

# Final Evaluation Findings

## Alabama Coastal Management Program

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## Summary of Findings

The Coastal Zone Management Act requires the National Oceanic and Atmospheric Administration (NOAA) to conduct periodic evaluations of the performance of states and territories with federally approved coastal management programs. This evaluation examined the operation and management of the Alabama Coastal Area Management Program, administered by the Alabama Department of Conservation and Natural Resources and the Alabama Department of Environmental Management, for the period from September 2016 to August July 2023. The Alabama Department of Conservation and Natural Resources is the designated lead agency and is responsible for planning, fiscal management, public education, and research management; the Alabama Department of Environmental Management is responsible for permitting, regulatory, and enforcement functions. The evaluation focused on three target areas: program administration; coastal resilience addressing coastal development and habitat conservation and protection; and permitting and federal consistency.

The findings in this evaluation document will be considered by NOAA in making future financial award decisions concerning the Alabama Coastal Area Management Program. The evaluation came to these conclusions:

**Accomplishment:** The Alabama Department of Conservation and Natural Resources, States Lands Division, Coastal Section has new leadership and new key hires that are bringing new perspectives and strategically important skills for advancing the management of Alabama's coastal zone.

**Accomplishment:** The Alabama Coastal Area Management Program plays an important role in the constellation of coastal management practitioners in coastal Alabama: it is a consistent entity that acts as a catalyst for new ventures, integrates science and management in a strategic way, supports ongoing work, and participates in state, local, and regional groups. This expands the reach of the state coastal program and ensures that local needs and priorities are included in larger efforts that span the entire region.

**Accomplishment:** The Alabama Coastal Area Management Program administers a successful grant program to local communities that is foundational to initiating local planning efforts and updating existing plans, in addition to providing opportunities to leverage additional resources.

**Accomplishment:** The Alabama Coastal Area Management Program development of the Alabama Coastal Comprehensive Plan supports state and local efforts to take actions that increase resilience to coastal hazards and development.

**Accomplishment:** The Alabama Coastal Area Management Program advances coastal resilience and addresses coastal hazards and development pressures by participating in planning efforts, delivering advisory services, and providing technical assistance to regional planning bodies, research groups, and various other constituencies.

**Accomplishment:** The Alabama Coastal Area Management Program, through its involvement in the Forever Wild program, provides leadership for land acquisition in the state's coastal area in a strategic and deliberate way that enhances ecosystem resilience and provides habitat, recreation, and aesthetic benefits to the people of Alabama.

**Accomplishment:** The Alabama Department of Environmental Management coordinates an effective program of delegation of state permitting authority to local jurisdictions. Benefits to this approach for permitting include increased capacity for permit review, enhanced oversight of permitted projects by local government staff, and compliance enforcement actions initiated at the local level.

**Accomplishment:** The Alabama Department of Environmental Management has strong relationships with regional offices of the U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service, which benefit delegated communities through access to federal permitting agencies and expediting reviews and issuance of federal permits.

**Accomplishment:** The Alabama Coastal Area Management Program's work on habitat mapping, training on living shore suitability, and collaboration with the U.S. Army Corps of Engineers Mobile District on a regional general permit promotes resilience to coastal hazards.

**Recommendation:** The NOAA Office for Coastal Management encourages the Alabama Coastal Area Management Program to consider including additional elements such as stormwater management and human dimensions in future updates to the Alabama Coastal Comprehensive Plan to expand the impact of this planning tool.

**Recommendation:** The NOAA Office for Coastal Management encourages the Alabama Coastal Area Management Program to consider re-engaging in the South Alabama Flood Engagement Team (SAFE-T) (or some new iteration of this group) to rebuild this community of coastal resource management practitioners to assist local communities with improving their resilience to coastal hazards.

This evaluation concludes that the Alabama Coastal Area Management Program is successfully implementing and enforcing its federally approved coastal management program, adhering to the terms of the federal financial assistance awards, and addressing coastal management needs identified in section 303(2)(A) through (K) of the Coastal Zone Management Act.

## Program Review Procedures

The National Oceanic and Atmospheric Administration (NOAA) evaluated the Alabama Coastal Area Management Program in fiscal year 2023. The evaluation team consisted of Michael Migliori, evaluation team lead; Kristin Ransom, regional coastal management specialist, both from the Office for Coastal Management; and Chris Stout, Coastal Zone Consistency section manager from the South Carolina Office of Ocean and Coastal Resource Management. The support of Alabama Coastal Area Management Program staff members was crucial in conducting the evaluation, and their support is most gratefully acknowledged.

NOAA sent a notification of the scheduled evaluation to the director of the Alabama Department of Environmental Management and the Alabama Department of Conservation and Natural Resources' commissioner of conservation, published a notice of public meeting and request for comments in the *Federal Register* (88 FR 42917) on July 5, 2023, and notified members of Alabama's congressional delegation. The coastal program posted a notice of the public meeting and opportunity to comment in the *Langiappe Weekly* on July 11, 2023.

The evaluation process included a review of relevant documents and a survey of stakeholders, which helped identify three target areas for the evaluation: program administration, coastal resilience addressing coastal development and habitat conservation and protection, and permitting and federal consistency. A site visit was conducted, and the evaluation team held meetings with staff members and group discussions with stakeholders and program staff members about the target areas. In addition, a public meeting was held on Tuesday, July 18, 2023, at 6:00 p.m. Eastern time at the Five Rivers-Alabama Delta Resource Center, 30945 Five Rivers Boulevard, Spanish Fort, Alabama, to provide an opportunity for members of the public to express their opinions about the implementation of the program. Stakeholders and members of the public were also given the opportunity to provide written comments. No written comments were received. NOAA then developed draft evaluation findings, which were provided to the coastal program for review, and the coastal program's comments were considered in drafting the final evaluation findings.

