

ATTACHMENT 1

MYRT JONES' LETTER AND PAGES FROM BOOKS

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June 23, 2020

Final Report on the Alabama Barrier Island Restoration Assessment (Dauphin Island)

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Dear Col. Joly,

Please pass this information onto the major contact for ABIRA.

As a local citizen and Past President of the Mobile Bay Audubon Society, I along with many others tried to protect and save Alabama's invaluable coastal properties for years. A few of us saved the Perdue Tract, Little Dauphin Island and Little Point Clear right before they were to be developed, and these properties make up the Bon Secour National Wildlife Refuge .

Many of us worked for years within the Corps Of Engineers helping to plan or deny badly planned 'costly destructive projects.' My books "A Gadfly's Memoirs, Chronicle of An Eco-Warrior and Hanging By A Thread, Plight of The Alabama Beach Mouse" relate many of these stories.

We proved there was a **SERIOUS NEED** for **citizen involvement** in the COE and ASPA planning **process** and we were **major partners** in helping to decide what should be considered or passed over. In the end our involvement helped save monies and time, saved prime coastal resources, we communicated with others as well as having royal battles, but this provided a balance for saving and protecting Alabama's sensitive coastal systems and wildlife. Mobile Bay and its major resources were in better shape during those years!

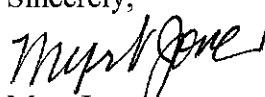
Today I selected articles from my books that are enclosed and may not be in any special order but hopefully hold important facts, ideas for Needs and may provide some direction for areas to be considered in the decision making and planning for protecting Alabama's invaluable coastal resources....at Last! There are numerous NEEDS for these fantastic natural worlds.

In the 80's the State Port Authority and the COE misused the littoral drift sands by removing them from the mouth of the bay then dumping these invaluable assets out in the Gulf, for years! This caused major erosion of Dauphin Island that was finally corrected by spending millions of tax-payers dollars, yet barrier islands in Mississippi Sound continue to erode.

The State and Port Authority should not be the ones to decide which **identified coastal priorities need repairing in spending** the BP Spill monies, as Glen Coffee and others have identified areas that need prioritizing...knowledgeable citizens who are involved!

There have been enough shenanigans! Attached are pages from my books that should be read and possibly involved in this process.

Sincerely,

A handwritten signature in black ink, appearing to read "Myrt Jones", written over the printed name.

Myrt Jones

7359 Willow Pointe Dr. No.
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was picked for a super port called the Loop, just another nail in their environmental coffin.

The following section highlights what we were trying to protect in the CZMP.

MOBILE-TENSAW DELTA

Our Mobile-Tensaw Delta is second only to the Atchafayala Delta in Louisiana in size and diversity. The Mobile-Tensaw Delta is a geologic depression to the north of Mobile Bay. In 1974, the Department of the Interior designated the area as a *National Natural Landmark* and fewer than 600 sites have received that honor. It is comprised of bottom land hardwood swamps with seven freshwater rivers. These river and forests systems have their own rich, unique aquatic, terrestrial wildlife and bird species and carry fresh water and sediment loads into the bay.

The Delta supports a thriving billion dollar tourist industry. The area has hunting, freshwater fishing, birding and vast archeological sites. Easy access can be had from The Five Rivers Delta Center on the old Causeway, which provides a motorized float boat, kayaks, canoes and air boats. A great deal of the Delta has been acquired and saved in perpetuity through Alabama's Forever Wild Trust Fund and other land acquisition programs. The Mobile-Tensaw Delta is a magical place and Indian tribes inhabited the area many years ago believing it to be sacred.

MOBILE BAY

The *Adjacent River Systems* entering Mobile Bay are Fish River from the east and Deer, Dog and Fowl Rivers from the west. These rivers provide recreational activities and are surrounded by expensive waterfront residential communities. The environs of Mobile Bay have already been discussed so we'll move on.

MISSISSIPPI SOUND

Mississippi Sound is a valuable coastal system. It is a bar built estuary formed through the emergence of complex submarine shoals deposited through waves, sediment loads and tropical storm forces that responded to changes in sea levels and hydrodynamics throughout the years.

