

Alabama State Wetland Program Summary



Photo Caption: Choctaw National Wildlife Refuge, Alabama

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Section A. Quick View

Description of Alabama’s Wetlands

Alabama’s wetlands include seeps along slopes of hills and sloughs, bottomlands, bayheads, “grady ponds”, bayous and bogues, muck and peat swamps, cypress/gum ponds, wet meadows, savannah and coastal prairie flats, tidal fringe marshes, hummocks and swales; barrier island lagoons and backwater bays.

State Definition of Wetlands

In Alabama, waters within wetlands are, by definition, waters of the State in Alabama Water Pollution Control Act (AWPCA), but wetlands are not defined for their inherent values such as function, rareness, type, habitat, or value. The state uses the federal definition of wetlands. Wetland areas are "delineated pursuant to the technical criteria described in the Federal Wetlands Delineation Manual that is currently being used in the Federal Corps of Engineers and/or any other updated manual that may be used in the future." Wetlands do not include areas that result from man-made conditions, except for mitigation sites.

Historic Wetland Loss/Gain in Alabama

Original Wetland Acreage	Remaining Wetland Acreage	Acreage Lost	% Lost
8,000,000 acres	>4,000,000	4,000.000	50%

Source: US Fish and Wildlife Service (Dahl, 1989)

Primary State Wetlands Web Page

Alabama DEM Coastal Program

<http://adem.alabama.gov/programs/coastal/default.cnt>

Alabama DEM Water Division

<http://adem.alabama.gov/programs/water/default.cnt>

State Wetland Plan

Alabama’s State Wetland Program Plan was completed in 2011. The Plan can be downloaded from:

http://water.epa.gov/type/wetlands/upload/al_adem_wpp.pdf

State Funding for Management of Wetlands

State Wetland Management Program Area	Regulatory	Monitoring and Assessment	Wetland Water Quality Standards	Voluntary Restoration
Agency	ADEM	ADEM - Coastal	ADEM	ADEM
Source(s)	NOAA grant, general fund match	Coastal Grant	Infancy pilot studies	319 Funding (Partner with NGO)
Amount	Unknown	Unknown	Unknown	Unknown
Staffing	<2 FTE (Parts of 3 staff positions)	2.2 FTE (Coastal) + <2 FTE (Inland)	<2 FTE	0.5 FTE
Agency				Mobil Bay NEP
Source(s)				Coastal NPS funding
Amount				Unknown
Staffing				0.5 FTE
Agency				Fish and Wildlife (Technical assistance)
Source(s)				Unknown
Amount				Unknown
Staffing				0.5 FTE

Note: Staff indicates that funding is inadequate for required work

State Permitting Fees	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
Amount:	\$985-\$1,840	
Agency:	Division 8 Under Coastal Zone Permit Fees	
	For more information, contact Scott Brown	

Innovative Features

None.

Models and Templates

- Sponsored trainings with NOAA through NERRS
- Pooled resources for collaborative training (including ADEM, DCNER, DCNR, EPA, Corps, USF&W and USGS)
- Coastal Nonpoint Source Program developing wetland projects

Section B. Wetland Regulation

How are Alabama's Wetlands Regulated?

The state's §401 certification program is the state's primary regulatory program. The primary state agencies that participate in wetland management and protection in Alabama are the Department of Environmental Management (ADEM) and the Department of Conservation and Natural Resources (ADCNR). ADEM's Coastal Section and ADCNR's State Lands Division Coastal Section share the responsibility of implementing the Alabama Coastal Area Management Program (ACAMP), which is authorized by the state's Environmental Management Act and the federal Coastal Zone Management Act of 1972 as amended. ADEM's Coastal Section is responsible for reviewing CWA §401 certification applications and issuing certifications for projects in the state's coastal counties of Mobile, Baldwin, and Washington. ADEM's Office of Field Services issues §401 certifications in the remaining 64 counties. The application for §401 water quality certification from ADEM is submitted jointly with a §404 application to the U.S. Army Corps of Engineers ("Corps").

