including piping plover and red knot) or manatees, if present during construction. Long-term impacts would be adverse and minor because of the small footprint and the relatively low quality of habitat on Parcels B and C.

**Table 12: Summary of Impacts to Socioeconomics and Environmental Justice**

Alternative	Summary of Impacts to Socioeconomics and Environmental Justice
<b>No Action</b>	<p>Access Improvements Projects on Currently Owned Public Lands: Recreational amenities on these sites would not be developed, and no short- or long-term impacts are expected to socioeconomics. No communities that would qualify for an environmental justice analysis exist within the vicinity of these sites.</p> <p>Land Acquisition and Access Improvement Projects: If sites are developed, short-term beneficial impacts to socioeconomics would be expected during the</p>

Record of Decision for the *Deepwater Horizon* Oil Spill Alabama Trustee Implementation Group Final Restoration Plan and Environmental Impact Statement: Provide and Enhance Recreational Opportunities

Alternative	Summary of Impacts to Socioeconomics and Environmental Justice
	<p>construction phase. If the sites are not developed, the sites would remain in their existing state, and no short- or long-term impacts would be expected.</p> <p>Projects Currently Under Construction: Construction of the Gulf State Park Lodge would continue and would include short-term, beneficial impacts from employment generated during construction. Additionally, some of the public amenities associated with the lodge could be constructed and would have similar beneficial impacts. Construction of the Gulf State Park Lodge would continue, and long-term, beneficial socioeconomic impacts as a result of increased visitation, spending, and employment opportunities are expected.</p>
<b>Gulf State Park Lodge and Associated Public Access Amenities Project</b>	The construction and operations of the Gulf State Park Lodge and Associated Public Access Amenities Project would lead to short and long-term employment opportunities for local residents and businesses and would result in short-term, beneficial socioeconomic impacts for the local communities.
<b>Fort Morgan Pier Rehabilitation</b>	There would not be disproportionately adverse impacts on minority or low-income populations during the construction period, and no effect. Implementation of the alternative could provide short- and long-term employment for local residents, socioeconomic impacts on the community in the short term would be beneficial.
<b>Fort Morgan Peninsula Public Access Improvements</b>	Potential short-term employment benefits would occur for local residents from the construction of the parking lots, restrooms, and dune walkovers. Socioeconomic impacts, including increased visitations to the area, safe-free beach access, and enhanced protection of the walkovers would long term and beneficial to the local community.
<b>Laguna Cove Little Lagoon Natural Resource Protection</b>	The project would not have disproportionately adverse impacts on minority or low-income populations and would benefit local communities through employment opportunities, enhance recreational use, and safe access. Therefore, the short- and long-term socioeconomic benefits would be beneficial.
<b>Gulf Highlands Land Acquisition</b>	Potential short-term employment benefits would occur for local residents from the construction of the parking lots, restrooms, and dune walkovers. Socioeconomic impacts, including increased visitations to the area, safe-free beach access, and enhanced protection of the walkovers would long term and beneficial to the local community.
<b>Dauphin Island Eco-Tourism and Environmental Education Area</b>	Construction of the proposed alternative would provide construction employment opportunities. Short-term impacts are expected to be beneficial for the local community. Impacts from eco-tourism attractions would have long term and beneficial impacts for the community.
<b>Mid-Island Parks and Public Beach Improvements (Parcels A, B, and C)</b>	Potential short-term employment benefits would occur for local residents during the construction period. Socioeconomic impacts, including increased visitations to the area, safe-free beach access, and enhanced protection of the walkovers would be long term and beneficial to the local community. Maintenance of the facility would ensure that the recreational experience is sustained and the beneficial impacts on local businesses would continue.
<b>Mid-Island Parks and Public Beach Improvements (Parcels B and C)</b>	The short- and long-term impacts expected from this alternative are the same as those described for the Mid-island Parks and Public Beach Improvements (Parcels A, B, and C).

