

DEEPWATER HORIZON
NATURAL RESOURCE DAMAGE ASSESSMENT AND
RESTORATION TRUSTEE COUNCIL PUBLIC MEETING

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Held on November 30, 2017

Commencing at 6:30 p.m.

At the Renaissance Mobile Riverview Plaza Hotel

64 South Water Street

Mobile, Alabama 36602

Transcribed by:

Lois Robinson, RPR, RMR, RDR, CRR, CRC
Court reporter

1 MR. FRANKLIN:

2 Okay. I think we're at that moment,
3 6:30 p.m. on my watch. And I'd like to ask
4 everyone to go ahead and come on in and make
5 themselves comfortable.

6 So good evening. My name is Perry
7 Franklin, and I will serve as your facilitator
8 for the Deepwater Horizon Natural Resource Damage
9 Assessment Trustee Council's Second Annual
10 Meeting. This meeting also serves as an annual
11 meeting for the region-wide Trustee
12 Implementation Group.

13 I'd like to ask each of you, if you
14 would indulge me, to silence your cell phones, as
15 we have a full house and it will also allow us to
16 move forward with the AV.

17 So we're here tonight for the second
18 public meeting of the Deepwater Horizon Trustee
19 Council since the settlement with BP was
20 finalized.

21 The trustees and their staff will
22 present lots of useful information to you, and
23 then you will have the opportunity to give the
24 trustees your feedback.

25 Tonight's meeting is in two portions.

1 First you will receive several presentations, and
2 then the second half of tonight's meeting will be
3 the public comment portion. So as you listen to
4 tonight's presentation, think about what it is
5 that you would want to comment, as the comment
6 portion is going to be three minutes maximum.

7 We have a court reporter with us here
8 tonight who will record the entire meeting,
9 including your comments. The PowerPoint
10 presentation and the transcript will be posted to
11 the trustees' website.

12 We also have with us two American Sign
13 Language interpreters. They will interpret the
14 entire meeting.

15 The trustees want me to point out, just
16 in case you missed it, that there are many fact
17 sheets at the tables around the room. Please, I
18 invite you to stop by one of those tables
19 following tonight's meeting if you do not have
20 the opportunity to talk with a subject matter
21 expert and to receive that information.

22 We also have a guest with us tonight,
23 Miss Keala Hughes, who is the RESTORE Council's
24 Director of Internal Affairs and Tribal
25 Relations.

1 Miss Hughes.

2 Miss Hughes has a table right behind
3 her to help explain what the RESTORE Council does
4 and the difference between the RESTORE Council
5 and the Trustee Council. There's many questions
6 about that, so we have Miss Hughes here at this
7 first table. And, so, if you'd like to get
8 additional clarification between those two, I
9 invite you to stop by and speak with Miss Hughes
10 following tonight's presentation.

11 As you came in, you were asked to fill
12 in a blue card. That blue card is very
13 important. It not only allows us to track
14 attendance but it allows you the opportunity to
15 check if you want to come up and give public
16 comment. It also allows me to receive those
17 cards and call you forward in the order in which
18 you filled those cards out.

19 So there's a blank on here that says,
20 "Do you wish to make a statement at this
21 meeting?" If you left it blank and you change
22 your mind during the presentation, no problem.
23 Just raise your hand, and someone will come and
24 give you a blue card and they'll bring it up to
25 me to formally introduce you during that portion

1 of tonight's meeting.

2 So at this time, let's go ahead and get
3 started with tonight's meeting. I'd like to
4 introduce you to Mr. Chris Blankenship,
5 Commissioner of the Alabama Department of
6 Conservation and Natural Resources, who will get
7 us underway.

8 Mr. Blankenship?

9 MR. BLANKENSHIP:

10 Thank you, Perry.

11 I just want to take this moment just to
12 thank you all for taking time out of your day to
13 come to the meeting here, the Natural Resource
14 Damage Assessment Trustee Council. I'm glad that
15 we were able to host this meeting in Alabama. I
16 hope that you'll have a little time after the
17 meeting to enjoy some time downtown, visit some
18 of the restaurants and facilities down in our
19 area and in our somewhat revitalized downtown.

20 I also would like at this time to
21 recognize some of our elected officials that have
22 taken time out of their busy schedules to join us
23 as well.

24 I see representative Randy Davis from
25 Baldwin County. Thank you, Representative Davis.

1 Representative David Sessions from
2 south Mobile County. Thank you, Representative
3 Sessions.

4 Mayor Jeff Collier from Dauphin Island.
5 Thank you, Mayor.

6 And Councilman Steve Love from the
7 Perdido Town Council. Councilman, thank you for
8 being here.

9 Have I missed any of our other elected
10 officials?

11 Thank you four for joining us.

12 It was a very good crowd. We have a
13 good crowd here tonight. Thank you for the
14 people that came and spent a little bit of time
15 at the tables during the open house. I had some
16 great conversation with people from our state and
17 from other states, and I think it's going to be a
18 very, very good meeting, and I'd like to just
19 welcome you here to Alabama.

20 At this time, I'll turn it over to Gary
21 Rikard, the Chairman of the National Resource
22 Damage Assessment Trustee Council, to operate the
23 meeting from here. Thank you.

24 MR. RIKARD:

25 Thank you, Chris. I appreciate it and

1 I appreciate the State of Alabama hosting the
2 meeting. I'm not real sure what I was supposed
3 to say, War Eagle or Roll Tide, but I'll say I
4 hope they both make the playoffs. How's that?

5 I -- and I appreciate each one of you
6 taking the time to be with us here tonight and
7 for us to get your input.

8 I'll get started with the meeting. So
9 the first thing I'd like to do, if I can, is to
10 briefly go over the agenda for tonight. So
11 what'll happen is that in just a minute we'll
12 introduce the other Trustee Council meeting --
13 members. Then we'll go over some information
14 about what the Trustee Council has done since our
15 meeting last year.

16 After that, you'll hear an update from
17 each of the Trustee Implementation Groups, and
18 then we will take time to hear from you on the
19 public comment period that Perry mentioned
20 earlier.

21 And then, after that concludes, we'll
22 be around for some time afterwards to hopefully
23 have any questions and some more conversation
24 with you once the public comment period is over.

25 So, with that, let me give you a little

1 background just to get -- just to get up to date.

2 And, before we do that, though, I'll
3 start with the trustee introductions. With that,
4 I'll start with Commissioner Blankenship for
5 Alabama, and then we can just go down the row
6 there. That's fine.

7 MR. FRANKLIN:

8 Can you reverse it and start down --

9 MR. RIKARD:

10 Oh. That's fine. I'm sorry.

11 MR. DOLEY:

12 Hi. My name is Chris Doley. I
13 represent the U.S. Department of Commerce and
14 NOAA. And, as Gary said, I'm looking forward to
15 the TIG presentations and comments from the
16 public. Thank you for being here.

17 MS. BONANNO:

18 Hi. I'm Gail Bonanno. I'm with the
19 U.S. Environmental Protection Agency, and I truly
20 appreciate you all being here this evening, and I
21 look forward to hearing all of your comments.

22 MR. ELLIS:

23 Hello. I'm Michael Ellis. I'm
24 representing Louisiana with the Coastal
25 Protection Restoration Authority, and I have the

1 same sentiments. I look forward to y'all's
2 input. This is a very important meeting to us.
3 So please, you know, provide as many comments as
4 you'd like to. Thank you.

5 MR. LEONARD:

6 I'm Gareth Leonard. I represent the
7 State of Florida. And, as my colleagues say, I'm
8 completely looking forward to all of your
9 comments and having conversations with y'all
10 afterwards, if necessary. Thank you.

11 MR. WILKES:

12 My name is Homer Wilkes. I represent
13 the U.S. Department of Agriculture. Thanks for
14 coming out, and looking forward to your comments.

15 MR. REICHERS:

16 And I'm Robin Reichers, and I represent
17 the Texas trustee agencies on the Trustee
18 Council. And, again, like everyone else, I want
19 to express my gratitude to you-all for taking the
20 time out of your busy schedules to come out and
21 visit with us tonight.

22 MS. BLANCHARD:

23 I'm Mary Josie Blanchard. I'm from the
24 Department of the Interior. I'm director of the
25 Gulf of Mexico Restoration, and I'm here to

1 listen and learn, as we all are.

2 MR. BLANKENSHIP:

3 And, again, I'm Chris Blankenship, the
4 Commissioner of the Department of Conservation
5 and Natural Resources here in Alabama. Look
6 forward to hearing your public comments during
7 the public comment time and after the meeting
8 sometime around the table with any other
9 questions you might have. Thank you.

10 MR. RIKARD:

11 Great. Thank you.

12 So just a quick update on, basically,
13 what is the Trustee Council and what do we do?

14 So the trustees are responsible for
15 restoring the environment and compensating the
16 public for the natural resource injuries that
17 resulted from the Deepwater Horizon oil spill.
18 We use, in order to do that, formulated a Natural
19 Resource Damage Assessment to determine the
20 extent of the injuries to the natural resources
21 and to seek restoration or compensation from the
22 parties responsible.