Wetland Delineation

Delineation Method	Yes	No	Detail
Use State's Own Delineation Method	X		More exacting and stringent than the Corps standard; additionally, the state does not agree to all conditions in the Nationwide Permits
Use Corps '87 Manual	X		
Use Corp '87 Manual Regional Supplement		X	

Evaluation Methodology

Evaluations are conducted by the local Corps District. The Corps has ratios for coastal wetlands. The state has a rapid assessment protocol (RAP) for upstate wetlands. The state is in the process of developing a rapid assessment method (RAM).

Exempt Activities

Alabama's exemptions are more restrictive than the federal exemptions. Certain uses of wetlands are acceptable when they are conducted according to DEM regulations. These are the fulfillment of an emergency decree or pronouncement to protect the public health and safety; the conservation, repletion, and research activities of the Marine Environmental Sciences Consortium, the Marine Resources Division of the Department of Conservation and Natural Resources and the Mississippi-Alabama Sea Grant Consortium; the exercise of riparian rights; normal maintenance and repair of bulkheads, piers, roads, and highways; the use of structures or lands for dwelling purposes, including activities normally associated with and incidental to a dwelling; activities normal and associated with the maintenance and repair of railroads, utilities, transportation, telephone communication, or distribution of gas, electricity or water; mosquito control efforts; the planting, growing, or harvesting of plants, crops, trees, or agricultural/forestry products; completion of legally valid housing developments; construction of minor structures; conservation, repletion, research and management associated with an Estuarine Research Reserve, state/federal park or wildlife reserve, the marine mammal stranding network, the US Fish and Wildlife Service or the DEM; aquatic weed control programs. Persons must first contact the DEM before beginning a permissible use.

Special Provisions for Agriculture and Forestry

Comparable to federal provisions.

Buffer Protections

The state has Division 8 Coastal Zone Buffer Protections and some municipalities have additional buffer protections

Penalties and Enforcement

No information available. However, the state does have the ability to withhold §401 certification/consistency documents.

Permit Tracking

Yes. For more information, contact the DEM Coastal Program.

State General Permit (Regional or Statewide Coverage)

<i>Alabama</i>	Yes	No	Description
Regional General Permit	X		
Statewide General Permit		X	Note: Assigned to sections

Assumption of Section 404 Powers

<i>Alabama</i>	Yes	No	Detail
Have Assumption		X	
Applied for Assumption		X	
Explored Assumption		X	

Joint Permitting

For more information, contact the DEM Coastal Program.

Special Areas management Plans and Advanced Identification Plans

None.

Mitigation Policy

The Corps is responsible for mitigation in Alabama. With the exception of a few basic regulatory requirements for mitigation of coastal area wetland impacts, as defined in the state rules for the Coastal Program, the State of Alabama has not adopted legislation, policies, or guidelines regarding compensatory mitigation for wetlands and generally defers to the Corps for wetland-related jurisdictional and mitigation issues. State regulations do require that “[m]itigation for wetland impacts resulting from an approved project shall involve the creation of wetlands or the restoration and enhancement of existing degraded wetlands; [and] [p]rior to permitting or certification of a use for which mitigation is required, the applicant shall submit to the Department for review and approval a mitigation plan...” Mitigation in Alabama is more strict than the requirements in the Nationwide Permits.

Mitigation Measures

Applicants must replace wetlands or enhance or restore existing degraded wetlands. Mitigation information on ratios and policies is available on the national RIBITS website.

Mitigation Tracking

None. The Corps tracks mitigation work on the RIBITS database and through the Internal Review Team (IRT).

Section C. Monitoring and Assessment

Agency Responsible for Wetland Monitoring and Assessment

The Alabama Department of Environmental Management Coastal Monitoring Program is responsible for monitoring and assessment for the State of Alabama. The program conducts a number of pilot projects and is in the process of developing an IBI-based functional assessment tool with the state's Wetland Workgroup. For more information, contact Lisa Huff from ADEM at (334) 260-2752.

Mapping/Inventory

For more information, contact Lisa Huff from ADEM.

State Wetland Mapping Information Portal

Unknown.

Wetland Classification and Assessment

The state uses the Cowardin classification system for classifying the state's wetlands. Additionally, the Corps uses a Hydrogeomorphic (HGM) assessment tool, both for tidal marsh and sloped headland. The state is also working towards developing an IBI-based functional assessment. In the Tennessee Valley, the Tennessee Rapid Assessment Method (TRAM) is used. The Southeast Florida Watershed District's WRA Protocol (pine savannah) has been adopted at the regional level.