**Table 13: Summary of Impacts to Cultural Resources**

Alternative	Summary of Impacts to Cultural Resources
<b>No Action</b>	<p>Access Improvements Projects on Currently Owned Public Lands: Recreational amenities on these sites would not be developed, and no short- or long-term impacts are expected to cultural resources.</p> <p>Land Acquisition and Access Improvement Projects: If sites are developed, short- and long-term impacts to cultural resources could occur if archeological resources are disturbed. If acquisition occurs with other Gulf restoration funding mechanisms, there would be no impacts on cultural resources because these sites would remain in their current conditions, and any amenities developed would avoid cultural resources.</p> <p>Projects Currently Under Construction: Construction of the Gulf State Park Lodge would continue, and no short- or long-term impacts would occur.</p>
<b>Gulf State Park Lodge and Associated Public Access Amenities Project</b>	<p>During the Phase III ERP/EIS, consultation with the State Historic Preservation Office was conducted for this effort. That consultation concluded that it is unlikely that any buried intact archaeological sites, deposits, or artifacts are located in the area, and the effort is not expected to have any effect on historic properties. Additional project elements would likely have no impacts.</p>
<b>Fort Morgan Pier Rehabilitation</b>	<p>If any culturally or historically important resources are identified during project preparations or predevelopment surveys, such areas would be avoided during construction. A complete review of this alternative under Section 106 of the NHPA is ongoing and would be completed prior to any activities that would restrict consideration of measures to avoid, minimize or mitigate any adverse effects on historic properties located within the project area.</p>
<b>Fort Morgan Peninsula Public Access Improvements</b>	<p>If any culturally or historically important resources are identified during project preparations or predevelopment surveys, such areas would be avoided during construction. A complete review of this alternative under Section 106 of the NHPA is ongoing and would be completed prior to any activities that would restrict consideration of measures to avoid, minimize or mitigate any adverse effects on historic properties located within the project area.</p>
<b>Laguna Cove Little Lagoon Natural Resource Protection</b>	<p>If any culturally or historically important resources are identified during project preparations or predevelopment surveys, such areas would be avoided during construction. A complete review of this alternative under Section 106 of the NHPA is ongoing and would be completed prior to any activities that would restrict consideration of measures to avoid, minimize or mitigate any adverse effects on historic properties located within the project area.</p>
<b>Gulf Highlands Land Acquisition</b>	<p>If any culturally or historically important resources are identified during project preparations or predevelopment surveys, such areas would be avoided during construction. A complete review of this alternative under Section 106 of the NHPA is ongoing and would be completed prior to any activities that would restrict consideration of measures to avoid, minimize or mitigate any adverse effects on historic properties located within the project area.</p>
<b>Dauphin Island Eco-Tourism and Environmental Education Area</b>	<p>If any culturally or historically important resources are identified during project preparations or predevelopment surveys, such areas would be avoided during construction. A complete review of this alternative under Section 106 of the NHPA is ongoing and would be completed prior to any activities that would restrict consideration of measures to avoid, minimize or mitigate any adverse effects on historic properties located within the project area.</p>

Record of Decision for the *Deepwater Horizon* Oil Spill Alabama Trustee Implementation Group Final Restoration Plan and Environmental Impact Statement: Provide and Enhance Recreational Opportunities

Alternative	Summary of Impacts to Cultural Resources
<b>Mid-Island Parks and Public Beach Improvements (Parcels A, B, and C)</b>	If any culturally or historically important resources are identified during project preparations or predevelopment surveys, such areas would be avoided during construction. A complete review of this alternative under Section 106 of the NHPA is ongoing and would be completed prior to any activities that would restrict consideration of measures to avoid, minimize or mitigate any adverse effects on historic properties located within the project area.
<b>Mid-Island Parks and Public Beach Improvements (Parcels B and C)</b>	If any culturally or historically important resources are identified during project preparations or predevelopment surveys, such areas would be avoided during construction. A complete review of this alternative under Section 106 of the NHPA is ongoing and would be completed prior to any activities that would restrict consideration of measures to avoid, minimize or mitigate any adverse effects on historic properties located within the project area.