Final evaluation findings for all coastal management programs highlight the program's accomplishments in the target areas and include two types of findings that may require action by the program:

**Necessary Actions** address programmatic requirements of implementing regulations of the Coastal Zone Management Act and of the state coastal management program approved by NOAA. These must be carried out by the date specified. Failure to address necessary actions may result in a future finding of non-adherence and the invoking of interim sanctions, as specified in the Coastal Zone Management Act §312(c).

**Recommendations** are actions that the Office for Coastal Management believes would improve the program but which are not mandatory. The state is expected to have considered the recommendations by the time of the next evaluation or dates specified.

# Evaluation Findings

## Program Administration

### *Program Identity and Strategic Partnership Building*

The Alabama Coastal Area Management Program is part of a complex network of agencies, organizations, and practitioners that are working towards advancing coastal management in the state. In general, coastal program leadership and staff have key advisory committee or workgroup roles and responsibilities in regional partnerships, including the Gulf of Mexico Alliance, Mobile Bay National Estuary Program, and Program for Local Adaptation to Climate Effects: Sea-Level Rise (formerly the Northern Gulf of Mexico Sentinel Site Cooperative). Even with myriad partnerships and projects, some with overlapping membership and interests, the Alabama Coastal Area Management Program has been able to develop a distinct role and identity, one that partners identified as key to their successes.

One key identity for the Alabama Coastal Area Management Program is as a funder. The program has provided seed money for new projects and has stepped in to provide additional funding to continue projects when the original funding has lapsed. For example, the Alabama Coastal Area Management Program provided funding for habitat classification data for the Mobile Bay National Estuary Program that was originally funded through the National Fish and Wildlife Foundation Gulf Environmental Benefit Fund, ensuring continued acquisition of this data, which is used for habitat change analysis. The Alabama Coastal Area Management Program also provides funding to low-capacity communities in coastal Alabama, through its partnership with the South Alabama Regional Planning Commission, to complete regular updates to local comprehensive plans. These comprehensive plans are often the first step in gaining funding for capital improvements or restoration efforts.

Additionally, the Alabama Coastal Area Management Program is seen as a good partner to work with because of the additional resources and expertise that can be leveraged through its regular state budget and the annual Coastal Zone Management Act operations funding. The regular and consistent nature of these funding sources help to provide certainty and continuity to projects that otherwise might not be able to sustain themselves. Also, the program provides funding directly to local governments to support planning. This important program is further discussed in the “Coastal Resilience” section of this findings document.

A second identity for the Alabama Coastal Area Management Program within the constellation of organizations and practitioners is as a promoter and proponent of local governments. In its work involving state-wide or regional efforts, the Alabama Coastal Area Management Program has

worked to include local government priorities. An example of this is the coastal program's participation in the NOAA National Centers for Coastal Ocean Science Ecological Effects of Sea Level Rise Program, which advances the understanding of the use of natural and nature-based solutions for storm surge and flooding mitigation for northern Gulf of Mexico communities, including coastal communities in Alabama. Through its participation on the leadership team for this research effort, the Alabama Coastal Area Management Program specifically works to ensure that the research being conducted would meet the needs of the communities in coastal Alabama. And the program is also connecting local governments to resources to help them meet their needs (beyond the CZMA Section 306A funding that the program provides). The Alabama Coastal Area Management Program also provides structure and context for projects funded through the Deepwater Horizon Natural Resources Damage Assessment, ensuring that community priorities are considered in project development. This has resulted in strategic land acquisition and water quality improvements, including the conservation of over 10,000 acres of coastal habitat.

A third program identity is as the co-developer of the Alabama Coastal Comprehensive Plan and a resource for addressing coastal hazards and promoting resilience activities in the state's coastal area. The Alabama Coastal Area Management Program partnered with the U.S. Army Corps of Engineers Mobile District to develop a stakeholder-driven planning document, the Alabama Coastal Comprehensive Plan, that supports future efforts to address coastal hazards in the state. Initiated during the previous evaluation period, the comprehensive plan was completed during the current evaluation period and has been utilized to great effect. Applications of the Alabama Coastal Comprehensive Plan are discussed in further detail in the "Coastal Resilience" section of this evaluation findings document.

The Alabama Coastal Area Management Program also provides important support for education, outreach, and interpretation activities in the state's coastal area. The program coordinates with local municipalities to host the Alabama Coastal Clean-up. Over the years, localities and participants have taken ownership of the event, promoting community involvement and stewardship of the state's coastal resources. The Alabama Coastal Area Management Program partners with the Alabama Gulf Coast Convention and Visitors Bureau to share the same messaging on Alabama's natural resources, thus amplifying the reach of the messaging. And as noted in several sections of the evaluation findings document, the program's relationship with the Weeks Bay National Estuarine Research Reserve connects the Alabama Coastal Area Management Program with audiences for training on a variety of coastal resources management topics.

### ***Staffing***

The coastal program within the Alabama Department of Conservation and Natural Resources has new leadership after a period of strong, stable long-term leadership. Stakeholders and partners acknowledged the contributions of the previous leadership while also recognizing the new direction and perspective brought by a new program manager and new program staff.