23 The goal is to restore injured natural
24 resources, such as wetlands, fish, and birds, to
25 the condition that they would have been but for

1 the spill. We're also responsible for addressing
2 lost recreational uses, such as boating and
3 swimming, that were affected by the spill.

4 So this is a short timeline of key
5 events. And what the timeline shows is that
6 beginning in April of 2010, the oil flowed for 87
7 days. I think it's important to note, though,
8 that even during the time that the oil was
9 flowing, that we were busy in assessing the
10 injury, so we didn't wait until the oil actually
11 stopped in order to start doing the work of
12 assessing what the natural resource damages were.

13 Of course, in April of 2010, BP agreed
14 to put up a billion dollars that was available
15 for restoration even before the injury and
16 assessments were complete. And most in the room
17 know that that was referred to as the early
18 restoration monies. So, with that, we were able
19 to get a jump start on restoration.

20 Then from 2011 to '16, we approved the
21 total of five restoration plans and 65 projects,
22 with a combined cost of \$866 billion. And,
23 generally speaking, those projects restored
24 marshes, beaches, shorelines, sea grasses,
25 oysters, fish, wildlife, and then also addressed

1 lost recreational uses.

2 Then, on April 4th, 2016, the five Gulf
3 states with the Federal Government reached a
4 settlement with BP that totaled approximately
5 \$20.8 billion. And of that \$20.8 billion, up to
6 \$8.8 billion was to go to natural resource
7 restoration. That figure includes \$1 billion
8 that was set aside for early restoration and then
9 \$7.1 billion for additional restoration
10 activities, along with \$700 million for adaptive
11 management of unknown conditions.

12 Since the settlement, obviously, we've
13 continued working hard to advance restoration in
14 the Gulf. And you'll hear a little bit more
15 about those efforts a little later in the
16 presentation.

17 So this slide shows that we finalized
18 the programmatic restoration plan in
19 February -- February of 2016. And you'll note
20 that the plan doesn't address specific projects
21 but, rather, it's an overarching plan that sets
22 forth restoration goals to restore the Gulf
23 ecosystem in broad restoration types to help
24 guide the development for the trustees to use in
25 selecting restoration projects.

1 So this next slide, I apologize. I
2 know it's a little hard to see, but it shows how
3 the restoration funds were broken down in the
4 settlement. And I believe that we've got some
5 copies of these at one of the tables back there,
6 so I encourage you to get a copy if you have
7 trouble reading this.

8 So what it does, though, as you can see
9 on the top category, it breaks down the funding
10 into geographical areas, the basic groups of the
11 states, Alabama, Florida, Louisiana, as well as
12 Region-Wide and Open Ocean were the areas, and
13 then it breaks them down into categories for each
14 different type of restoration area, such as
15 oysters, marine mammals, and so forth.

16 So how do we go about accomplishing the
17 restoration effort? And this shows -- slide
18 shows the governance of how -- how it's set forth
19 with the various Trustee Implementation Groups.
20 So what we did was we established those groups,
21 the Trustee Implementation Groups, known as TIGs,
22 and what that allowed us to do was focus on
23 different restoration areas and provide
24 flexibility and accountability for the
25 differences between restoration areas and

1 trustees.

2 What the Trustee Council does is to
3 ensure coordination among the Trustee
4 Implementation Groups. And, specifically, our
5 role is to provide coordination and true
6 transparency, both fiscal and scientific, across
7 all of the implementation groups.

8 So what have we done in the last year?
9 Well, we've released our first annual report, and
10 the content of that is available on our website
11 in the DIVER system. We've also received the
12 first of 15 annual payments from the settlement
13 with BP. And we released standard operating
14 procedures from the council, which is also
15 available on the website.

16 In addition to that, we worked on
17 restoration frameworks to show that
18 consistency -- a consistent approach to track our
19 progress in the restoration areas.

20 We also had cross-TIG work group that
21 has been working hard with the individual TIGs to
22 address our monitoring and adaptive management
23 matters. They have continued to work on the
24 Trustee Council's Monitoring and Adaptive
25 Management procedures and guideline manual. The

1 manual includes project level guidance, such as a
2 template for MAM plans and guidance for
3 monitoring of wetlands, beaches and dunes,
4 barrier islands, water quality, and recreational
5 use restoration approaches.

6 They're also in the process of
7 developing a data management system in DIVER and
8 mechanisms for coordinating with other Gulf
9 restoration programs regarding monitoring and
10 adaptive management matters.

11 So, with that, we'll start with the
12 updates from each of the Trustee Implementation
13 Groups. And what you'll find, I believe, when
14 each of the TIGs makes a presentation, is that
15 common themes of accepting public input early in
16 the process. And I guess, most importantly,
17 you'll hear what projects are taking shape and
18 are ready to be implemented.

19 I guess now I'll turn it over to Chris
20 to give the update for Alabama. Thank you.

21 MR. BLANKENSHIP:

22 Thank you, Gary. I would much rather
23 talk about football, I guess. I'm more
24 knowledgeable about that than some of these other
25 things. But I do appreciate the opportunity to

1 be here to share with you the work that's been
2 done by the Alabama TIG on the Natural Resource
3 Damage Assessment work.

4 So, at this time, I would like to
5 recognize our Alabama TIG members that are here.

6 Amy Hunter with the Department of
7 Conservation and Natural Resources. Amy
8 represents us on the Alabama TIG.

9 Seth Newton is with the Geological
10 Survey of Alabama. Seth is not able to be here
11 tonight, but he's been an integral part of the
12 work that's being done.

13 Dan van Nostrand with NOAA, Dan is in
14 the back there.

15 Dianne Ingram with the Department of
16 Interior. Good to see you, Diane.

17 Chris Parker with the EPA.

18 And Ron Howard with the Department of
19 Agriculture.

20 So those are the agencies that are
21 represented on the Alabama TIG. And that was
22 them.

23 Many of you have probably seen this
24 representation of the settlement funds and how
25 they are allocated for restoration in Alabama.

1 They have a chart in the back. We have a handout
2 that has that on it because I know it's probably
3 a little bit difficult to see from here.

4 The settlement funds that are allocated
5 to the Alabama TIG are for the following
6 restoration types: The largest portion was
7 for -- to provide an enhanced recreational
8 opportunities, about \$111 million. The
9 second-most bucket was to restore and conserve
10 habitat, about \$96 million. There's \$54 million
11 to replenish and protect coastal and marine
12 resources, about \$5 million to restore water
13 quality, and about \$30 million for monitoring and
14 adaptive management.

15 So this chart not only represents the
16 approved or future activities with the settlement
17 funds but also includes the early restoration
18 dollars and projects that were approved for
19 Alabama.

20 This slide represents the current and
21 future work that the Alabama TIG has done in the
22 past year and will continue to do into the
23 future. To begin with, you know, we started this
24 with the early restoration projects that were
25 done, as Gary pointed out in his slide. Those

1 projects in Alabama included some oyster --
2 oyster cultch restoration, Alabama dune
3 restoration, a swift track shoreline project that
4 was done in Baldwin County, and several other
5 projects that are in the implementation phase,
6 such as an Osprey restoration project in coastal
7 Alabama and a Point -- the Point of Pines Living
8 Shoreline Project that is being done.

9 There are some handouts and fact sheets
10 on our table that explain where those are in the
11 process. Some of those have been completed, some
12 of them are in the monitoring phase, and some of
13 them are just now being implemented.

14 When we met last year at this meeting,
15 we discussed restoration plan 1 for Alabama and
16 we asked for input from the public to compensate
17 for the recreational -- loss of recreational use
18 in Alabama. So restoration plan 1 was a plan
19 that was -- strictly dealt with the loss of
20 recreational use.

21 Last year, the Alabama TIG was in the
22 process of reviewing and considering comment
23 during the scoping period. And since the last
24 meeting, we've released a draft plan for public
25 comment. After consideration of the comments,

1 the preferred recreational use projects were
2 selected, and the total estimated cost of those
3 projects was about \$70.7 million.

4 The TIG is now working to implement
5 those projects, and those projects include the
6 Gulf State Park Lodge and associated public
7 access amenities, about \$56 million, the Fort
8 Morgan Pier rehabilitation, about \$3 -- little
9 over \$3 million, the Laguna Cove Little Lagoon
10 Natural Resource Protection Project, about \$4.4
11 million, the Bayfront Park Restoration
12 improvement in south Mobile County -- this is
13 just for engineering and design only -- of a
14 million dollars, and then the Dauphin Island
15 Ecotourism and Environmental Education area,
16 \$4 million, and the Mid-Island Parks and Public
17 Beach Improvements on Dauphin Island, Parcels B
18 and C, about \$1.9 million.

19 So those were the products that were
20 included in restoration plan 1 that has been
21 approved by the trustees. And those projects are
22 all in different stages of implementation now.

23 Since our last meeting, we've also
24 worked on restoration plan 2. Restoration plan 2
25 will focus on all of the other restoration types

1 beside loss of recreational use, and that
2 includes wetland, coastal and near shore
3 habitats, habitat protection on federally managed
4 land, nutrient production for non-point sources,
5 oysters, sea turtles, marine mammals, and birds.

