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Activity: Gulf of Mexico Estuary Program (GMEP) (Planning)
Unique Identifier: EPA_RESTORE_003_008_Cat1
Location: FL, Northwest Panhandle region
Type of Activity: Planning
FPL Category: 1 – Funding Approved
Cost Estimate: $2,200,000
Responsible Council Member: Environmental Protection Agency (EPA)
Partnering Council Member(s): Florida
Originally submitted by: The EPA as a component within the proposal "Gulf of Mexico Estuary Program **"**

Executive Summary: This project will develop and stand-up a place-based estuary program encompassing one or more of the following bays in Florida's northwest panhandle region: Perdido Bay, Pensacola Bay, Escambia Bay, Choctawhatchee Bay, St. Andrews Bay and Apalachicola Bay. The key components of the project include establishing the host organization, host organization hiring key staff, developing Management and Technical committees, determining stressors and then developing and approving a Comprehensive Plan (e.g., CCMP). Although this Estuary Program will be modeled after the structure and operation of National Estuary Programs (NEP) (e.g., Mobile Bay NEP and Tampa Bay Estuary Program), it will not be a designated NEP. This project will serve as a pilot project for the Council to consider expanding Gulf-wide when future funds become available.

PROJECT DESCRIPTION:

EPA, in collaboration with Florida, will engage key stakeholders in the northwest Florida panhandle region and request proposals to establish the northwest Florida panhandle estuary program. EPA will form a Technical Support Team (TST) that will include and actively engage the leadership and representatives of EPA, Florida, other state and federal Agencies, and several Gulf NEPs. This TST will work with the new Management Conferences to ensure the estuary program will be stood up and have full access to our Estuary Program's expertise and knowledge in forming and having capacity to subsequently operate Management Conferences, public outreach programs, integrated science and developing Comprehensive Conservation and Management Plans (CCMPs). The TST will continue to operate following establishment of the Management Conference and Program Office at the pleasure of the Management Conference and Program Director and TST member availability.

EPA will utilize many elements of the successful management model established and used by the NEPs that were created by Section 320 of the 1987 Clean Water Act amendments and operate under EPA guidance. EPA, in collaboration with the TST and key stakeholders will request proposals to establish an organization to serve as the host organization for the estuary program. This host will provide administrative and financial management support for the program along with initial program organizational support.

Once the host is identified, a Management Conference will be established to direct the operation of the estuary program. A top-level organizational unit (TLOU) within the Management Conference will be established as the decision making body for the estuary program. This TLOU, often called the Policy Committee for NEPs, will be made up of top officials from key local, federal, and state resource or decision-making organizations for the estuary program study area. One of the first action items for the Policy Committee will be to direct the host organization to advertise for and hire a Program Director based on an approved position description and salary rate. The Program Director will be selected by and serve at the pleasure of the Policy Committee. This Program Director will receive direction from the TLOU of the Management Conference.

The estuary program director, working with the Policy Committee members, and with support from the TST, will develop the foundational components of the Management Conference and program office. The foundational components include the Director developed options for staffing the program office, options for a program budget, options for the organization and membership of the Management Conference committee structure, draft bylaws for the program office, and draft bylaws for all Management Conference organizational units. These option papers and draft documents will be submitted to the TST for review and comment and subsequently to the Policy Committee for review and approval.

Following approval of the foundational components of the Management Conference and program staffing by the Policy Committee, the Director will hire staff and establish the sub units of the Management Conference. The Director will draft a program workplan, with assistance from the TST, and will utilize the Management Conference to develop consensus, draft and submit the workplan to the TLOU for approval. This workplan will define the process to complete the development of a draft and final CCMP and any initial restoration actions.

The Management Conference is an inter-jurisdictional body of local elected officials, scientists, citizens, business leaders, commercial fishing, universities, federal and state agency directors, and representatives from agricultural, timber, ports, and industry. The Management Conference will act on recommendations from citizens, scientists, businesses, industries and other resource users, and implement local solutions to address complex water quality and habitat restoration and protection needs.