The Sound extends from Lake Borgne, La. in the west to Dauphin Island Bridge in the east. It is separated from the Gulf of Mexico by barrier islands: Cat, Ship, Horn, Petit Bois and Dauphin Island. Many of these are in the Gulf Island National Seashore.

In the extreme southern part of Mobile County and along the Mississippi Sound are the salt water wetlands, wet pine savannahs with unique pitcher plant bogs, maritime forests, oyster reefs, submerged grass beds, inter tidal flats, mud flats, swamps and bayous. The Sound contains Alabama's most extensive black needle rush marshes. One can only imagine the variety of LIFE found in these natural sensitive diverse places.

BARRIER ISLANDS

The barrier islands are major landforms located in the southern portion of the coast. In Alabama they are Dauphin Island and to the east are Fort Morgan Peninsula, Gulf Shores and Orange Beach.

Coastal barrier islands are vital landforms in providing a variety of habitat for the numerous bird species, terrestrial and aquatic wildlife. Mother Nature plays a dynamic symbiotic role between wind and waves, vegetation and dune systems and if left alone retains stability and balance.

The forces from wind and waves keep the sand in continual motion as it moves to offshore bars or returns to the beach to be carried inland by the wind. The beach restores itself in cycles, as the supply of sand must be maintained in both offshore and upland locations.

The primary dune system consists of gently rolling ridges and hummocks at varying elevations covered by grassy vegetation. It is more stable than the beach and during storms these systems act as a sand source in maintaining the beach during erosive forces.

During calm sea conditions, winds gradually move sand from the primary dunes landward to maintain the interior dune system. Sea Oats, which are found in the primary dune area, are essential for stabilizing the reservoir of sand in order for it to be slowly supplied to adjacent areas. These are the first line of defense from storm forces for the entire complex.

The dynamic nature of the primary dunes can be seen in the after math of a major storm such as Hurricane Frederic in 1979, where they were completely leveled. In two years their natural cycle had restored them to pre-storm conditions. This can only be the case when the system has not been disturbed. When man interrupts the balance, restoration is slower, or non-existent.

If you go further into the interior there are the large, older and more stable, secondary dunes. These are covered by woody vegetation with the dunes often reaching heights of 30-40 feet. The

dunes act as bulkheads, stopping storm waters and slowing winds to offer protection. They need a steady supply of sand from the primary dune system in order to be replenished.

All of these systems are typical to the barrier islands. Hopefully, one day man will work with nature instead of trying to control it. Right now we don't seem to recognize how our actions create more problems than they solve.

TIDBIT - swale

Mother Nature's world holds interesting tidbits vital for life. A field trip leader told us the uniqueness of a swale during a outing in the breathtaking sand dune system on the Perdue Tract. In the midst of a circle of secondary dunes the shallow depression at the base can be holding rainwater during the rainy season and the bird and wildlife enjoy drinking the fresh water as well as enjoying the micro/macro assortment of organisms as a source of food. This is a swale or in other words an oasis!

During the dry season or drought the organisms go into a deep sleep or hibernate. When it rains they become alive again and the cycle goes on and on.

GULF OF MEXICO

The salty Gulf of Mexico provides its own variety of aquatic life and the waters are enjoyed for their recreational and fishing values. Transportation of sand from this system, by long shore water currents and air currents, replenishes the beaches and dunes. This only happens as long as man doesn't disturb the natural balance.

MORE SHENANIGANS -- COASTAL AREA BOARD - CAB

After the CZMP had been adopted a Coastal Area Board was created comprised of political appointees from Mobile and Baldwin counties, state and federal agencies along with a Citizens Advisory Committee (CAC). Many of us had high hopes for the CAB in the beginning. We felt it was an opportunity for competent leadership and people involvement. Alas. It was soon evident this was not to be the case.