6 So it is a very comprehensive plan that
7 has been worked on extensively over the past
8 year. Once the draft is completed, it will be
9 released for public review and comment, and we
10 look forward to your comments on the plan. I
11 would like for that to be early spring. I'm
12 sorry. I would like for that to be winter. It
13 may be early spring. But we will -- we are
14 moving that along as fast as we can through this
15 process, and we want to make sure that we get
16 plenty of public input when that plan is
17 released.

18 While the future will involve
19 continuing the ongoing work that we have
20 described here tonight, we intend to continue to
21 develop restoration plans that will compensate
22 for the losses that Alabama suffered due to the
23 oil spill.

24 The restoration type listed on the
25 slide represents some of the restoration types

1 which Alabama was allocated funding in the
2 settlement.

3 As we proceed with restoration
4 planning, we will continue to engage with the
5 public, as we have done since the beginning of
6 the settlement. So we encourage you to please
7 continue to submit your project ideas to the
8 project portal on the Trustee Council website or
9 the Alabama website, Alabamarestoration.org,
10 where you can also find updates on restoration
11 activities for the state.

12 And, again, appreciate your
13 participation tonight. Being involved and
14 hearing from you is the way that we can put
15 together the best projects to restore Alabama.

16 So, with that, I'll turn it over to
17 Gareth Leonard from Florida.

18 MR. LEONARD:

19 Appreciate that, Chris.

20 As Chris says, I'm Gareth Leonard. I
21 am the Gulf Restoration coordinator for the
22 Florida Fish and Wildlife Conservation
23 Commission, and I'm the current chair of the
24 Florida TIG.

25 For those of y'all who are familiar

1 with us, we've had a little bit of a turnover at
2 the state level. Mimi Drew with DP has left us,
3 and she's now been replaced with Trina Vielhauer,
4 who, unfortunately, can't be here tonight, and
5 Kelly Samek, who moved on to join NOAA.

6 The feds, we have Ben Frater for DOI
7 right there, Amy Newbold with EPA, Laurie Rounds
8 with NOAA, and Ron Howard with USDA.

9 In the State of Florida, we were
10 allocated approximately \$680 million in the
11 settlement. Approximately \$144 million of that
12 came through early restoration projects that
13 remain, 536 in final. And what you'll notice on
14 this chart and what's unique to Florida is that a
15 good lion's share of that, \$300 million, was
16 allocated to water quality, which is unique to
17 Florida. We made the -- took the innovative
18 approach that to restore our large recreational
19 use injury, we wanted to address water quality
20 with -- working under the thought that by
21 improving water quality, you could help reduce
22 beach closures and fishing closures and also do
23 some preventative work through some land
24 acquisition to help prevent future injury.

25 So we had the unique opportunity to

1 address recreational injury through water quality
2 infrastructure projects, as well as some land
3 acquisition and other techniques.

4 And then we have the traditional, also,
5 through living coast marine resources, as well as
6 some traditional recreational use projects.

7 Since our last meeting, we are --
8 Florida has 33 recreational --

9 No. Sorry.

10 -- 33 early restoration projects that
11 we're in the process of implementing. To date,
12 we've completed four and had to withdraw one due
13 to unforeseen circumstances. So we are currently
14 in the process of implementing 28, and we hope to
15 have majority of them through construction by the
16 end of 2018.

17 For the ones that have been finished,
18 we are in the process of doing monitoring and
19 we'll be uploading those results to DIVER so that
20 the public will be able to see how those projects
21 are progressing along.

22 We did have a little bit of further
23 restoration money left over from our bayside
24 projects, which is a port and coast access
25 project, is to buy land and create coastal parks

1 that will then be run by local government.

2 So we recently released, on November
3 8th, a plan for a park in Gulf County, Florida.
4 The public comment period expires on December
5 8th. We have our meeting, a public meeting, on
6 November 16th. So we welcome everyone to review
7 that plan and provide us any public comments by
8 that deadline through the trustee website, and we
9 hope to have that plan finalized by end of
10 January, beginning of February so we can get the
11 money out the door and get working on that park
12 for the local community.

13 Moving forward, end of last year we put
14 out a call for projects in four other restoration
15 types, nutrient reduction, water quality --
16 sorry -- recreational use, and as well as habitat
17 projects in federally managed lands. We spent
18 the last year going through a screening process,
19 and we now hope to initiate that restoration
20 planning by the end of this year and then have a
21 draft plan out for the public to review by first
22 half of 2018.

23 We anticipate this plan covering the
24 first two to three years of BP funding, and then
25 once that plan is done, we will then follow up

1 with another plan to focus more on the living
2 coast marine resources.

3 And, as said earlier, we're looking
4 to hopefully finish up majority of our approved
5 restoration projects by the end of 2018.

6 So I look forward to hearing your
7 comments. And, with that, I will invite Chris
8 Wells up here.

9 Oh, sorry. It's Louisiana. Sorry.

10 MR. ELLIS:

11 Thank you, Gareth.

12 I'd like to start out by saying that,
13 from Louisiana, we -- we've -- one thing I've
14 observed over the last year and a half or so is
15 we think because of, you know, where we are in
16 the state and things that have happened to us,
17 that we're working on the largest ecosystem
18 restoration project in the world, and part of
19 that is because of historical things that we're
20 dealing with but also because of the oil spill.

21 But what has put this in perspective
22 for me the last two years I've come here is the
23 other efforts that are going on in the Gulf
24 Coast. I want to commend those efforts, first
25 off.

1 And, also, in addition to that, I've
2 looked at some of the names from the federal --
3 federal family and the federal partners, and I
4 see a lot of duplication. So I understand
5 there's a lot of effort. So that's one thing.
6 The comments that I'm hearing tonight that will
7 benefit me is just the effort that the federal
8 families put out for all five of our states. So
9 I just wanted to call that out.

10 A little bit about our representatives.
11 From the State of Louisiana is Johnny Bradberry,
12 who's the governor's executive for Coastal
13 Affairs, as well as from the federal family is
14 John Tirpak with the Department of Interior, Mel
15 Landry from NOAA, Doug Jacobson from USEPA, and
16 Ron Howard from the Department of Agriculture.

17 So I want to appreciate -- I appreciate
18 their efforts and the many long hours that
19 they've put in to support us in Louisiana.

20 Okay. This is our pie or, some people
21 say, our doughnut. It's how we break out our
22 allocations. And Louisiana is set to receive a
23 total of \$5 billion from the Deepwater Horizon
24 oil spill as it relates to natural resource
25 damage funds.

1 And, of that, 4.3 billion is allocated
2 for restoring and conserve habitat, 20 million
3 for restoring water quality, 343 million for
4 replenish and protect living coastal and marine
5 resources, 60 million for enhancement of
6 recreational opportunities, and 258 million for
7 monitoring adaptive management, as well as
8 administrative oversight.

9 Little bit -- I want to touch a little
10 bit on where we've been. We think we were able
11 to accomplish quite a bit in the early
12 restoration phase. But, obviously, there's quite
13 a bit to go. So I'm going to touch a little bit
14 on the early restoration and where we -- what
15 we've accomplished, and also kind of some of the
16 things that we have to look forward to in the
17 future.

18 The -- through early restoration we
19 were able to complete three restoration projects.
20 The first project was the Lake Hermitage Marsh
21 Creation Project, which was around \$13.2 million,
22 which was --

23 What's important to us is we had
24 another ongoing quicker project at the same time,
25 so we were able to gain some efficiency and add

1 some acreage for a much better -- or much lower
2 cost than we would have if that would have been a
3 standalone project.

4 The second of the early restoration
5 projects was an oyster hatchery and cultch
6 placement project for around \$15 million. And,
7 so, those are two very important projects for us
8 to get on the ground. And both of those projects
9 have been completed as well. It's the oyster
10 cultch, and I think it was six areas across
11 coastal Louisiana, as well as a hatchery in Grand
12 Isle.

13 The last of the three early restoration
14 projects was our -- part of our barrier island
15 program, or the Louisiana Outer Coast Project,
16 for around \$318 million, and it included
17 restoration of four barrier islands from,
18 basically, from Terrebonne Parish to the east
19 side of Plaquemines Parish. It was Shell Island,
20 which was -- the construction was completed in
21 2017, and we anticipate the vegetation to begin
22 in the spring of 2018. And, of course, some
23 monitoring is ongoing as well.

24 The County Lake Headland Project, or
25 also known as Whiskey Island, it's currently in

1 construction, and we anticipate completion in
2 2018, the summer of 2018.

3 Breton Island, we're in final E & D
4 plans. We hope to get this project in
5 construction in 2018 as well.

6 And the last of the outer coast
7 projects was the Chenier Ronquille. And
8 construction was completed in 2017, and we
9 anticipate the planting in March of '18.