Statewide Monitoring Plan

Alabama's Wetland Monitoring Program is included in a statewide water monitoring plan (2011). A statewide wetland monitoring strategy is being developed for 2015-2019, including monitoring and assessing Category 2B and 4A wetlands, wetland restoration projects. Mitigated wetland and protected wetland areas. Wetland monitoring goals are specifically included in the state's wetland program plan:
http://water.epa.gov/type/wetlands/upload/al_adem_wpp.pdf

Overall Wetland Gain and Loss Tracking System

No.

Alabama's wetland monitoring and assessment program has the following characteristics:

Level	Level 1	Level 2	Level 3
Alabama	X	X (Developing)	

Type	IBI	Condition	Functional
Alabama	(Early development)	(Early development of a reference-based assessment)	Use WRAP for general observations; not the associated biologicals

Frequency	Project Specific	Ongoing
Alabama	X (Successive EPA grants)	

National Wetland Condition Assessment (NWCA) Participation

NWCA Study Type	Yes	No
National Study	X	
State Intensification Study	X	

NWCA Intensification Detail: Data from the 2011 National Wetland Condition Assessment report will serve as the foundation for Alabama's 2015-2020 Wetland Monitoring Plan. Alabama conducted an intensification along with the standard NWCA data collection effort.

Section B. Water Quality Standards

Wetland Water Quality Standards

Type	None	Use Existing WQ Standards	In Process	Adopted	Future Direction
Wetland-specific Designated Uses		X			
Narrative criteria in the standards to protect designated wetland uses		X			
Numeric criteria in the standards based on wetland type and location to protect the designated uses		X			
Anti-degradation policy includes		X			

wetlands					
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Detail: Alabama currently applies existing state water quality standards to wetlands. The state shares that this application of standards well-protects wetlands in the state at this time.

Section C: Voluntary Restoration and Protection

Program Description

While Alabama does not have a formal statewide voluntary wetland restoration program, both the National Estuary Program and the Coastal NPS Program have active programs that include wetland restoration. Alabama’s Coastal Program has a voluntary restoration program. The program is a cooperative project, with Federal Support from the Federal CREP Program and the involvement of the Alabama Department of Environmental Management.

Type of Work	YES	NO	Description
Fund Wetland Restoration (may include easement agreements)	X		Clean Water Partnership projects include wetlands
Private Land Restoration	X		
Public Land Restoration	X		
Technical Assistance	X		Through Fish and Wildlife
Tax Incentives		X	
Other		X	

Voluntary Wetland Restoration Program Components

Effort	Nothing in the Works	Planning	In Progress	Complete
Program has a set of restoration goals	N/A			
Coordinate with relevant agencies that outline restoration/protection goals and strategies and timeframes	N/A			
Develop multi-agency body to coordinate restoration/ protection efforts	N/A			
Set restoration goals based on agency objectives and available information	N/A			

Detail:

Goals for Restoration Projects

Goal	Yes	No	Description
No Net Loss	X		
Reverse Loss/Net Gain		X	
Nonpoint Source Pollution (NPS)/WQ		X	
Total Maximum Daily Load (TMDLs)	X		
Habitat	X		
Coastal Protection	X		
Floodwater Protection	X		
Groundwater		X	
Other (please describe)		X	

Landowner guides/handbooks to assist with voluntary restoration efforts

Alabama Voluntary Wetland Restoration Guide: <http://www.alabamavoluntaryrestorationguide.gov>

Section G. Innovative Education and Outreach Efforts

- The state has sponsored trainings with NOAA through NERRS and pools resources to deliver collaborative training (including ADEM, DCNER, DCNR, EPA, Corps, USF&W and USGS)
- ADCNR partners with Alabama Wildlife Federation, Alabama Power, Alabama Cooperative Extension System, National Wildlife Federation, Georgia Wildlife Federation, Alabama Forestry Commission, and Oregon State University Extension Service to run the **Alabama Outdoor Classroom** program.