**Table 14: Summary of Impacts to Infrastructure**

Alternative	Summary of Impacts to Infrastructure
<b>No Action</b>	<p>Access Improvements Projects on Currently Owned Public Lands: Recreational amenities on these sites would not be developed, and no short- or long-term impacts are expected to utilities. No short-term impacts to transportation would be expected, with long-term minor adverse impacts from the continued informal access at these sites.</p> <p>Land Acquisition and Access Improvement Projects: If sites are developed, short-term impacts to land and marine management would be expected as a result of the land change, with the intensity varying depending on the level of development. If lands are acquired for preservation, short- and long-term minor adverse impacts would occur because development would be expected to be minimal and the sites would see an increase in visitation.</p> <p>Projects Currently Under Construction: Construction of the Gulf State Park Lodge and conference center would continue, and short-term minor impacts on utilities would still occur.</p>
<b>Gulf State Park Lodge and Associated Public Access Amenities Project</b>	It is anticipated that there would be adequate capacity for the new demand on the utilities services and that the conservation measures would result in long-term minor adverse impacts. Long-term moderate impacts from increased traffic would be expected; however, the addition of the tram system would minimize these impacts, possibly reducing the adverse impact to minor.
<b>Fort Morgan Pier Rehabilitation</b>	Because there would be negligible increase in local daily traffic volumes during construction, impacts would be adverse, but short term and minor. Any long-term, adverse impacts on traffic and transportation would be negligible.
<b>Fort Morgan Peninsula Public Access Improvements</b>	Because there would be negligible increase in local daily traffic volumes during construction, impacts would be adverse, but short term and minor. Long-term beneficial impacts would also result from providing formalized parking, which would remove current on street parking that is occurring and improve safety conditions along the roadway.
<b>Laguna Cove Little Lagoon Natural Resource Protection</b>	Because there would be negligible increase in local daily traffic volumes during construction, impacts would be adverse, but short term and minor. There would be localized traffic increase from vehicles accessing the parking and new site amenities. This type of use and traffic already occurs in this areas and it is not expected that the level of traffic would change beyond a minimal level and any long-term adverse

Record of Decision for the *Deepwater Horizon* Oil Spill Alabama Trustee Implementation Group Final Restoration Plan and Environmental Impact Statement: Provide and Enhance Recreational Opportunities

Alternative	Summary of Impacts to Infrastructure
	impacts on traffic would be minor.
<b>Gulf Highlands Land Acquisition</b>	Because there would be negligible increase in local daily traffic volumes during construction, impacts would be adverse, but short term and minor. There would be localized traffic increase from vehicles accessing the parking and beach access. This type of use and traffic already occurs in this areas and it is not expected that the level of traffic would change beyond a minimal level and any long-term impacts adverse to traffic would be minor.
<b>Dauphin Island Eco-Tourism and Environmental Education Area</b>	Because there would be negligible increase in local daily traffic volumes during construction, impacts would be adverse, but short term and minor. There would be localized traffic increase from vehicles accessing the parking and beach access. This type of use and traffic already occurs in this areas and it is not expected that the level of traffic would change beyond a minimal level and any long-term impacts adverse to traffic would be minor.
<b>Mid-Island Parks and Public Beach Improvements (Parcels A, B, and C)</b>	Because there would be negligible increase in local daily traffic volumes during construction, impacts would be adverse, but short term and minor. There would be localized traffic increase from vehicles accessing the parking and beach access. This type of use and traffic already occurs in this areas and it is not expected that the level of traffic would change beyond a minimal level and any long-term adverse impacts on traffic would be minor. Beneficial impacts would also result from providing formalized parking.
<b>Mid-Island Parks and Public Beach Improvements (Parcels B and C)</b>	Because there would be negligible increase in local daily traffic volumes during construction, impacts would be adverse, but short term and minor. There would be localized traffic increase from vehicles accessing the parking and beach access. This type of use and traffic already occurs in this areas and it is not expected that the level of traffic would change beyond a minimal level and any long-term adverse impacts on traffic would be minor. Beneficial impacts would also result from providing formalized parking.