10 As we move forward, we're looking
11 forward to quite a bit of work, and we've
12 initiated quite a bit of work over the last year.
13 One thing that we were able to accomplish was the
14 completion of our first restoration plan, and
15 that was in January of this year, and approved
16 \$22 million for E & D, or engineering and design,
17 activities for six projects, to restore wetlands,
18 coastal and Nearshore habitats in Barataria,
19 Terrebonne, and the Ponchartrain basins. So
20 those project's are underway, and we're pretty
21 excited about that.

22 Restoration plan number 2, we
23 anticipate to be released for comment, public
24 review and comment, in December of this month, so
25 very shortly. And so this is actually a

1 reallocation of \$22 million for recreational use
2 as part of the early restoration. There was some
3 feasibility concerns with the first project that
4 we were looking at, so we're going to reallocate
5 those funds.

6 The third restoration plan we
7 anticipate in the near term is to -- is to
8 further advance some projects in the Barataria
9 Basin. It's going to be a two-phase restoration
10 approach. So we anticipate that, in the near
11 term, to come out as well.

12 Some additional planning efforts that
13 we've had, back in July we also solicited project
14 ideas on some recreational use and nutrient
15 projects, and we're currently reviewing those
16 projects, and we anticipate a draft plan to hit
17 the street, if you will, in the first half of
18 '18.

19 And, lastly, in August of 2017, we
20 solicited project ideas for restoration types
21 including oysters, birds, SAV's, marine mammals,
22 and sea turtles. So that's something that we're
23 looking forward to getting out as well.

24 So there's a lot of work. We have a
25 lot of work going. And I want to echo everyone

1 else's sentiments. You know, we look forward to
2 y'all's comments because it's very important to
3 us. Thank you.

4 And I'm turning it over to Mississippi,
5 I believe?

6 MR. WELLS:

7 Good evening. My name is Chris Wells.
8 I'm the Director of Office of Restoration at the
9 Mississippi Department of Environmental Quality,
10 and I want to offer or add my thanks to everyone
11 being here tonight. I am going to provide the
12 update to the Mississippi TIG.

13 These are the members of the TIG: Gary
14 Rikard, the Executive Director of DEQ, my boss.
15 He's -- with his duties as the Trustee Council
16 Chair, I'm trying to fill in best I can for him
17 this evening.

18 Brian Spears with the Department of
19 Interior. I don't know if Brian's with us
20 tonight.

21 Dan van Nostrand, I think he was in the
22 back earlier.

23 Homer Wilkes with the Department of Ag.

24 And Troy Pierce with EPA. I don't know
25 if Troy's here tonight.

1 I'm realizing as these presentations
2 go, those of us at the end, it's a little easier
3 because you've -- I don't have to give as much
4 background. You've seen all of these similar
5 slides.

6 This is Mississippi's allocation under
7 the settlement. It's about 297 million, 141
8 million of that for habitat conservation and
9 restoration, 28 million for water quality
10 restoration improvement, about 74 million for
11 replenishing and protecting living coastal marine
12 resources, and 24 million for enhancement of
13 recreational opportunities, and 30 million for
14 adaptive management and administrative oversight.

15 Since we all met last, we have
16 continued implementation of five early
17 restoration projects: In particular, the Hancock
18 County Marsh Living Shoreline, which is a
19 \$50 million living shoreline project in Hancock
20 County; the Infinity Science Center, which is
21 about a \$10.4 million project in Hancock County
22 that's -- they're installing interactive exhibits
23 about educational experiences about resources
24 injured by the spill; Popp's Ferry Causeway Park
25 in Biloxi, \$3.8 million project that will -- that

1 includes a visitors' center, fishing piers, kayak
2 rental, bake shop, boardwalks, and other
3 amenities for recreational use purposes; the
4 Pascagoula Beachfront Promenade is a \$4.2 million
5 project that provides a two-mile beachfront
6 walkway with amenities; and Restoring Living
7 Shorelines and Reefs in Mississippi and
8 Mississippi Estuaries Project, which was a \$30
9 million project that will restore reefs and
10 provide shoreline protection in Grand Bay,
11 Graveline Bay, Back Bay and St. Louis Bay.

12 We also continued monitoring on two
13 projects that have been completed. The oyster
14 cultch project, restoration project, was \$11
15 million that restored over a thousand acres of
16 oyster reef in the western sound.

17 The Mississippi Artificial Reef
18 Restoration Project was a \$2.6 million project
19 that restored reef habitat within 67 nearshore
20 reefs in the Mississippi Sound.

21 In July, we also issued our first
22 restoration plan, which included three projects
23 that we're currently moving into the
24 implementation phase on. First is the Grand Bay
25 Land Acquisition and Habitat Management Plan,

1 which is a -- or project, which is a \$6 million
2 project to add to and manage property in the
3 Grand Bay National Wildlife Refuge and the Grand
4 Bay Near in Jackson County.

5 The second is the Graveline Bay Land
6 Acquisition and Management Project, which is a 11
7 and a half million dollar project that will add
8 up to 1400 acres in the coastal preserve program
9 in the Graveline Bay area in Jackson County.

10 And the Upper Pascagoula Water Quality
11 Enhancement Project is a \$4 million project that
12 will include agricultural conservation practices
13 for nutrient and sediment reduction in a
14 20,000-acre area in the Chunky and Okatibbee
15 watersheds.

16 We also, in -- on November 14th, as
17 part of our annual restoration summit, we
18 conducted the annual meeting of the Mississippi
19 TIG, where we had over 250 in attendance. Among
20 other things, we provided updates on Mississippi
21 TIG activities. We've held breakout sessions on
22 financing restoration, and we engaged the public
23 through roundtable discussions to receive input
24 on restoration planning and future projects. We
25 anticipate that one of our -- we will now be

1 working in the future on our second restoration
2 plan, although -- on any one or all of the
3 various restoration types.

4 And I've lost my train of thought.

5 So the next step, the next phase for
6 the Mississippi TIG in 2018 is to move into the
7 second phase of restoration planning. But we
8 have no details on that now, at this point.

9 So I will, with that, I'll turn it over
10 to Robin Reichers of Texas.

11 MR. REICHERS:

12 Well, again, I'm glad to be here
13 tonight with all of you and looking forward to
14 your comments, and we'll certainly enjoy hearing
15 what you have to say about this overall process.

16 But, as indicated, I'm here speaking on
17 behalf of the Texas trustees tonight, and, so,
18 with that, we certainly want to recognize those
19 individuals, and there are other individuals who
20 work behind these folks.

21 But Don Pitts with Texas Parks and
22 Wildlife. As I said, we have three Texas trustee
23 agencies.

24 Next is from Texas Commission on
25 Environmental Quality, Richard Seiler, who is

1 here with us tonight, as well as Angela Sunley,
2 who's here with us also, from the Texas General
3 Land Office. Hopefully, y'all had a chance to
4 visit with them.

5 And then our federal trustees from the
6 Department of Interior, Chip Wood.

7 From the National Oceanic and
8 Atmospheric Administration, we have Jamie
9 Schubert, who is also here with us tonight.

10 And Ron Howard from the U.S. Department
11 of Agriculture, who's sitting on me at these, as
12 you've seen.

13 And then, lastly, Doug Jacobson with
14 the U.S. Environmental Protection Agency.

15 As indicated, as people have said, this
16 doughnut hole here represents the total amount of
17 money that we've received through early
18 restoration and through the process moving
19 forward. And for Texas, that's roughly
20 equivalent to \$240 million dollars.

21 And as we go through this clockwise,
22 basically, it has set aside about a hundred
23 million to restore and conserve habitat of
24 various types, 23 million for restoring water
25 quality. For replenishing and protecting living

1 coastal and marine resources, 91 million, and
2 then for providing and enhancing recreational
3 opportunities, 19 million.

4 And, I might add, basically, that
5 category was utilized, and all of that money was
6 utilized in early restoration, so it's really not
7 an open category anymore.

8 And, then, \$7 million dollars,
9 basically, for adaptive management.

10 Certainly since the last time we met,
11 we're glad to report that we continued the
12 implementation and the monitoring of our seven
13 early restoration plans. As a reminder, those
14 plans basic- -- or those projects, seven early
15 restoration projects, were basically threefold.
16 They were in the human use category. We had
17 three artificial reef projects and two state park
18 reconstruction projects. And they also included
19 sea turtle restoration that dealt with
20 enforcement, sea turtle protection on beaches,
21 and shoreline activities trying to make sure that
22 we identify nests and nesting as it goes on both
23 in -- off of Texas as well as in some of the key
24 Mexican beaches where sea turtles nest.

25 And then, as we move through time, then

1 we basically published in 2016 a call for
2 projects. And then I'm proud to report that in
3 May of 2017 we published our draft restoration
4 plan and, most importantly, we can say that we
5 are -- basically completed our draft restoration
6 plan in October of 2017. That plan now consists
7 of 13 projects, about \$45 million.

8 And those projects consist of some key
9 engineering and design projects for various
10 restoration types, one of them being oysters, the
11 other being various wetland and habitat
12 restoration projects, and then we have some
13 on-the-ground restoration projects dealing with
14 beach and dune restoration, wetlands restoration,
15 hydrological restoration and shoreline
16 protection, and then we, in addition to that, we
17 have four key acquisition projects along the
18 Texas coast.