Once established, the Policy Committee for the estuary program will establish, following recommendations from the Program Director and the TST, appropriate subcommittees to facilitate the successful functioning of the Management Conference. Often but not always, the Management Conference includes a Management Committee, a Technical/Science Advisory Committee (TAC) and a Citizens Advisory Committee (CAC). A mid-level committee, often called a Management Committee, typically includes local, federal and state agencies as well as other key management stakeholders. The Management Committee receives, reviews and makes recommendations for actions to the Policy Committee. A TAC is typically comprised of scientists, engineers, and environmental professionals from a variety of sources including as appropriate: academia, non-governmental organizations, the local communities, business, state

resource agencies and federal resource agencies including EPA, U.S. Geologic Survey, Department of the Interior, National Park Service, U.S. Fish and Wildlife Service, National Oceanic and Atmospheric Administration, Natural Resources Conservation Service, and U.S. Department of Agriculture. A CAC is typically composed of local community organizations and key citizens that have an interest in the estuary and links essential for outreach and public input for the program. The TAC and CAC often report to the Management Committee.

Following the standup of the Management Conference and Program Office, the Management Conference will begin the process of determining the estuary-specific water quality and habitat significant resources, stressors, impacts, and action items that can be undertaken to address these stressors and impacts. This process will lead to the development of the CCMP that is unique to that estuary. The CCMP is approved by the Management Conference and EPA. Each CCMP will provide goals and objectives as well as specific actions to restore and protect the estuary based on a stakeholder driven process rooted in strong science.

The Goals, Objectives and Actions comprising the CCMPs will primarily focus on restoring water quality, while also addressing restoration and conservation of habitat, replenishing and protecting living coastal and marine resources, enhancing community resilience, and revitalizing the coastal economy. Specific actions identified may include: implementing best management practices for nonpoint source water quality improvement; protecting shoreline and upland habitat through easement or purchase; implementing green infrastructure measures; designing and constructing storm water parks; completing and implementing watershed management plans; protecting, restoring and managing critical aquatic, shoreline and upland habitat through a variety of hydrologic, landscape, vegetation and wildlife management actions; establishing living shoreline habitat; and implementing other water quality and habitat restoration techniques.

Specific Actions/Activities:

- Establish TST.
- Identify host organization.
- Establish Management Committee.
- Hire Program Director and Key Staff.
- Develop Program Workplan.
- Establish Committee(s).
- Determine significant resources, stressors, impacts, and action items.
- Develop and approve CCMP.

Deliverables:

- Management Committee Structure.
- HOST Organization agreement between stakeholders.
- Interim Program Workplan.
- Approved CCMP.

Ecological Benefits/Outcomes and Metrics: The approved Comprehensive Plan will provide the framework for the Estuary Program's Goals and Objectives. Projects undertaken by the Estuary Program in the future would directly support those goals and objectives and outcomes would focus on restoring water quality, while also addressing restoration and conservation of habitat, replenishing and protecting living coastal and marine resources, enhancing community resilience, and revitalizing the coastal economy. Specific actions would likely include, but not be limited to: implementing best management practices for nonpoint source water quality improvement; protecting shoreline and upland habitat through easement or purchase; implementing green infrastructure measures; designing and constructing storm water parks; completing and implementing watershed management plans; protecting, restoring and managing critical aquatic, shoreline and upland habitat through a variety of hydrologic, landscape, vegetation and wildlife management actions; establishing living shoreline habitat; and implementing other water quality and habitat restoration techniques. Metrics would likely include, but not be limited to: number of acres of sea grass beds restored/protected; linear feet of shoreline restored/protected; number of acres of upland habitat restored/protected; and number of acres restored/protected from invasive species.

Duration of Activity: Estimate 5 years.