**Table15: Summary of Impacts to Land and Marine Management**

Alternative	Summary of Impacts to Land and Marine Management
<b>No Action</b>	<p>Access Improvements Projects on Currently Owned Public Lands: Recreational amenities on these sites would not be developed, and these sites would remain in their current condition, resulting in no short- or long-term impacts.</p> <p>Land Acquisition and Access Improvement Projects: If sites are developed, short-term impacts to land and marine management would be expected as a result of the land change, with the intensity varying depending on the level of development. If lands are acquired for preservation, short- and long-term beneficial impacts would occur.</p> <p>Projects Currently Under Construction: Construction of the Gulf State Park Lodge and conference center would continue and would result in short-term, minor impacts. Long-term, adverse impacts would be minor because use would change but would be compatible with the lodge and conference center surroundings.</p>
<b>Gulf State Park Lodge and Associated Public Access Amenities Project</b>	Land formerly available for informal use would no longer be available. As a result, construction would result in adverse but short-term and minor impacts. Changes in land use during construction would be temporary and would not require a zoning change or amendment or affect overall use and management beyond the local area. Long-term, the project would be consistent with the CZMA and recreational land

Record of Decision for the *Deepwater Horizon* Oil Spill Alabama Trustee Implementation Group Final Restoration Plan and Environmental Impact Statement: Provide and Enhance Recreational Opportunities

Alternative	Summary of Impacts to Land and Marine Management
	uses in the area.
<b>Fort Morgan Pier Rehabilitation</b>	Some short-term, minor, adverse impacts could result during construction as a result of potential site closures and subsequent reduced access to existing recreational opportunities from the presence of construction equipment, materials staging, and other associated construction activities. The rehabilitation of the pier would improve public access to the site, restore uses previously available, and enhance recreational opportunities, including fishing, wildlife observation, and beach activities. Long-term impacts on land use from the alternative would be beneficial.
<b>Fort Morgan Peninsula Public Access Improvements</b>	Short-term, minor, adverse impacts could occur as a result of construction activities and equipment and materials staging. Impacts would be long term and beneficial as a result of enhanced public access and recreational opportunities, consistency with zoning regulations of the site as outdoor recreation, and consistency with existing site land uses.
<b>Laguna Cove Little Lagoon Natural Resource Protection</b>	Short-term, minor, adverse impacts from construction and equipment and materials for enhancements would occur, similar to those noted above. Enhancement of access to recreation within, and appreciation of, coastal wetlands and uplands would result in long-term, beneficial impacts.
<b>Gulf Highlands Land Acquisition</b>	Short-term, minor, adverse impacts from construction and equipment and materials for enhancements would occur. Impacts would be long term, beneficial impacts as a result of increased habitat protection, public access, and recreational opportunities.
<b>Dauphin Island Eco-Tourism and Environmental Education Area</b>	Short-term, minor, adverse impacts from construction and equipment and materials for enhancements would occur. Impacts would be long term, beneficial impacts as a result of increased habitat protection, public access, and recreational opportunities.
<b>Mid-Island Parks and Public Beach Improvements (Parcels A, B, and C)</b>	Short-term, minor, adverse impacts from construction and equipment and materials for enhancements would occur. Long-term and beneficial impacts would occur as a result of increased public access and recreational opportunities and would be consistent with local ordinances and surrounding land uses.
<b>Mid-Island Parks and Public Beach Improvements (Parcels B and C)</b>	Short-term, minor, adverse impacts from construction and equipment and materials for enhancements would occur. Long-term and beneficial impacts would occur as a result of increased public access and recreational opportunities and would be consistent with local ordinances and surrounding land uses.