19 I might add that, basically, when you
20 put all these projects together in this new
21 realm, they stretch from the Port Arthur border,
22 where we border Louisiana, all the way to
23 Brownsville, where we border New Mexico. So
24 there's a good breadth of projects across all of
25 those areas along the Texas coast.

1 Well, obviously, we're going to
2 continue our implementation and monitoring of
3 these projects as we move forward. And then,
4 lastly, we expect that as we finish some of these
5 engineering and design studies, as we look to see
6 how those are going and we look to our adaptive
7 management of any projects we have ongoing, but
8 we will obviously continue following up with
9 draft restoration plans in the wetlands, the
10 coastal and nearshore habitat areas, the nutrient
11 production areas, sea turtles, birds and oysters.

12 So, again, I want to thank each of you
13 for taking your time to be here tonight with us.

14 And, with that, I would like to
15 introduce to you Laurie Rounds, who's going to
16 talk to you about the Open Ocean TIG.

17 MS. ROUNDS:

18 Thank you, Robin.

19 My name is Laurie Rounds, and I'm going
20 to do the update for the Open Ocean Restoration
21 Area.

22 And, as you heard, we are --

23 So the Open Ocean Restoration Area TIG
24 is represented by the representatives from the
25 federal trustees. This includes Ashley Mills

1 representing the Department of Interior. I
2 represent NOAA. We have Homer Wilkes, who
3 represents the U.S. Department of Agriculture,
4 and Gail Bonanno, who represents the U.S.
5 Environmental Protection Agency.

6 And together, the federal trustees work
7 to restore the wide-ranging and migratory seasons
8 that are included in the Open Ocean Restoration
9 Area, so this includes species such as fish, sea
10 turtles, marine mammals, gulf sturgeon, birds,
11 and deep sea corals. And, so, we are going to be
12 conducting restoration across their life stages
13 and geographic ranges for these species.

14 So that, because many of these species
15 are highly migratory, that might include
16 restoration work outside of the Gulf of Mexico
17 region. So we'll also be working very closely
18 with our state trustees, especially where
19 restoration will overlap their state
20 jurisdictions.

21 So our allocation for open ocean
22 restoration reflects this focus on the living and
23 coastal marine resources. So we have 868 million
24 allocated to replenish and protect living coastal
25 and marine resources, and this is divided across

1 our open ocean restoration types. So it includes
2 380 million to restore fish and water column
3 invertebrates, 55 million to restore sea turtles,
4 55 million to restore marine mammals, 15 million
5 to restore gulf sturgeon, 70 million to restore
6 birds, and 273 million to restore Mesophotic and
7 Deep Benthic communities.

8 This part of the allocation also
9 includes a \$20 million project that was accrued
10 during early restoration called the Oceanic Fish
11 Restoration Project.

12 The other part of our allocation
13 includes 22 million, which was allocated to
14 provide and enhance recreational opportunities.
15 And for this portion of the allocation, it was
16 applied to four projects that were approved
17 during early restoration to enhance recreational
18 opportunities on federal public lands.

19 And in the last part of our allocation
20 is 350 million, and this is allocated for
21 monitoring, adaptive management, and
22 administrative oversight. And so this can be
23 broken down into 200 million, which is allocated
24 to conduct monitoring and adaptive management as
25 we're conducting restoration in the Open Ocean

1 Restoration Area and also 150 million that's
2 allocated for the federal trustees to conduct
3 administrative oversight and comprehensive
4 planning across all of the Trustee Implementation
5 Groups.

6 So next I'd like to talk a little bit
7 and highlight some of our current and future
8 activities for the Open Ocean TIG.

9 So the Open Ocean TIG is currently
10 implementing five early restoration projects, and
11 this includes activities such as implementing a
12 pilot program in which Project Wildlife fishers
13 are voluntarily participating in the program to
14 help us reduce bycatch through the Oceanic Fish
15 Restoration Project.

16 Also includes building two passenger
17 ferries and beginning beach enhancement work at
18 the Gulf Islands National Seashore in Florida,
19 beginning engineering and design work to improve
20 bike and pedestrian access at the Gulf Islands
21 National Seashore in Mississippi, and trail
22 improvements at the Bon Secour National Wildlife
23 Refuge in Alabama. And, so this part of what
24 we'll be doing moving forward is continuing to
25 implement these projects over the coming years.

1 We're also currently reviewing
2 restoration projects that were submitted in
3 response to our call for project ideas for the
4 first Open Ocean Restoration plan. In this
5 notice, the TIG identified what our initial
6 restoration priorities would be for all of our
7 open ocean restoration types, and requested that
8 the public provide us with their input on
9 restoration opportunities.

10 We have started our project screening
11 process and began reviewing the more than 1600
12 project ideas that have been submitted into the
13 portal since it was established. But 400 of
14 these project ideas were submitted in response to
15 our request for project ideas. So we were very
16 happy with the great response that we got from
17 the public to submit restoration project ideas.

18 So our project screening process is
19 going to help us identify those restoration
20 projects that will best meet the goals for the
21 Open Ocean Restoration area, and those are
22 detailed in the trustee's programmatic
23 restoration plan. It will also help us identify
24 those projects that best meet the evaluation
25 criteria for the Oil Pollution Act and those

1 projects that should be included in what we would
2 call our reasonable range of alternatives and
3 developed into our draft Open Ocean Restoration
4 Plan for public comment.

5 And, so, as we're continuing
6 restoration planning for all of our restoration
7 types, we're gonna continue to conduct some
8 additional public outreach and engagement
9 opportunities to continue to request input on
10 restoration project ideas, and we're also gonna
11 begin the process to identify priorities for
12 addressing some of the critical information gaps,
13 science and monitoring needs to help us inform
14 restoration planning, implementation and
15 evaluation moving forward for the Open Ocean
16 Restoration Area.

17 I think that that's probably enough to
18 cover for now. I guess what I'll say next is
19 just thank you very much for your time here
20 tonight and appreciate your attention and look
21 forward to hearing more from each of you as we
22 move forward.

23 So now I'll introduce Tim Landers,
24 who's going to talk about the Region-Wide
25 Restoration Area.

1 MR. LANDERS:

2 Thank you, Laurie.

3 My name is Tim Landers, and I am the
4 USEPA's representative on the Region-Wide TIG.

5 So Mississippi Department of
6 Environmental Quality, represented by Chris
7 Wells, is our primary point of contact for the
8 Region-Wide TIG, and I am the alternate -- or
9 EPA, rather, is the alternate on the Region-Wide
10 TIG.

11 So on behalf of Chris and all the other
12 members and representatives on the Region-Wide
13 TIG, I appreciate the opportunity to be here with
14 you tonight to update you on the TIG's
15 activities.

16 The Region-Wide TIG consists of
17 representatives from all state and federal
18 trustees. All of the Region-Wide TIG
19 representatives you see listed here are here this
20 evening. It's a hard-working, dedicated group of
21 folks. They've all been introduced over the
22 course of the evening, and I hope you had a
23 chance to visit with one of them either at the
24 Region-Wide TIG booth or one of the other
25 restoration area booths earlier this evening.

1 The Region-Wide TIG is responsible for
2 planning and implementing restoration activities
3 for resources that range throughout the Gulf. So
4 this includes birds, oysters, marine mammals, and
5 sea turtles. Approximately 80 percent, or 245
6 million, of the Region-Wide TIG's allocation will
7 go towards these activities.

8 The other portion, 105 million, of the
9 Region-Wide TIG's allocation provides funding for
10 Gulf-wide needs, including administrative
11 oversight and planning and monitoring and
12 adaptive management related activities.
13 Specifically, this portion of the allocation
14 provides administrative support and services to
15 the Trustee Council and TIGs, maintenance of the
16 Trustee Council website, restoration project
17 portal, and support for conducting the Trustee
18 Council public meetings such as these, just to
19 name a few.

20 The Region-Wide TIG also supports the
21 Trustee Council and TIGs by providing funding for
22 the Cross-TIG MAM workgroup. This funding
23 supports activities to develop and maintain MAM
24 procedures and guidelines and facilitate
25 coordination across TIGs.

1 In terms of the Region-Wide TIG's
2 activities for the current year, we continue to
3 help oversee implementation and monitoring of
4 three early restoration projects. The first is
5 the enhanced management of avian breeding
6 habitat, projects located across three Gulf
7 states -- Florida, Alabama, and Mississippi --
8 and includes placing markers at sensitive bird
9 nesting sites. The project is in its fifth and
10 final year of implementation.

11 The second early restoration project is
12 called Restoring the Night Sky. The project
13 retrofits existing lighting to make it more sea
14 turtle friendly at locations in both Florida and
15 Alabama.

16 And the third project is the Sea Turtle
17 Early Restoration Project. This multifaceted
18 project includes components that cross the five
19 Gulf states and address threats to sea turtles on
20 nesting beaches as well as in their marine
21 environment. The sea turtle project is a 10-year
22 project that is in its second year of
23 implementation.