The program has been strategic in staff hires and assignments and in leveraging partnerships to build capacity. For example, the Alabama Coastal Area Management Program shares a position with the Weeks Bay National Estuarine Research Reserve. Not only is this position shared within the Alabama Department of Conservation and Natural Resources to maximize collaboration and coordination across two programs within the department, but responsibilities and assignment to projects are reviewed regularly so that staff efforts can be applied to changing priorities.

Program leadership has also put a focus on developing an interdisciplinary staff that can be integrated into broader State Lands Division initiatives and this enhances the ability to strategically address the program priorities. The Alabama Coastal Area Management Program has been able to leverage existing staff within the State Lands Division to further state land acquisition priorities, particularly those activities that are funded through the Bipartisan Infrastructure Law of 2021. Non-competitive Bipartisan Infrastructure Law funding has been used to support staff that will work with projects funded for both the coastal program and the Weeks Bay National Estuarine Research Reserve.

As was documented in the previous evaluation findings, the turnover in permitting staff within the Department of Environmental Management was identified as an issue. The fact that the Department of Environmental Management has maintained staffing levels (no net loss of positions) is an achievement worth noting and an improvement from the previous evaluation period. The perennial turnover in permitting staff can affect timeliness of permit reviews, but there is no indication that the quality of reviews is affected. The structural issues, namely higher paying opportunities outside of state employment, are not discussed as part of these findings, but the ways in which the Department of Environmental Management leverages partnerships for additional capacity for permitting responsibilities are further discussed in the “Permitting and Federal Consistency” section.

### ***Coastal Nonpoint Pollution Control Program***

Section 6217 of the Coastal Zone Act Reauthorization Amendments requires coastal states participating in the National Coastal Zone Management Program to develop coastal nonpoint programs to control polluted runoff to coastal waters. NOAA jointly administers the Coastal Nonpoint Program with the U.S. Environmental Protection Agency. NOAA and the U.S. Environmental Protection Agency approved Alabama’s coastal nonpoint program, subject to certain conditions, in 1998. Since then, the state has been working with NOAA and the U.S. Environmental Protection Agency to address those conditions. Alabama’s previous coastal program evaluation (2017) had a necessary action requiring that:



“The Alabama Coastal Area Management Program must work with the NOAA Office for Coastal Management to develop and submit a work plan with interim benchmarks and a timeline for meeting the outstanding conditions of its conditionally approved coastal nonpoint source pollution program by November 30, 2017. The documentation indicating how Alabama has met the outstanding conditions must be submitted no later than May 31, 2022.”

Alabama Coastal Area Management Program staff submitted a work plan on November 29, 2017, and information to address the remaining conditions on its coastal nonpoint program in April and May 2022.<sup>1</sup> NOAA and the U.S. Environmental Protection Agency are currently completing their review of Alabama’s coastal nonpoint program and preparing a proposed decision on whether the state has satisfied all conditions of approval placed on its coastal nonpoint program in 1998. The agencies plan to announce the proposed decision in the *Federal Register* for public comment before making a final decision.

### ***Findings for Program Administration***

**Accomplishment:** The Alabama Department of Conservation and Natural Resources, States Lands Division, Coastal Section has new leadership and new key hires that are bringing new perspectives and strategically important skills for advancing the management of Alabama’s coastal zone.

**Accomplishment:** The Alabama Coastal Area Management Program plays an important role in the constellation of coastal management practitioners in coastal Alabama: it is a consistent entity that acts as a catalyst for new ventures, integrates science and management in a strategic way, supports ongoing work, and participates in state, local, and regional groups. This expands the reach of the state coastal program and ensures that local needs and priorities are included in larger efforts that span the entire region.

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<sup>1</sup> New Development and Site Development Management Measures submitted on April 29, 2022. Onsite Sewage Disposal System Management Measures submitted on May 2, 2022. Wetlands and Riparian Areas Management Measures submitted on May 27, 2022.

## **Coastal Resilience Addressing Coastal Development and Habitat Conservation and Protection**

Addressing coastal hazards to increase community and ecosystem resilience was a major focus of the Alabama Coastal Area Management Program during the evaluation period. Through the Community Resilience Initiative, the program developed a comprehensive plan for the state's coastal area and convened local coastal management practitioners to advance knowledge, capacity, and coordination. This section reviews a sampling of the activities the program has conducted both at the state level and in support of coastal counties and municipalities.

### ***Support to Local Governments***

One way in which the Alabama Coastal Area Management Program advances coastal resilience in the state is by providing direct financial assistance to municipalities for planning and other activities. This grant program builds in flexibility in that there are various allowable uses for the funding to recipients in order to address the most pressing needs of the coastal communities. Many of the communities require additional capacity to conduct comprehensive planning. The Alabama Coastal Area Management Program has worked with partners such as the South Alabama Planning Commission to provide planning technical assistance to develop and regularly update local comprehensive plans. The Alabama Coastal Area Management Program is a trusted and reliable resource for funding of local comprehensive plans.