Wetland Programs and Climate Change

Alabama's coastal program does work on climate change issues related to wetlands. Work includes efforts related to: sea level rise, storms, flooding, impacts, and resiliency. The National Estuary Partnership, Coastal Foundation and others are involved in shoreline mapping projects that are looking at climate change issues. Alabama Coastal program is currently looking into ways to track sea level rise impacts. The U.S. Coastal management Program has identified the

following coastal climate adaptation-related needs in Alabama

(<http://coastalmanagement.noaa.gov/initiatives/media/stateoverviews.pdf>):

- Research on the effects of sea level rise
- Communication of research results related to coastal hazards
- Established policy with regard to new threats, i.e., sea level rise
- GIS support and technical assistance

Section H. Integration Efforts

Alabama’s state wetland program reports that it has at least some integrated activities with the following other programs or projects:

Entity/Program Area	Yes/No	Description of the Connection
NPDES/Stormwater	YES	With the Coastal Program Office and also Coastal Stormwater Permits
303(d)	Unknown	
305(b) Reporting	Unknown	
TMDL	Maybe	Low impact development includes constructed wetlands
Climate Change/ Climate Resiliency	YES	Sea level rise, storms, flooding, impacts, resiliency
Land Use Planning/watershed planning	YES	Definitely. Within the 319 program, through the Clean Water Partnership – talk about watershed management planning and targeting 319 projects that include wetland work
Flood/Hazard Mitigation	YES (Post-emergency only)	Work together only occurs post-emergency (e.g. post-hurricane). There is no everyday coordination.
Coastal Work	YES	
Other (Specify)	YES	The Coastal Nonpoint Source (NPS) program provides technical assistance and evaluation of projects

State Wetland Program Continuum

Program Development Stage		Core Element 1: Regulation	Core Element 2: Monitoring & Assessment	Core Element 3: Wetland Water Quality Standards	Core Element 4: Voluntary Restoration
Mature Stage	High				
Working on Implementation	↑		X		
Working on Developing		X			
Early Stage	Low			X	X

Section J. State Wetland Program Contact Information

State Wetland Contacts:

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Coastal Consistency Program Permitting Manager
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Section K. Useful Website Links for Alabama

State Government Links

1. Alabama Department of Environmental Management
<http://www.adem.state.al.us/default.cnt>
 - a) Alabama Coastal Water Management Program
The ACAMP is a joint effort of the Alabama Department of Conservation and Natural Resources-State Lands Division and the ADEM Coastal Program. ALDCNR-SLD is responsible for planning and policy development while ADEM is responsible for permitting, monitoring and enforcement activities, as detailed in the ADEM Division 8 Coastal Programs Rules (ADEM Admin. Code R 335-8).
<http://www.adem.alabama.gov/programs/coastal/default.cnt>
2. Alabama Department of Conservation and Natural Resources

<http://www.outdooralabama.com/>

- a) Wetlands Reserve Program
<http://www.outdooralabama.com/research-mgmt/wrp.cfm>
- b) State Lands Division
<http://www.outdooralabama.com/public-lands/stateLands/>
 - i. Natural Heritage Program
<http://www.outdooralabama.com/public-lands/stateLands/heritage.cfm>
- c) Wildlife and Freshwater Fisheries Division
<http://www.outdooralabama.com/about/awff/>
- d) Marine Resources Division
<http://www.outdooralabama.com/fishing/saltwater/>
- e) State Parks Division
<http://www.outdooralabama.com/about/state-parks.cfm>

Federal Government Links

- 1. Alabama's Wetland Monitoring Program (pdf)
http://water.epa.gov/type/wetlands/upload/al_adem_wpp.pdf
- 2. USDA Natural Resources Conservation Service
Alabama's Wetland Reserve Program
http://www.nrcs.usda.gov/wps/portal/nrcs/detail/al/programs/?cid=nrcs141p2_022834

Other Wetland Organization Links

- 1. Ducks Unlimited:
 - a) Alabama Wetlands Preserve Program
<http://www.ducks.org/alabama/alabama-projects/alabama-wetlands-reserve-program>
- 2. Mobile Bay National Estuary Program
<http://www.mobilebaynep.com/>

Useful Links:

http://www.forestry.state.al.us/Publications/TREASURED_Forest_Magazine/2012%20SpringSummer/Alabama%E2%80%99s%20Wetlands.pdf