Life of Activity: Over 20 Years (if implemented). Following establishment of the Estuary Program and development of the Comprehensive Plan, projects would continuously be identified, incorporated into the Estuary Program's Work Plan, funded and implemented in support of the Comprehensive Plan framework.

RESPONSE TO SCIENCE REVIEWS:

Comment: Very little scientific content is discernible in the proposal. Specifically, no proposed scientific methods (including field studies, laboratory investigations, or computer modeling) are provided to enable an appropriate scientific review or justification of such methods against publicly available information.

Response: The proposal focuses on developing and standing up new place-based estuary programs based on the model of EPA Estuary Programs. Following the standup of the Management Conference and Program Office, the science-based process will begin to assess and understand the estuary-specific water quality and habitat significant resources, stressors, impacts, and action items that can be undertaken to address these stressors and impacts. This process will lead to the development of the CCMP that is unique to that estuary.

Comment: The proposal does not discuss scientific uncertainties and risks, just programmatic and funding risks. None of the risks and uncertainties are linked to environmental or climatic factors.

Response: Scientific uncertainties and risks would be critical to the Management Conference and the science team as they assess and understand the estuary-specific resources, stressors,

impacts, and developing action items. The estuary programs incorporate environmental and climatic factors into the science-based process and the development of the CCMP.

Comment: Modeling the proposed program after the existing seven NEPs in the Gulf of Mexico is indeed commendable. However, the credibility of the proposal is undermined by the lack of explicit scientific connection -- just one example might be sufficient -- between the 12 priority estuaries and the NEPs/LPBRP.

Response: The premise of modeling the proposed estuary program(s) after those that have been established and operating in the seven NEPs in the Gulf of Mexico region is a sound approach. The NEPs are highly functioning, science-based programs that have developed unprecedented knowledge and understanding of their respective estuaries, their resources, stressors, and are focused on developing sustainable solutions.

Comment: The proposal lacks any science-based justification (peer-reviewed or publicly available) of existing water quality/resource impairments within the proposed estuaries that supports a science-based need for additional NEP's.

Response: While the proposal did not provide a summary of peer-reviewed and available justification for the need to stand up estuary programs in these proposed estuaries, there are numerous science-based, and peer reviewed, reports and documents available on the websites of each of the NEPs in the Gulf of Mexico region which provide robust justification for the need for standing up place-based estuary programs. Another excellent source of science-based, and peer-reviewed, reports and documents for each of the estuaries proposed can be found at EPA's Surf Your Watershed - http://cfpub.epa.gov/surf/locate/index.cfm

Comment: Many existing NEP's have faced long and difficult struggles to meet CCMP goals. Having a plethora of new programs in itself poses a level of uncertainty and risk of meeting the proposal goals, and is a risk to existing Gulf NEP's by imposing additional time commitments of state and federal agency representatives and scientists to participate in more NEP's.

Response: It was noted in the proposal that ongoing funding for Estuary Programs is a risk, but each of the NEPs in the Gulf region have found ways to meet their funding needs (e.g. grants, business partnerships) over the decades. We believe there is adequate capacity of state and federal agency representatives and scientists in the Gulf region to participate in these proposed estuary programs without posing a risk to the already existing NEPs in the Gulf region.

ENVIRONMENTAL COMPLIANCE:

Council approval of funding for this activity will not involve or lead directly to ground-disturbing activities that may have significant effects on the environment individually or cumulatively, nor does it commit the Council to a particular course of action affecting the environment. The Council has considered potential extraordinary circumstances, including potential negative effects to threatened and endangered species, essential fish habitat, Tribal interests and/or

historic properties, where applicable, and has determined that no such circumstances apply. Accordingly, the Council has determined that this activity is covered by the Council's National Environmental Policy Act (NEPA) Categorical Exclusion (CE) for planning, research or design activities (Section 4(d)(3) of the Council's NEPA Procedures). The Council's NEPA Procedures and the signed CE form for this activity can be found here.