The evaluation team met with municipal staff from the City of Foley, the second fastest growing city in the state of Alabama.<sup>2</sup> The work supported in Foley by coastal program funding will serve as a case study here, detailing the Alabama Coastal Area Management Program approach and the impacts of the program, highlighting the ongoing nature of support, funding projects for facility and access, and leveraging other resources to enhance impacts to coastal management issues. The coastal program builds ongoing relationships with the recipients of the grant funding. Foley initially received funding in 2008 to hire a contractor for updating its master plan, which has led to ongoing work by a planning committee, supported in part by additional funding from the coastal program during this evaluation period. The master plan set the stage for municipal facilities for recreation, education, forestry management, and ADA access, funded in part by the coastal program. The planning grants allow the Alabama Coastal Area Management Program to address regional coastal management issues through the action of the grant recipients. For example, the Foley plan is a launching pad to seek funding opportunities for capital projects to address stormwater and wastewater that would benefit water quality and support actions under the Mobile Bay National Estuary Program. The ongoing partnership with Foley also includes the annual coastal clean-up. Future work includes developing plans for the Northwest Quadrant of Foley.

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<sup>2</sup> U.S. Census Bureau, from April 1, 2010, to July 1, 2019, for cities in Alabama with a population of at least 10,000 on April 1, 2010. <https://www.census.gov/library/visualizations/interactive/fastest-growing-city.html>

Partners who received funding through this program noted that the Alabama Coastal Area Management Program is integral to the successful implementation of the grants to local communities program. The coastal program staff were credited with running an accessible program, with staff available to support partners with grant administration, providing the space for partners to focus on the projects. Some recipients noted that their capacity to administer grants is limited and that timing of awards, grant extensions, and reporting can be a challenge when they don't align with community planning timelines. The evaluation team recognizes these challenges and encourages the coastal program to maintain its high level of service to grant recipients and look for ways to enhance support to partners with lower capacity for grants administration.

### ***Planning and Coordination***

In addition to the support to local jurisdictions for planning described above, the Alabama Coastal Area Management Program has demonstrated a robust and effective effort in comprehensive planning for the entire coastal area of the state. The coastal program support for this effort included state funding and facilitating broad stakeholder engagement and input. The comprehensive plan provides a tool for coastal managers in the state to access information on coastal flooding and storm surge and economic data on potential losses to inform the development of coastal resilience projects. In this way, the Alabama Coastal Area Management Program is increasing the understanding of coastal risks and how to mitigate those risks.

While the focus of the Alabama Coastal Comprehensive Plan is on risks and impacts from storm surge and coastal flooding, a more comprehensive look at coastal hazards would broaden the application of this tool. Considering the increasing rate of development and the demographic changes in Alabama's coastal counties, understanding stormwater flooding and human dimensions (e.g., social, cultural, and economic factors) complement the existing architecture of the comprehensive plan while also being responsive to changing conditions of the coastal area in Alabama.

A major effort to address coastal community resilience under the program's CZMA Section 309 Assessment and Strategy (2016-2020) during the evaluation period was the formation of the South Alabama Flood Engagement Team (SAFE-T). SAFE-T was a workgroup of local floodplain managers, building officials, and representatives of local, county, and state governments. Participants in this workgroup communicated to the evaluation team the value of in-person meetings for continuing education and training and shared best management practices on flood related issues.

One initiative of SAFE-T was to explore the interest of municipalities in joining the Federal Emergency Management Agency Community Rating System. The Alabama Coastal Area Management Program reported that upon analyzing the distribution of flood insurance policies in these communities, those local governments with a large number of policyholders were already enrolled in the program while the majority of smaller municipalities did not have enough flood insurance policies in the area to warrant the cost of implementing the Community Rating System. The momentum of this group stalled during the COVID-19 public health emergency, likely due to the lack of in-person interaction and exchange. The NOAA Office for Coastal Management sees value in reconvening SAFE-T or some other similar workgroup to advance the important resilience work in the state's coastal area.

Alabama received significant impacts from Hurricane Sally in 2020. This slow-moving hurricane caused extensive inland damage with a high volume of debris, including a significant abandoned and derelict vessel issue. Through its comprehensive planning efforts, the Alabama Coastal Area Management Program is well-positioned to address this by partnering with the Gulf of Mexico Alliance to enhance the Alabama Law Enforcement Agency's efforts to remove previously identified abandoned and derelict vessels under a project funded through the Bipartisan Infrastructure Law as part of NOAA's Climate-Ready Coasts initiative. This is an example of how the program's planning efforts and partnerships prepare the program to take advantage of new opportunities.

As a networked program, the Alabama Department of Environmental Management is also responsible for implementing the Alabama Coastal Area Management Program. The Alabama Department of Environmental Management often serves as the face of the permitting process to the regulated community in coastal Alabama. The department has worked with its local, state, and federal colleagues to reduce barriers to permitting through streamlining and public outreach. The approach to permitting in coastal Alabama is a model where the close partnerships between all entities involved in the permitting process ensure that permitting issues are addressed quickly. As a result, the majority of permits in coastal Alabama are issued in less than 30 days. The Alabama Department of Environmental Management has also provided direct technical assistance to the community through efforts like its "Coastal Permitting 101" workshops.

The Alabama Department of Environmental Management also operates the Coastal Waters Monitoring Program, providing information on the status of water quality and various other indicators throughout the coastal waters of Alabama in order to understand the changing conditions. The planning activities conducted, the strategies implemented, and best management practices implemented by the Alabama Coastal Area Management Program and its partners seek to improve water quality by addressing stressors, including wastewater and stormwater runoff.

During the evaluation period, the Alabama Department of Environmental Management monitoring program was able to demonstrate water quality improvement in several coastal basins, and four coastal bodies of water were removed from the Clean Water Act Section 303(d) impairment list.