**Table 16: Summary of Impacts to Tourism and Recreational Use**

Alternative	Summary of Impacts to Tourism and Recreational use
<b>No Action</b>	<p>Access Improvements Projects on Currently Owned Public Lands: Recreational amenities on these sites would not be developed, and no change in use would occur, resulting in no short- or long-term impacts to tourism and recreational use.</p> <p>Land Acquisition and Access Improvement Projects: If sites are developed, short-and long-term minor impacts to tourism and recreational would be expected because access to these sites could be restricted. If acquisition occurs with other Gulf restoration funding mechanisms, there could be either no short-term, beneficial impacts or no adverse impacts on tourism because these sites could either be opened to the public (resulting in a beneficial impact) or acquired and protected in a manner that excludes public use similar to their current condition as private property (resulting in adverse impacts on tourism and recreational use).</p> <p>Projects Currently Under Construction: Construction of the Gulf State Park Lodge</p>

Record of Decision for the *Deepwater Horizon* Oil Spill Alabama Trustee Implementation Group Final Restoration Plan and Environmental Impact Statement: Provide and Enhance Recreational Opportunities

Alternative	Summary of Impacts to Tourism and Recreational use
	and conference center would continue and would result in short-term, minor impacts from restricted access. Long-term impacts would be beneficial from the addition of recreational use amenities.
<b>Gulf State Park Lodge and Associated Public Access Amenities Project</b>	Impacts on visitor use and experience during construction, while potentially adverse, would be localized, short term and minor. Because of the variety of new and enhanced opportunities, it is anticipated long-term benefits to tourist operations in the local area, in addition to Gulf State Park specific tourism would occur.
<b>Fort Morgan Pier Rehabilitation</b>	During rehabilitation of the pier, the public would not be able to access the site but because the site is currently closed, this would not represent a change from existing conditions. These impacts would be short term and minor because the area where the improvements would occur are only on a portion of the site, and other areas of the site would be accessible. Long-term beneficial impacts from the rehabilitation of the currently closed pier are expected and would provide the public with recreational benefits in the form of increased and enhanced recreational fishing in coastal Alabama.
<b>Fort Morgan Peninsula Public Access Improvements</b>	Impacts on visitor use and experience during construction, while potentially adverse, would be localized, short term and minor. Providing access improvements at 11 sites on the Fort Morgan Peninsula would enhance beach visits and other beach-based recreational activities in this area and would result in long-term benefits to recreational use and tourism.
<b>Laguna Cove Little Lagoon Natural Resource Protection</b>	Impacts on visitor use and experience during construction, while potentially adverse, would be localized, short term and minor. Little Lagoon is culturally valuable for its serene beauty and would provide long-term benefits to recreational use and tourism.
<b>Gulf Highlands Land Acquisition</b>	Impacts on visitor use and experience during construction, while potentially adverse, would be localized, short term and minor. Preserving this site and providing access improvements would provide long-term benefits to tourism and recreation in this area.
<b>Dauphin Island Eco-Tourism and Environmental Education Area</b>	Impacts on visitor use and experience during construction, while potentially adverse, would be localized, short term and minor. Public access to wetland habitats by constructing a parking area and boardwalks would increase and result in long-term benefits.
<b>Mid-Island Parks and Public Beach Improvements (Parcels A, B, and C)</b>	Impacts on visitor use and experience during construction, while potentially adverse, would be localized, short term and minor. Increased visitation from provided public parking, restroom/shower facilities, and eco-friendly beach access to Mississippi Sound waters would result in long-term benefits.
<b>Mid-Island Parks and Public Beach Improvements (Parcels B and C)</b>	Impacts on visitor use and experience during construction, while potentially adverse, would be localized, short term and minor. Increased visitation from provided public parking, restroom/shower facilities, and eco-friendly beach access to Mississippi Sound waters would result in long-term benefits.

**Table 17: Summary of Impacts to Aesthetics and Visual Resources**

Alternative	Summary of Impacts to Aesthetics and Visual Resources
<b>No Action</b>	Access Improvements Projects on Currently Owned Public Lands: Recreational amenities on these sites would not be developed, and no short-term impacts are expected to visual resources. In the long term, visual resources would be



Record of Decision for the *Deepwater Horizon* Oil Spill Alabama Trustee Implementation Group Final Restoration Plan and Environmental Impact Statement: Provide and Enhance Recreational Opportunities