24 Also, earlier this summer, in June, the
25 Region-Wide TIG released four strategic

1 frameworks. These documents were developed to
2 assist the restoration plan for birds, oysters,
3 marine mammals, and sea turtles. Developed by
4 the Region-Wide TIG, including trustee scientists
5 and resource experts, each framework includes
6 four modules.

7 The first module is a brief summary of
8 the information and the programmatic restoration
9 plan relating to each of these four resources.

10 The second module includes biological
11 and ecological information on each of the
12 resources, including geographic distribution,
13 life history, and key threats to those resources.

14 The third module is an overview of
15 recent and ongoing conservation restoration and
16 monitoring activities related to these resources.

17 And the fourth, but not least,
18 certainly, is the consideration -- is the fourth
19 module -- sorry -- includes considerations the
20 TIGs may use for the prioritization, sequencing,
21 and selection of restoration projects for these
22 resources.

23 The framework promotes coordination
24 among the TIGs as we look across the Gulf region
25 and work to maximize restoration benefits. They

1 also promote communication with restoration
2 partners and the public by helping you understand
3 the type of information that we are considering
4 as we develop restoration plans that include each
5 of these four resources.

6 Also, this year, the Region-Wide TIG
7 provided funding for continued administrative
8 support for the Trustee Council and TIGs, as well
9 as for activities related to operation of the
10 cross-TIG monitoring and adaptive management work
11 group.

12 In terms of the Region-Wide TIG's
13 future activities, we continue to watch ongoing
14 restoration efforts related to birds, oysters,
15 marine mammals and sea turtles to determine if
16 there are any restoration gaps or information
17 gaps relevant to restoration that the Region-Wide
18 TIG could help address. The TIG will
19 periodically discuss when to start restoration
20 planning in relation to these other restoration
21 efforts.

22 That concludes my remarks, and I
23 believe I hand it back to Perry.

24 MR. FRANKLIN:

25 Thank you, Mr. Landers, and all of our

1 TIG presenters. That was a lot of information.
2 And most of that information can be found in
3 handouts in hard copy at the stations around the
4 room.

5 I saw many of you snapping photos of
6 these slides. I'd like to remind you that this
7 entire PowerPoint presentation will be uploaded
8 to the Trustees' website, which is
9 gulfspillrestoration.noaa.gov. And, so, this
10 will be at your total disposal.

11 Before we begin the public comment
12 portion of tonight's meeting, I'd just like to
13 remind you to please refrain from personal
14 conversations or take them into the rear lobby so
15 that we can really focus on our commentators and to
16 keep your phones on silent. Thank you in
17 advance.

18 I'd also like to remind each of you
19 that in order to make a comment at this time, you
20 need to let us know in advance of coming forward.

21 Is there anyone who would like to get
22 their names on the list at this time who did not
23 say "yes" when you initially signed in but now
24 you would like to make a comment? If you'll just
25 hold your hand up, we'll get a blue card to you.

1 Any individuals who would like to come
2 forward who did not say "yes" initially?

3 Okay. At any time until we conclude
4 and adjourn this meeting, if you'll just raise
5 your hand, we know what that means.

6 Because we have a number of speakers,
7 we're going to limit the speakers to three
8 minutes. Some people have driven many miles to
9 be here tonight from five different states, and
10 we would like to give everyone ample opportunity
11 to make their public comment.

12 When you begin speaking tonight,
13 there's a little monitor in front of the
14 listening table. It will be illuminated with a
15 green circle for the first two and a half
16 minutes. Then it will transition to a yellow
17 circle at two minutes and thirty seconds, and at
18 three minutes it will turn red.

19 I thank you in advance if you'll just
20 sort of keep an eye on that for us and that at
21 the end of the three minutes you'll go ahead and
22 let the next person come forward.

23 So at this time, let's go ahead and
24 begin this process of receiving public comment.
25 And the listening table will be listening to your

1 comments, and the court reporter will also be
2 transcribing everything that is said.

3 I will say the person's name and
4 organization, if there is an organization, and I
5 would just ask you to please say your name and an
6 organization, if you are representing an
7 organization, before beginning your comments.

8 At this time I'd like to begin with Ms.
9 Cathleen Berthelot with the Environmental Defense
10 Fund.

11 MS. BERTHELOT:

12 I am Cathleen Berthelot representing
13 the Environmental Defense Fund. We appreciate
14 the opportunity to be here and definitely
15 appreciate the ongoing work of all the TIGs to
16 move Gulf-wide restoration forward.

17 We have three main points we'd like to
18 make quickly: Number 1, the importance of
19 transparency in the decision-making process for
20 project selection. Since there aren't
21 significant resources to implement all of the
22 very good projects, we feel it's essential that
23 the selection process and criteria is
24 transparent. And this includes developing a
25 long-term funding strategy.

1 Secondly, to effectively engage the
2 public, we strongly recommend you include the
3 comment periods to the master calendar on the
4 Trustees' website.

5 And, lastly, the importance of
6 comprehensive and authoritative Gulf restoration
7 across the various funding streams.

8 Thank you.

9 MR. FRANKLIN:

10 Thank you, Ms. Berthelot.

11 Next individual, Mr. Ryan Bradley,
12 Mississippi Commercial Fisheries United.

13 MR. BRADLEY:

14 Thank you. My name is Ryan Bradley.
15 I'm the director of the Mississippi Commercial
16 Fisheries United. It's a nonprofit business
17 alliance of commercial fishermen in fishing
18 businesses, originally formed in 1974 as a Gulf
19 Coast fishermen's organization.

20 Our members are involved in a number of
21 fisheries that are impacted by the projects
22 funded on this historic BP settlement. We hope
23 that each and every project has a meaningful,
24 beneficial impact, with a clear nexus to natural
25 resources.

1 We do have some serious concerns over
2 some of the projects that have been funded,
3 implemented and completed thus far. For example,
4 in the early narrative project in Mississippi
5 regarding oyster reef restoration, involved
6 nearly \$11 million in cultch planting. The
7 majority of the material used was limestone.

8 Preliminary monitoring of the cultch
9 sites indicated that the project was generally
10 unsuccessful and that most of the oysters died.

11 We're very concerned about the use of
12 limestone, and there's a lot of unknown things
13 that we don't know regarding pH changes and how
14 the oyster shells are formed from these limestone
15 excretions.

16 Therefore, we strongly advocate for any
17 future cultch projects to discontinue the use of
18 limestone. And the oyster shell is, you know,
19 obviously, the industry preferred alternative.

20 And to get the shell, we definitely
21 want to see more funding for oyster shell
22 recycling programs. We think Alabama has a good
23 one, and Louisiana has some as well. We'd like
24 to see more funds go toward that. We have to get
25 the shells out of the dumps.

1 Another concern we have is the lack of
2 funding for restoration in shrimp fisheries. The
3 Gulf of Mexico shrimp fishery is the largest of
4 all commercial fisheries in the Gulf.

5 Now, many of the projects that have
6 been implemented thus far may very well be
7 negatively impacting the shrimp fishery. For
8 example, a major island construction project in
9 Mississippi was placed in an area that was some
10 of the most prime shrimping habitat we had.

11 Another 50-million-dollar shoreline
12 protection project placed tons of limestone rocks
13 right on top of one of the most productive
14 estuaries in the Mississippi Sound. Production
15 has greatly diminished in this area.

16 To avoid these type of unintended
17 consequences in the future, we strongly encourage
18 project planners to engage the local fishing
19 industry on the front end of project development.

20 Lastly, I'd like to encourage the use
21 of restoration funds to tackle the ever growing
22 Gulf dead zone problem, which was reported as the
23 largest on record this year. It's likely been
24 exacerbated by the oil spill. We've got some
25 great ideas we'd love to share on how we can

1 accomplish solving some of these.

2 But thank you for your time, and I
3 appreciate all your hard work.

4 MR. FRANKLIN:

5 Thank you, Mr. Bradley.

6 Next individual is Mr. Howard Page,
7 STEPS Coalition.

8 MR. PAGE:

9 Hi. Thank you. I'd just like to ask
10 that -- I think there's a lot of great projects
11 going on, a lot of really good comprehensive
12 work, and that we have a lot of reason for
13 optimism and looking forward into the future on a
14 lot of these projects.

15 But one sort of decision-makers I don't
16 see, at least, personally involved in this is
17 Congress, representatives of the congressional
18 offices, and representatives of the oil industry.
19 And my concern is as we see the information that
20 we have coming out, one of the things we've seen
21 from the Open Ocean group is that there was very
22 high mortality in the pelagic fish and the tuna
23 and the -- you know, other fish like that. It
24 either came from the oil or from the dispersant,
25 more likely from a combination of the two. And

1 although we should certainly celebrate the good
2 news and distribute the good news and there's a
3 lot to genuinely put out there, those
4 decision-makers particularly should hear some of
5 the unfortunate news so that it can help them in
6 their future decisions.

7 I mean, I personally believe that if we
8 required redundant blow-off preventers, that oil
9 rig would not have blown on for 87 days. And I
10 also have concerns about the use of the
11 dispersant, especially when the industry is
12 basically the prime driver of these decisions.