### ***Habitat Conservation***

The Alabama Coastal Area Management Program has provided funding to the Geological Survey of Alabama to support acquisition of shoreline mapping imagery, providing important data on the changing status of natural shorelines as well as shoreline hardening in the state's coastal zone. This informed the development of living shoreline suitability assessment. And through the Coastal Training Program at the Weeks Bay National Estuarine Research Reserve, the Alabama Department of Conservation and Natural Resources has offered workshops on living shoreline suitability and permitting. Additional discussion on living shorelines permitting is included in the "Permitting and Federal Consistency" section of this document.

Through participation in the management applications team of the NOAA Ecological Effects of Sea Level Rise in the Northern Gulf of Mexico research program, the Alabama Coastal Area Management Program is able to connect coastal habitat research to the management needs of the state's coastal area. The coastal management program is able to ground-truth project models with on-the-ground data and local knowledge, improving accuracy of these models.

### ***Land Acquisition***

Land acquisition is an important strategy for the coastal program's approach to build coastal resilience and address management issues, in particular the issues of development and habitat change. Leadership and staff at the Alabama Coastal Area Management Program are involved in the various stages of land acquisition, from advising on which parcels to prioritize for acquisition and working with communities and landowners to identify potential acquisitions, to providing and tracking match and supporting property management after acquisitions are complete.

Land acquisition activities can be controversial and are at times difficult to navigate because of competing interests of the need for development and economic opportunity with the importance of habitat protection and resilience to coastal hazards. There can also be negative perceptions of state ownership and purchase of parcels. The Forever Wild Land Trust ("Forever Wild"), the State of Alabama's land acquisition program administered by the State Lands Division helps the Alabama Coastal Area Management Program navigate some of these challenges by managing the state's land acquisition program without the use of state general funds. The coastal program also navigates competing interests and possible negative public perceptions by providing public education on the value of land acquisitions for habitat protection and coastal resilience, recreation, and aesthetic value.

Forever Wild relies on the Alabama Coastal Area Management Program to help identify and execute land acquisitions in the state's coastal counties. The state has been strategic in how it has approached land acquisitions in the coastal counties, aligning the state's NOAA Coastal and Estuarine Land Conservation Program plan with the state's Forever Wild plan. Forever Wild provides matching fund requirements, and the coastal program has developed and implemented a match tracking programing that helps identify banked sources of match that can be used for future projects. The coastal management program also works to ensure that long-term land management strategies are included in its approach to land acquisitions.

The program has been successful in fee simple land acquisition through a variety of fundings sources, including the Gulf of Mexico Energy Securities Act funds, National Estuarine Research Reserve System Procurement and Acquisitions Competition, Deepwater Horizon Natural Resource Damage Assessment funds, and U.S. Fish and Wildlife Service National Coastal Wetlands Conservation Grant Program. Upcoming efforts in land acquisition include two projects funded under the Bipartisan Infrastructure Law of 2021 awarded to the Alabama Department of Conservation and Natural Resources. One project will protect coastal uplands and tidal marsh, protecting inland areas from storm surge and coastal flooding. The other land acquisition project will benefit the Weeks Bay National Estuarine Research Reserve, providing storm surge protection and facilitating marsh migration.

***Findings for Coastal Resilience Addressing Coastal Development and Habitat Conservation and Protection***

**Accomplishment:** The Alabama Coastal Area Management Program administers a successful grant program to local communities that is foundational to initiating local planning efforts and updating existing plans, in addition to providing opportunities to leverage additional resources.

**Accomplishment:** The Alabama Coastal Area Management Program development of the Alabama Coastal Comprehensive Plan supports state and local efforts to take actions that increase resilience to coastal hazards and development.

**Accomplishment:** The Alabama Coastal Area Management Program, through its involvement in the Forever Wild program, provides leadership for land acquisition in the state's coastal area in a strategic and deliberate way that enhances ecosystem resilience and provides habitat, recreation, and aesthetic benefits to the people of Alabama.

**Accomplishment:** The Alabama Coastal Area Management Program advances coastal resilience and addresses coastal hazards and development pressures by participating in planning efforts, delivering advisory services, and providing technical assistance to regional planning bodies, research groups, and various other constituencies.

**Recommendation:** The NOAA Office for Coastal Management encourages the Alabama Coastal Area Management Program to consider including additional elements such as stormwater management and human dimensions in future updates to the Alabama Coastal Comprehensive Plan to expand the impact of this planning tool.

**Recommendation:** The NOAA Office for Coastal Management encourages the Alabama Coastal Area Management Program to consider re-engaging in the South Alabama Flood Engagement Team (SAFE-T) (or some new iteration of this group) to rebuild this community of coastal resource management practitioners to assist local communities with improving their resilience to coastal hazards.

## **Permitting and Federal Consistency**

### ***Permitting***

The Alabama Coastal Area Management Program administers a strong and effective permitting program that includes the delegation of permitting authority to some local jurisdictions in the Alabama coastal zone. The program relies on a network of local municipalities to conduct permit reviews, issue permits, and monitor permitted projects. Through strong program management within the Alabama Department of Environmental Management, the Alabama Coastal Area Management Program has created a dispersed network of local permitters that implement state coastal regulations in a consistent way.

The previous evaluation findings of the Alabama Coastal Area Management Program (May 2017) discussed many of the challenges of permitting coordination between the state and local municipalities and how the delegation of authority approach (initiated during the previous evaluation period) provides benefits to permit applicants in receiving consistent guidance and reduced uncertainty. During this evaluation period, additional benefits were noted as it related to increase in the capacity for monitoring of permitted projects and more expedient enforcement actions by the locally delegated entities. These outcomes are valuable to the state in that local permitting entities are better able to monitor projects because the projects are located within their municipalities. The ability for the state coastal program to inspect and enforce is supported by the access that the local jurisdictions have.