Alternative	Summary of Impacts to Aesthetics and Visual Resources
	<p>negatively affected from the continued deterioration of Fort Morgan fishing pier.</p> <p>Land Acquisition and Access Improvement Projects: If sites are developed, short- and long-term moderate adverse impacts to visual resources would be expected. If the properties are purchased for preservation, short- and long-term beneficial impacts are expected to visual resources.</p> <p>Projects Currently Under Construction: Construction of the Gulf State Park Lodge would continue and would result in long-term, minor and adverse impacts by the presence of large structures that could block the view of the beach from the road.</p>
<b>Gulf State Park Lodge and Associated Public Access Amenities Project</b>	<p>Ongoing construction activities have affected the visual resources of the site with the presence of construction equipment, fences, and partially completed structures, resulting in short-term, minor, adverse impacts. The increase of natural aesthetic of the coastal area would result in long-term, beneficial impacts.</p>
<b>Fort Morgan Pier Rehabilitation</b>	<p>During construction, impacts on visual resources at the proposed alternative site would be short term, minor, and adverse. Even though existing viewsheds would be temporarily affected, impacts would not dominate the view or detract from current user activities or experiences. The pier rehabilitation would incorporate new decking and a sidewalk, which would improve the aesthetics of the existing area. Long-term impacts from the rehabilitation of the pier would be considered minor and beneficial.</p>
<b>Fort Morgan Peninsula Public Access Improvements</b>	<p>During construction, impacts on visual resources at the proposed alternative site would be short term, minor, and adverse. Even though existing viewsheds would be temporarily affected, these impacts would not dominate the view or detract from current user activities or experiences. The proposed facilities would be constructed with appropriate materials and include a muted color scheme that would fit the overall beach feel of the area. Long-term impacts from the proposed alternative would be considered minor and adverse to some visitors and beneficial to others.</p>
<b>Laguna Cove Little Lagoon Natural Resource Protection</b>	<p>During construction, impacts on visual resources at the proposed alternative site would be short term, minor, and adverse. The proposed facilities would be constructed with appropriate materials and include a muted color scheme that would fit the overall beach feel of the area. Long-term impacts from the proposed alternative would be considered minor and adverse to some visitors and beneficial to others.</p>
<b>Gulf Highlands Land Acquisition</b>	<p>During construction, impacts on visual resources at the proposed alternative site would be short term, minor, and adverse. Existing views that would change most would be the views from the beach looking north and from the road looking south towards the Gulf. Impacts of the changes in the visual environment may be beneficial because appropriate materials and a muted color scheme would be used. Long-term impacts from the rehabilitation of the pier would be considered minor and beneficial.</p>
<b>Dauphin Island Eco-Tourism and Environmental Education Area</b>	<p>During construction, impacts on visual resources at the proposed alternative site would be short term, minor, and adverse. Existing views that would change most would be the views from the road looking north and west towards the bay. Impacts of the changes in the visual environment may be beneficial because appropriate materials and a muted color scheme would be used. Long-term impacts from the rehabilitation of the pier would be considered minor and beneficial.</p>

Record of Decision for the *Deepwater Horizon* Oil Spill Alabama Trustee Implementation Group Final Restoration Plan and Environmental Impact Statement: Provide and Enhance Recreational Opportunities

Alternative	Summary of Impacts to Aesthetics and Visual Resources
<b>Mid-Island Parks and Public Beach Improvements (Parcels A, B, and C)</b>	During construction, impacts on visual resources at the proposed alternative site would be short term, minor, and adverse. Existing views that would change most would be the views from the roads looking in either direction (north or south) to the separate parcels, and for those residing in nearby homes. Impacts of the changes in the visual environment may be beneficial because appropriate materials and a muted color scheme would be used. Long-term impacts from the rehabilitation of the pier would be considered minor and beneficial.
<b>Mid-Island Parks and Public Beach Improvements (Parcels B and C)</b>	During construction, impacts on visual resources at the proposed alternative site would be short term, minor, and adverse. Existing views that would change most would be the views from the roads looking in either direction (north or south) to the separate parcels, and for those residing in nearby homes. Impacts of the changes in the visual environment may be beneficial because appropriate materials and a muted color scheme would be used. Long-term impacts from the rehabilitation of the pier would be considered minor and beneficial.