13 And, so, I would just ask that we make
14 extra effort that members of Congress should
15 certainly see the good projects, they should
16 certainly be optimistic and celebrate the good
17 projects, but that should not be all they see,
18 and I think it's on us to elevate some of the bad
19 news that's coming out of all of this, and the
20 purpose would be to influence their future
21 decisions on how we regulate the oil industry.

22 Thank you.

23 MR. FRANKLIN:

24 Thank you, Mr. Page.

25 The next individual is Mr. Robert

1 Bendick with The Nature Conservancy.

2 MR. BENDICK:

3 I'm Bob Bendick from The Nature
4 Conservancy. Thanks for the opportunity to talk
5 this evening.

6 Two quick points. One, the RESTORE
7 Council adopted a watershed approach up to
8 coordinating and structuring Gulf restoration
9 with their funds. We think that that approach
10 applies to all funds and could be a useful tool
11 for natural resource damages as well as for
12 RESTORE funds.

13 Secondly, we received a contract from
14 NOAA to create a GulfCorps, conservation corps
15 across the Gulf, as an early RESTORE project.
16 That is soon to be up and running. The structure
17 and the framework is in place, and we think it
18 would be useful for natural resource damage
19 projects to look for opportunities to put young
20 people to work in restoring the Gulf.

21 Thanks.

22 MR. FRANKLIN:

23 Thank you, Mr. Bendick.

24 The next individual is Jessie Ritter,
25 National Wildlife Federation. Ms. Jessie Ritter.

1 MS. RITTER:

2 Thank you. I'm Jessie Ritter, senior
3 policy specialist with the National Wildlife
4 Federation's Gulf of Mexico Restoration Program.
5 On behalf of NWF, I wanted to thank you all for
6 all of these great updates tonight. It's
7 wonderful having everybody in one place like this
8 and to thank you for all the work that's been
9 going on throughout the year.

10 Since the oil spill, NWF has been
11 working across all five Gulf states to advance
12 restoration of Gulf wildlife and critical
13 ecosystems. Our April 2017 report, "Making the
14 Most of Restoration," detailed 50 specific
15 strategies that we feel would go a long way in
16 improving the Gulf of Mexico and its estuaries.

17 As we look toward continued progress in
18 the year ahead, just a few quick comments I
19 wanted to make this evening. First, we continue
20 to encourage the TIGs to develop and share their
21 longer-term plans for noted dollars. One way
22 this may be achieved is through the development
23 of strategic frameworks -- and we know some are
24 already developed or underway -- and these could
25 provide additional context for prioritization,

1 sequencing, and selection of projects within a
2 given restoration area.

3 The sharing of longer-term strategies
4 will also enhance coordination across TIGs and
5 funding streams, enabling those involved to
6 identify leveraging opportunities, reduce any
7 potential redundancies, and better anticipate
8 cumulative benefits of restoration.

9 Second, we support and appreciate very
10 much the use of public notices to alert the
11 public to key milestones in each TIG's
12 restoration planning process and to solicit
13 project ideas at the initiation of restoration
14 planning.

15 However, although all the notices are
16 helpfully kept at the Deepwater Horizon
17 Restoration website, we continue to find the
18 notices are inconsistently emailed out from the
19 central portal to those subscribed. We find that
20 sometimes the emails seem to come right away when
21 a notice is posted, sometimes it will be a few
22 days later or a week later, or sometimes not at
23 all. We ask that the Trustee Council work to
24 resolve this issue and to ensure that
25 stakeholders tracking restoration planning can

1 reliably and promptly receive notifications of
2 progress from this one central portal.

3 Finally, we look to the completion of
4 the Monitoring Adaptive Management Manual, which
5 we hope will include standardized performance
6 metrics tailored to restoration objectives which
7 can be utilized for measuring the effectiveness
8 of restoration.

9 We also hope the manual includes
10 standardized data collection and data management
11 protocols which can be employed to evaluate and
12 aggregate data across projects and across TIGs.

13 Thank you again so much for all of your
14 good work and for the opportunity to comment.

15 MR. FRANKLIN:

16 Thank you, Miss Ritter.

17 The next individual to come forward is
18 Mr. Walter Ernest, Pelican Coast Conservancy.

19 MR. ERNEST:

20 My name is Walter Ernest, and I'm the
21 Director of Operations for the Pelican Coast
22 Conservancy Planning Trust in Mobile. I want to
23 commend you, the Alabama TIG, for the Little
24 Lagoon Cove Land Conservation Project. I think
25 that will not only provide long-term public

1 access but will also provide long-term natural
2 resource protection for along the shoreline.
3 That's a unique piece of property that's needed
4 to be protected for a long time.

5 If you talk to any of the Little Lagoon
6 Preservation folks or any of the other
7 environmental groups in South Alabama, I think
8 they would agree with me on that.

9 One of the things I would like to see
10 not only in Alabama but across the Gulf and from
11 the Region-Wide TIG is see if you can look at
12 using conservation easements as a tool to add a
13 double layer of protection to lands that are
14 acquired. This could --

15 What it would do is long after we're
16 gone, for instance, it may prevent a large
17 development occurring where these dollars, noted
18 dollars were used to acquire property for natural
19 resource protection.

20 That's really all I have to say.
21 Thanks a lot for all the hard work you guys have
22 put into this over the years, and we look forward
23 to seeing these projects come to fruition. Thank
24 you.

25 MR. FRANKLIN:

1 Thank you, Mr. Ernest.

2 The next individual to come forward is
3 Miss Kara Lankford, National Audubon Society.

4 MS. LANKFORD:

5 Hi. Good evening. My name is Kara
6 Lankford. I'm with the National Audubon Society.
7 As always, thanks so much for the opportunity to
8 provide public comment.

9 We're looking forward to seeing the
10 Monitoring and Adaptive Management procedures and
11 guidelines manual from the cross-TIG MAM
12 workgroup. As restoration ramps up, these
13 guidelines will be critical to ensure that
14 monitoring standards are consistent across TIGs.

15 As stated in the standard operating
16 procedures, the MAM manual will also outline
17 guidelines for evaluating restoration progress
18 and performing adaptive management for
19 restoration types and areas to meet the
20 programmatic goals within the PDAR.

21 Measuring success and evaluating
22 restoration progress will be critical as we move
23 forward in order to know how or if we must adapt
24 and change our techniques in order to
25 successfully achieve restoration goals.

1 Additionally, the Region-Wide TIG
2 presents an incredible opportunity for trustees
3 to look comprehensively across the Gulf ecosystem
4 and to determine restoration initiatives with
5 broad ecosystem benefits.

6 We compliment the Region-Wide TIG for
7 developing the four strategic frameworks whose
8 development involves trustee scientists and
9 resource experts. The bird framework is our
10 favorite.

11 These frameworks will serve as a great
12 resource for restoration planning of those
13 specific resources, and we hope they will also be
14 utilized by other TIGs and also by other
15 restoration bodies.

16 We encourage the Region-Wide TIG
17 members to go one step further and develop a
18 restoration plan as the other TIGs have done.
19 This will provide an opportunity for the TIG to
20 show its work and provide details of how
21 restoration projects are chosen at this
22 Region-Wide level.

23 Coordination among TIGs and other
24 restoration efforts is likely the biggest
25 challenge, and it's also likely the most

1 important factor to achieving restoration goals.

2 This is the largest ecosystem
3 restoration initiative to be undertaken. There
4 are three major restoration bodies with multiple
5 states and multiple agencies involved which could
6 create miscommunication, no communication,
7 duplication of effort, duplication of pitfalls,
8 just to name a few.

9 So coordinating with other TIGs,
10 coordinating with the RESTORE Council and
11 coordinating with NWF in a formal way is
12 necessary for restorations to be successful.

13 And I'll just end by thanking each of
14 you and your staff for your hard work and
15 dedication to the Gulf of Mexico restoration
16 process. Thanks.

17 MR. FRANKLIN:

18 Thank you, Miss Lankford.

19 Next individual to come forward, Alexis
20 Baldera, Ocean Conservancy.

21 MS. BALDERA:

22 Hello. Good evening. My name is
23 Alexis Baldera, and I'm director of Ocean
24 Conservancy Gulf Restoration Program.

25 So, first, thanks for the opportunity

1 to comment tonight. I have three short comments
2 for you.

3 So, first, the updates on the TIG
4 progress and the funding allocations are helpful,
5 and as restoration progresses over the next 15
6 years and projects are implemented and monitored,
7 we look forward to learning more about how
8 they're impacting the Gulf ecosystem.

9 So we hope in the future you will share
10 your progress for achieving your restoration
11 goals, how well the resources are recovering, and
12 what impact the restoration effort is having on
13 the Gulf ecosystem overall.

14 Second, in order to effectively monitor
15 and report on programmatic restoration progress,
16 which we think is tremendously important, we
17 would like to learn more about how you're
18 planning to use adaptive management. Based on
19 examples from other restoration programs,
20 building a framework that includes the scientific
21 feedback group into the planning process can
22 reduce uncertainty and risks, keep costs down,
23 and enhance stakeholder engagement. So, in other
24 words, it can increase the likelihood of success
25 of projects over the long term.