The delegation program has been an opportunity for some coastal communities to expand their local government programs to provide additional services for coastal resource management and related public services. The local government structure of the City of Orange Beach includes a Department of Coastal Resources that “is committed to preserving and restoring the local beaches to maintain our quality of life and sustain the local tourism-based economy.” Its responsibilities include administering the enforceable state coastal policies, and this has provided the springboard to build additional governmental capacity for coastal resources management such as environmental education, marine debris management, and recreational opportunities and public access.

The Alabama Department of Environmental Management ensures competency in and consistency of the application of enforceable policies by locally delegated authorities through five-year program reviews and regular contact with the programs in intervening times. Additionally, the Alabama Department of Environmental Management partners with the Weeks Bay National Estuarine Research Reserve Coastal Training Program to offer professional development training opportunities for county and municipal staff and others on the state enforceable program.

It is noted that the leadership within the permitting program has demonstrated a longevity that provides for consistency and steady leadership for the program. However, this has created a structure that includes a reliance on institutional knowledge and relationships. The Alabama Department of Environmental Management has created a strong network of local jurisdictions that are in part dependent on this knowledge and these relationships. Building capacity for future



leadership within the agency and retention of institutional knowledge are ways in which to enhance the likelihood of a continued high level of performance in this program.

### ***Federal Consistency***

The Alabama Coastal Area Management Program has implemented a federal consistency review process based on partnerships between local, state, and federal agencies that ensures that permitting issues are addressed quickly while still meeting all requirements. The Alabama Department of Environmental Management manages a “coastal inbox,” where questions can be submitted and answered. The agency coordinates across state and federal agencies to get the answers to these queries.

The Alabama Department of Environmental Management also coordinates joint pre-application meetings with permit applicants, local jurisdictions, the U.S. Fish and Wildlife Service, and the U.S. Army Corps of Engineers Mobile District so that the process is clear and potential issues are addressed at the outset of the process. Also, local jurisdictions with delegated authority have direct access to work with the U.S. Army Corps of Engineers, which can expedite the process, and since the delegated jurisdictions have the competency and experience to implement state enforceable policies, this approach does not sacrifice thoroughness or rigor.

A major achievement of the Alabama Coastal Area Management Program has been the establishment of a regional general permit for living shorelines in the Alabama coastal area from the U.S. Army Corps of Engineers Mobile District. This work has resulted in living shorelines being easier to permit in Alabama than in neighboring states. It builds upon work supported by the Alabama Department of Conservation and Natural Resources, including mapping coastal habitats and hosting workshops on living shoreline suitability for property owners. This connects back to the Alabama Coastal Area Management Program’s priority of coastal hazard resilience and demonstrates how the two agencies administering the coastal management program work together to advance important management issues in the state’s coastal zone.

### ***Findings for Permitting and Federal Consistency***

**Accomplishment:** The Alabama Department of Environmental Management coordinates an effective program of delegation of state permitting authority to local jurisdictions. Benefits to this approach for permitting include increased capacity for permit review, enhanced oversight of permitted projects by local government staff, and compliance enforcement actions initiated at the local level.

**Accomplishment:** The Alabama Department of Environmental Management has strong relationships with regional offices of the U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service, which benefit delegated communities through access to federal permitting agencies and expediting reviews and issuance of federal permits.

**Accomplishment:** The Alabama Coastal Area Management Program’s work on habitat mapping, training on living shore suitability, and collaboration with the U.S. Army Corps of Engineers Mobile District on a regional general permit promotes resilience to coastal hazards.

## Evaluation Metrics

Beginning in 2012, state coastal management programs began tracking their success in addressing three evaluation metrics specific to their programs. The evaluation metrics include a five-year target and provide a quantitative reference for each program about how well it is meeting the goals and objectives it has identified as important to the program. In 2018, coastal programs began a new five-year period and set targets specific to their programs for the coastal hazards performance measure and two additional performance measures from the Coastal Zone Management Performance Measurement System. The evaluation period covers a portion of both five-year evaluation metric cycles. A new set of evaluation metrics will be developed for the next five-year period.

### EVALUATION METRICS 2012-2017

#### Metric 1

**Goal:** The Alabama Coastal Area Management Program partners, with state and federal agencies, will advance coastal resource management and engage local governments and citizens to reduce ecosystem impacts. This will be directed through the Mobile Bay National Estuary Program's renewed Comprehensive Conservation and Management Plan.

**Objective:** By 2017, Alabama Coastal Area Management Program will have completed 25 activities that implement Mobile Bay National Estuary Program Comprehensive Conservation and Management Plan strategies.

**Strategy:** The Alabama Coastal Area Management Program, established in 1979, works to improve interagency coordination to support local capacity to conserve coastal resources through active participation in ecosystem best management practices. The coastal program is a required and guiding member of several local coastal restoration programs, including the Mobile Bay National Estuary Program. The estuary program released a draft of its Comprehensive Conservation and Management Plan Assessment in February 2013 for public comment and with the coastal program and other partners is continuing to develop strategies for the final estuary program plan, which is expected to be finalized in 2014. The plan is focused on six areas: public access, beaches and shorelines, fish, heritage and culture, environmental health/resiliency, and water quality. The coastal program will support the implementation of the strategies in the Comprehensive Conservation and Management Plan. The coastal program will count the number of activities it completes to implement strategies. Activities are defined as (1) a new signed memorandums of understanding or memorandums of agreement with other organizations to facilitate implementation of a strategy and (2) providing technical assistance or financial assistance for a completed project that implements a strategy. The coastal program may count multiple activities as completed under one strategy, will begin to undertake activities in 2012 that it anticipates will further the implementation of strategies in the future estuary program plan, and will count these activities if they implement a strategy in the final plan.