**Table 18: Summary of Impacts to Public Health and Safety**

Alternative	Summary of Impacts to Public Health and Safety
<b>No Action</b>	<p>Access Improvements Projects on Currently Owned Public Lands: Recreational amenities on these sites would not be developed, and no short- or long-term impacts are expected to public health and safety.</p> <p>Land Acquisition and Access Improvement Projects: If sites are developed, no short- or long-term impacts would be expected because development would adhere to local codes. If the sites are not developed, no short- or long-term impacts to public health and safety would be expected.</p> <p>Projects Currently Under Construction: Construction of the Gulf State Park Lodge would continue, and there would be no impacts on public health and safety because the site includes no known hazardous materials. Operations would be maintained to minimize soil erosion. As a result, no impacts on shoreline erosion are anticipated</p>
<b>Gulf State Park Lodge and Associated Public Access Amenities Project</b>	The majority of the additional project elements (i.e., a tram stop at the lodge site, public educational programs, and a bicycle sharing program) would be located within the footprint of disturbance analyzed in the Final Phase III ERP/PEIS. No additional impacts are expected from the pedestrian trail due to the extent of footprint expansion being minimal in relation to a larger 22-acre site.
<b>Fort Morgan Pier Rehabilitation</b>	Construction is not anticipated to result in adverse impacts on public health and safety as long as identified safety protocols are enforced when such activities are ongoing. There would be no increased risk of exposure to potential hazards from construction. No long-term impacts are expected.
<b>Fort Morgan Peninsula Public Access Improvements</b>	Impacts from construction on public health would be short term, minor, and adverse because construction would not cause soil, groundwater, and/or surface contamination or exceedances in state water quality standards, and erosion of soil material would be minimized. No long-term impacts are expected.
<b>Laguna Cove Little Lagoon Natural Resource Protection</b>	Construction is not anticipated to result in adverse impacts on public health and safety as long as identified safety protocols are enforced when such activities are ongoing. Impacts from construction on public health would be short term, minor, and adverse because construction would not cause soil, groundwater, and/or surface contamination or exceedances in state water quality standards, and erosion of soil material would be minimized. No long-term impacts are expected.

Record of Decision for the *Deepwater Horizon* Oil Spill Alabama Trustee Implementation Group Final Restoration Plan and Environmental Impact Statement: Provide and Enhance Recreational Opportunities

Alternative	Summary of Impacts to Public Health and Safety
<b>Gulf Highlands Land Acquisition</b>	Construction is not anticipated to result in adverse impacts on public health and safety as long as identified safety protocols are enforced when such activities are ongoing. Impacts from construction on public health would be short term, minor, and adverse because construction would not cause soil, groundwater, and/or surface contamination or exceedances in state water quality standards, and erosion of soil material would be minimized. No long-term impacts are expected.
<b>Dauphin Island Eco-Tourism and Environmental Education Area</b>	Construction is not anticipated to result in adverse impacts on public health and safety as long as identified safety protocols are enforced when such activities are ongoing. Impacts from construction on public health would be short term, minor, and adverse because construction would not cause soil, groundwater, and/or surface contamination or exceedances in state water quality standards, and erosion of soil material would be minimized. No long-term impacts are expected.
<b>Mid-Island Parks and Public Beach Improvements (Parcels A, B, and C)</b>	Construction is not anticipated to result in adverse impacts on public health and safety as long as identified safety protocols are enforced when such activities are ongoing. Impacts from construction on public health would be short term, minor, and adverse because construction would not cause soil, groundwater, and/or surface contamination or exceedances in state water quality standards, and erosion of soil material would be minimized. No long-term impacts are expected.
<b>Mid-Island Parks and Public Beach Improvements (Parcels B and C)</b>	Construction is not anticipated to result in adverse impacts on public health and safety as long as identified safety protocols are enforced when such activities are ongoing. Impacts from construction on public health would be short term, minor, and adverse because construction would not cause soil, groundwater, and/or surface contamination or exceedances in state water quality standards, and erosion of soil material would be minimized. No long-term impacts are expected.