1 Building on that point, at the last
2 Trustee Council meeting we were encouraged by the
3 progress made on the standard operating
4 procedures. Since then, we've also been tracking
5 the progress on the Monitoring and Adaptive
6 Management manual, which we hear is nearly
7 finished and we hope will be released soon. The
8 longer the manual is delayed, the more
9 restoration projects will be approved by the TIGs
10 without the benefit of that foundational
11 document.

12 And, lastly, now that restoration is
13 fully underway, it's more important than ever
14 that the individual TIGs continue to coordinate
15 and plan for shared goals across restoration
16 efforts. This is especially true for those
17 species that move across TIG boundaries, such as
18 sea turtles, mammals and birds. The strategic
19 frameworks are one tool for this type of
20 coordination, and we look forward to learning
21 more about how these documents are being used in
22 individual TIG planning processes.

23 Ideally, we think the planning process
24 for species like this will take into account not
25 only where the species occur within a state but

1 where they're receiving the most population
2 threats or stressors.

3 At Ocean Conservancy, we recently
4 completed an analysis of cumulative stressors for
5 Kemp's Ridley and Loggerhead sea turtles, which
6 we think can give great start in that planning
7 process.

8 So, again, thanks for your opportunity
9 to comment and your work on this tremendous
10 effort. Thank you.

11 MR. FRANKLIN:

12 Thank you, Miss Baldera.

13 Before I call the last card forward,
14 the last presenter, are there any others who
15 would like to add their name to the list to make
16 a public comment?

17 If someone would bring me that card.

18 Next up, Glen Coffee, Sierra Club,
19 Alabama chapter.

20 MR. COFFEE:

21 My name is Glen Coffee, and I'm here
22 tonight representing the Alabama chapter of the
23 Sierra Club. And Chris knows what I'm gonna be
24 talking about. He's heard it a lot before.

25 But I'm here to pitch to the Council a

1 specific project in Alabama, and that is the
2 restoration of the west end of Dauphin Island.
3 It is a highly eroded area, and it is in severe
4 jeopardy at this point, even --

5 Particularly if you've been to the
6 island lately after Hurricane Nate, you can see
7 how vulnerable the island is.

8 And the project that I'm -- that I've
9 just mentioned is referred to as Project 92 on
10 the State of Alabama's Gulf Coast Recovery
11 Council portal, and it deals with the project.

12 The estimate for the job is \$58
13 million, and that's a lot of money. But this is
14 Alabama's only barrier island. And if you've
15 ever looked at the map of the Mobile Bay area,
16 this island is critical and has been for 6,000
17 years to shaping the estuary in Mobile Bay, as
18 well as Mississippi Sound, a significant portion
19 of it. And without the island being strong and
20 able to withstand itself to continue into the
21 future, we're looking at a situation where the
22 estuarian resources at the north side of the
23 island have a strong chance of changing.

24 Particularly, a number of these projects I've
25 heard about tonight are being constructed along

1 the northern shoreline of Mississippi Sound and
2 Alabama and living shorelines and including, in
3 Mississippi, the land acquisition programs of
4 Grand Bay National Wildlife Refuge and Alabama's
5 recent purchase of 5200 acres in that area.

6 These areas are already subject to some
7 degree of erosion. And if Dauphin Island
8 continues to weaken, the wisdom of building some
9 of these projects first without addressing a
10 major barrier I think is questionable. And I
11 think the council needs to look at it from that
12 standpoint.

13 The other thing is there's a number of
14 commercial fishing communities all along the
15 Alabama mainland, and this island, Dauphin
16 Island, serves as the first line of defense.

17 Mississippi recognized the importance
18 of the barrier islands in their program where
19 they spent half a billion dollars of federal
20 funds to restore it, which is a great thing. But
21 we've got to do something to address this major
22 problem.

23 And Dauphin Island was greatly impacted
24 by the oil spill in Alabama while it sheltered
25 10,000 acres of marsh lands on the north side of

1 the island along the mainland. And this
2 demonstrates how important it was.

3 Also, we would not have any oysters in
4 Mississippi Sound if it wasn't for Dauphin
5 Island. That fact was demonstrated after the
6 Katrina hurricane that breached the island, and
7 for about five years we had high salinity waters
8 in the south and no oysters.

9 And I don't believe, Chris, they've
10 totally recovered, even after that breach was
11 closed.

12 MR. FRANKLIN:

13 If you could conclude, Mr. Coffee, I'd
14 appreciate it.

15 MR. COFFEE:

16 Okay. I hope you'll consider and push
17 for that. I could talk a lot more. Chris knows
18 that.

19 Michael, I'd love to go fishing again
20 one day.

21 MR. FRANKLIN:

22 Next individual to come forward to give
23 public comment is Miss Jackie Antalan, Operation
24 Home Care.

25 MS. ANTALAN:

1 Good evening, everyone. Good evening,
2 everyone. A lot of new faces here.

3 Again, everybody, there continues to be
4 a lack of transparency, outreach, community
5 engagement. It's real nice to hear you say you
6 want our input, but do you really want the
7 community and the citizens' input before you make
8 a decision, not after you made the decision?

9 All of the -- many of the comments from
10 the citizens and the community continues to state
11 you are excluding us. You are making decisions
12 based on just scientific basis, and how it
13 actually relates to what real life experience is
14 and what the real community experience is not
15 being taken into consideration.

16 The TIGs, since the TIGs have been
17 established, there has been a decrease in
18 outreach. There has been a decrease in
19 transparency and accountability. It appears that
20 the TIGs' job is to help the states and the
21 agencies come up with their projects, and once
22 you-all come up with your projects, then you want
23 us to comment on it. But, then again, we don't
24 have any details about the project, so we cannot
25 actually effectively comment.

1 There continues to be a need to build
2 local capacity and resiliency. How much turnover
3 have we had on this council?

4 We were here the day of the oil spill.
5 We will be here after the planning, phase 2,
6 phase 3. We'll have different people coming in,
7 and everybody wants to start over and over and
8 over again and regurgitate the same thing.

9 We know these things. And you-all know
10 we're here, and you have continued to ignore the
11 community, ignore the input and the contributions
12 that the community and citizens can contribute,
13 and discount the benefits of what our community
14 needs and what will continue to happen.

15 We don't need the quick fix. We've had
16 the quick fix. Again, accountability and
17 transparency. We don't believe that there has
18 been any benefit because we don't know. You
19 haven't told us. You've ex- -- there has been
20 millions of dollars expended, but the community,
21 we have no idea of what direct benefits there has
22 been.

23 So it's very important, one, that you
24 look at true meaningful community engagement;
25 two, true transparency; and, three, true

1 accountability.

2 Thank you.

3 MR. FRANKLIN:

4 Thank you, Miss Antalan.

5 Are there any others at this point that
6 would like to come forward to make public
7 comment?

8 MR. BERTE:

9 I was not gonna say anything, but since
10 you asked for the third time, I'm Mark Berte with
11 the Alabama Coastal Foundation. We're the group
12 that is doing the Alabama oyster shell recycling
13 program here, and I just wanted to reflect one
14 comment, and it's one that I think that y'all
15 already knew but continue to do.

16 We learned what to do about our program
17 from New Orleans' program, and I found out that
18 when we started our program, it was funded
19 through the National Fish and Wildlife
20 Foundation. The New Orleans program learned it
21 from the one in Corpus Christi, Texas.

22 So if y'all can keep on looking across
23 the state borders for ideas and comments,
24 including different ways to engage the community
25 in places that are hard to get to the public

1 areas, I think that's really important to do.

2 So I just wanted to offer that up. And
3 I do appreciate y'all taking the time to solicit
4 public comments and to encourage all the groups
5 out there to do their due diligence.

6 MR. FRANKLIN:

7 Thank you very much.

8 I do appreciate everyone's
9 participation tonight. There was a lot of
10 information. At this time I'd like to turn it
11 over to Mr. Rikard to formally close tonight's
12 meeting.

13 MR. RIKARD:

14 Thank you, Perry. So at this time
15 we'll formally close the public comment section.

16 The trustees will be around, as well as
17 representatives of the trustees, at the tables in
18 the back, if you have any questions or any other
19 comments. Thank you for taking the time to come
20 out tonight and listen to us to give the updates
21 and to give us your comments and help us to
22 direct how we move in the future.

23 Thank you very much.

24 (Public hearing adjourned.)

25

C E R T I F I C A T E

STATE OF ALABAMA)

COUNTY OF MOBILE)

I do hereby certify that the above and foregoing transcript of proceedings in the matter aforementioned was taken down by me in machine shorthand, and the questions and answers thereto were reduced to writing under my personal supervision, and that the foregoing represents a true and correct transcript of the proceedings given by said witness upon said hearing.

I further certify that I am neither of counsel nor of kin to the parties to the action, nor am I in anywise interested in the result of said cause.

Signed this 13th day of December, 2017.

LOIS ANNE ROBINSON, RDR
COURT REPORTER, NOTARY PUBLIC
STATE OF ALABAMA AT LARGE
ACCR# 352; EXPIRES 9/30/17

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