**Performance Measure:** Activities completed that implement Mobile Bay National Estuary Program Comprehensive Conservation and Management Plan strategies.

**Target:** Between 2012 and 2017, 25 activities are completed that implement Mobile Bay National Estuary Program Comprehensive Conservation and Management Plan strategies.

**First Year Results:** 1 activity completed

**Second Year Results:** 12 activities completed

**Third Year Results:** 6 activities completed

**Fourth Year Results:** 8 activities completed

**Fifth Year Results:** 3 activities completed

**Cumulative Results:** 30 activities completed

**Discussion:** The coastal program, along with many other partners working in the Mobile Bay area, supported the development of the Mobile Bay National Estuary Program Management Plan 2013-2018. The coastal program was committed to helping address the priority actions identified in the plan to protect, restore, and conserve Alabama's estuaries and coastal environments. The coastal program exceeded its five-year target for activities completed in the fourth year and continued working to complete additional activities in the fifth year.

## **Metric 2**

**Goal:** To restore, create, or enhance public access in the Alabama coastal area.

**Objective 1:** Using the 2013 Strategic Plan and Request for Proposal process, five individual public access projects will be completed by 2017, one project per fiscal year.

**Strategy:** The Alabama Coastal Area Management Program will refer to the 2013 Strategic Plan to "maximize(s) resource benefits using sustainable methods." The coastal program issues a yearly request for proposals and will address one access location per year based on public benefit, critical impacts, and funding availability. The coastal program will select and partner with an entity to restore, create, or enhance public access in the selected coastal area.

**Performance Measure:** Number of public access sites which are restored, created, or enhanced with technical or financial assistance from the Alabama Coastal Area Management Program.

**Target:** Between 2012 and 2017, five public access sites restored, created, or enhanced with technical or financial assistance from the Alabama Coastal Area Management Program.

**First Year Results:** 2 public access sites restored, created, or enhanced

**Second Year Results:** 2 public access sites restored, created, or enhanced

**Third Year Results:** 3 public access sites restored, created, or enhanced

**Fourth Year Results:** 3 public access sites restored, created, or enhanced

**Fifth Year Results:** 1 public access site restored, created, or enhance

**Cumulative Results:** 11 sites public access sites restored, created, or enhanced

**Discussion:** The coastal program supports public access primarily by providing small grants to

local communities to enhance existing public access sites. Projects completed include an outdoor classroom, canoe and kayak launches, dune walkovers, and restroom. The coastal program more than doubled its original target over the five-year time period.

### **Metric 3**

**Goal:** To support local governments by promoting one project in a community per year, thereby enhancing local capacity to reduce coastal impacts and increase resilience.

**Objective 2:** By 2017, five projects will be completed that support resilience in communities where planning was outdated or did not exist.

**Strategy:** The Alabama Coastal Area Management Program issues a yearly request for proposals to conduct coastal planning. Project selection criteria will prioritize projects that are focused on the development of new plans or the updating of existing plans that address resilience: local comprehensive plans, local mitigation strategies, local post-disaster redevelopment plans, beach or floodplain management plans, local adaptation strategies, economic development strategies, or land development regulations. In addition, projects that focus on developing the plans for construction projects that reduce vulnerability to coastal risks may also be selected. By 2017, the coastal program will promote sustainable coastal resilience by reducing vulnerability in five communities.

**Performance Measure:** Number of locally implemented projects completed to enhance coastal resilience as a result of technical or financial assistance from the coastal management program.

**Target:** Between 2012 and 2017, five locally implemented projects will be completed to enhance coastal resilience as a result of technical or financial assistance from the coastal management program.

**First Year Results:** 0 locally implemented projects

**Second Year Results:** 3 locally implemented projects

**Third Year Results:** 2 locally implemented projects

**Fourth Year Results:** 2 locally implemented projects

**Fifth Year Results:** 2 locally implemented projects

**Cumulative Results:** 9 locally implemented projects

**Discussion:** The coastal program has provided financial and technical support to communities for planning efforts and has exceeded their five-year target for this measure.

## EVALUATION METRICS 2018-2023

### Metric 1

**Goal:** Reduce future damage from coastal hazards.

**Objective:** Increase coastal resilience and reduce future damage from coastal hazards by providing technical assistance and funding for state and local planning and project implementation.

**Strategy:** The current Alabama Coastal Area Management Program (ACAMP) 309 strategy focuses on providing technical assistance, training, and project implementation funding to enhance coastal resilience by reducing exposure to coastal hazards including flooding. This will be accomplished through staff participation in state-level planning efforts and projects including the Alabama Coastal Comprehensive Plan, the Coastal Alabama Restoration Tool, and other high-level efforts to identify and mitigate coastal hazards. The program also provides technical assistance and review to academic and research efforts including the NOAA Ecological Effects of Sea Level Rise research program and the Northern Gulf of Mexico Sentinel Site Cooperative. The ACAMP will support local-level planning and project implementation through both section 309 funds and as part of the annual section 306 request for proposals. ACAMP staff will provide technical assistance and review to state-level restoration and hazard mitigation projects being implemented through NRDA and RESTORE funding streams. Between 2018 and 2023, the following targets will be supported by the ACAMP: a) Two state-level policies and plans completed; b) Five local-level policies and plans completed; c) Three state-level projects completed; d) Ten local-level projects completed.

**Performance Measure:** From 2018 to 2023, the number of a) state-level policies and plans; b) local-level policies and plans; c) projects completed at the state-level; and d) projects completed at the local-level to reduce future damage from coastal hazards with assistance from CZM funding or staff.

**Target:** From 2018 to 2023, 20 a) state-level policies and plans completed; b) local-level policies and plans completed; c) state-level projects completed; d) local level projects completed.

**First Year Results:** 1 local-level policy/plan completed, 1 state-level policy/plan completed

**Second Year Results:** 3 local-level policies/plans completed, 1 state-level project completed

**Third Year Results:** 1 local-level policy/plan completed; 1 state-level project completed

**Fourth Year Results:** 4 local-level policies/plans completed

**Fifth Year Results:** 7 local-level policies/plans completed; 1 state-level policy/plan completed; 1 state-level project completed

**Cumulative Results:** 21 actions completed through four years of reporting.

**Discussion:** The Alabama Coastal Area Management Program has exceeded its target of 20 actions completed at the local and state levels to reduce future damages from coastal hazards with assistance from coastal zone management funding or staff. This findings document discusses

the local planning, state planning, and state projects (i.e., land acquisitions) that the program has supported.

## **Metric 2**

**Goal:** Improve public and stakeholder knowledge of coastal hazards.

**Objective:** Increase public and stakeholder awareness of coastal hazards through a series of targeted workshops specifically related to coastal flooding.

**Strategy:** As part of the current 309 strategy, Alabama Department of Conservation and Natural Resources (ADCNR) ACAMP works closely with local communities to encourage and support participation in FEMA's Community Rating System. An outcome of these interactions has been the development of the SAFE-T group, which is a periodic gathering of stakeholders including floodplain managers, local building officials, planners, natural resource professionals, and local business representatives. This group has generated a list of training needs related to coastal hazards that will be addressed in this target period. These training needs will be addressed through a series of lunch and learn workshops as well day-long workshop offerings. Additionally, public-facing workshops will be conducted in partnership with the Weeks Bay NERR related to coastal and riverine flooding along Fish and Magnolia Rivers in the Weeks Bay watershed.

**Performance Measure:** From 2018 to 2023, number of training events related to Coastal Hazards offered by the Coastal Zone Management Program.

**Target:** From 2018 to 2023, 10 training events related to Coastal Hazards will be offered by ADCNR ACAMP.

**First Year Results:** 6 training events

**Second Year Results:** 3 training events

**Third Year Results:** 6 training events

**Fourth Year Results:** 3 training events

**Fifth Year Results:** Data not available at findings drafting stage

**Cumulative Results:** 18 training events related to Coastal Hazards offered by ADCNR ACAMP through four years of reporting.

**Discussion:** With one year of reporting outstanding, the program has exceeded its target for this measure. The program worked with the Weeks Bay National Estuarine Research Reserve to deliver several of these trainings on coastal hazards.

## **Metric 3**

**Goal:** Improve local government knowledge and participation in Coastal Zone Management activities initiated through the ACAMP.

**Objective:** Provide enhanced visibility of the ACAMP and its role in working with local governments through targeted outreach to local government stakeholders.

**Strategy:** As part of the current ACAMP strategic plan, technical assistance and project support are provided to local governments to further the goals of the ACAMP. In reviewing past year's applicants and projects funded through the ACAMP Request for Proposals, it is clear that not all eligible local governmental units are taking advantage of these opportunities and that project applications do not capture the full range of eligible project types. To increase awareness of the ACAMP and to encourage greater participation in ACAMP programs, a series of governmental coordination workshops will be conducted across the coastal management area.

**Performance Measure:** From 2018 to 2023, number of training events related to governmental coordination offered by ADCNR ACAMP.

**Target:** From 2018 to 2023, 10 training events related to governmental coordination will be offered by ADCNR ACAMP.

**First Year Results:** 1

**Second Year Results:** 0

**Third Year Results:** 0

**Fourth Year Results:** 13

**Fifth Year Results:** Data not available at findings drafting stage

**Cumulative Results:** 14 training events related to government coordination offered through four years of reporting.

**Discussion:** The Alabama Coastal Area Management Program has provided support to local governments during the 2018-2023 evaluation metric cycle. This support includes offering governmental coordination trainings. Although the last year of data is not yet available, the program has met its target for this measure through efforts documented in the first four years of reporting.

## Conclusion

For the reasons stated herein, I find that the State of Alabama is adhering to the programmatic requirements of the Coastal Zone Management Act and its implementing regulations in the operation of its approved Alabama Coastal Area Management Program.

These evaluation findings contain two recommendations. Recommendations must be considered before the next regularly scheduled program evaluation but are not mandatory at this time. Recommendations that must be repeated in subsequent evaluations may be elevated to necessary actions.

This is a programmatic evaluation of the Alabama Coastal Area Management Program, which may have implications regarding the state's financial assistance awards. However, it does not make any judgment about or replace any financial audits.

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Director, NOAA Office for Coastal Management

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Date



## **Appendix A: Response to Written Comments**

No comments received.