CITIZENS ADVISORY COMMITTEE-CAC

The Citizen's Advisory Board (CAC) was comprised of a group of concerned citizens, such as myself. We were to work with the CAB on issues which could affect our coastal area. On numerous occasions I had to square off at meetings with our CAC representative, Steve McMillan, a local real estate developer who, in my opinion, appeared to put his own special interests before those of the Committee. After a meeting, the Chairman of the CAB, Mobile City Commissioner Gary Greenough took me aside asking if I could lay off him. I told him no way!

AUTHOR'S NOTE

In 1984, City Commissioner Gary Greenough was charged with fourteen counts of conspiracy, fraud and extortion. He served six years of the 25 years of his sentence. I only mentioned this to show some of our elected officials seem to believe they are somehow above the law. They forget they were elected to do a job for the public interests. These people are no better than the rest of us and we are all accountable for the way we chose to live our lives.

POLITICS AT IT'S WORST

The CAB was plagued by political shenanigans. The following is an excerpt from an article in the Mobile Press Register, December 27, 1982:

"Trick on Trickey?" -- "Dr. Bruce Trickey, executive director of the CAB since its inception, was replaced last week by former Mobile County Commissioner Bay Haas in a swift and surprise move. He was forced aside by some powerful board members who accused him of becoming too firmly entrenched with bureaucrats and his environmentalist friends. Members of the board, who were not informed of what was in the works until the axe had fallen on Trickey, are certain to object to appointment of Haas because of his pro-development views."

In 1979, Hurricane Frederic swept through our area and wiped out hundreds of homes along Fort Morgan Peninsula, Gulf Shores and Orange Beach. Immediately following the hurricane, the area was inundated with developers and unchecked construction on our coast. It was a greed driven madhouse.

Developers were issued waivers which allowed primary and secondary dune systems to be

completely bulldozed. The only requirement was the sand would be piled up and returned into a mound, once the development was completed. The ten foot contour, which was off limits for development, was completely ignored. Homes and condominiums were built close to the beach. Hurricane threats and federal regulations were outright ignored. Common sense should have shown the wisdom of protecting these valuable systems, but greed and lack of respect for our natural areas won out.

CZMP EMASCULATED

Governor Fob James emasculated the CZMP by dissolving the CAB and CAC. He then appointed the *Alabama Department of Economic Development (ADECA)* to assume leadership over dispersal of federal funds. Wonder where the money went? Regulatory control was placed in the hands of the Alabama Department of Conservation (DOC), but without proper funding, the program could not work. Once again, the effort to protect the environment was destroyed by greed, arrogance and manipulation of the laws with no respect for our coastal resources. Coastal citizens felt helpless as they watched the very things that made the coastal area a beautiful place to live be destroyed in the name of progress.

The new Director of ADEM was a retired CIA agent, Joe Broadwater: another typical Alabama redneck having no environmental background or interest. He was quoted as saying:

"I ain't no damn birdwatcher. What environment is it going to destroy if they go in and flatten the dunes? It's not going to do any great environmental harm. There are no endangered species in Baldwin County. It's not a breeding ground for sea oats or any endangered animal."

Good for you, Joe! After all, what is the point in being stupid, unless you can prove it?

AUTHOR'S NOTE

Now forty years later and because of questionable decisions during the 70's and 80's our coastal areas are at high risk. Beaches are eroding at an unprecedented rate and our dune systems are being ravaged with houses sitting out in the Gulf.

A solution for this was another one of the COE (Corps of Engineers) costly boondoggles, their beach re-nourishment program. Dredges in the Gulf suck up multimillion of cubic yards of near shore sand to place on the beaches. The tons of sand are then bulldozed and spread covering the

beach sand with no nod to natural processes such as smothering ghost crabs-a source of food for birdlife- and unborn turtle eggs. In my opinion, it is doomed for failure. The project is intended to recover and restore the eroded beaches around homes and condominiums which never should have been built so close to the Gulf in the first place.

British Petroleum funded a beach re-nourishment program on Dauphin Island to make reparation to Alabama's coast. A woefully inadequate attempt to repair the damages they created plus the oil/dispersant contaminated sand is now posing potential threats to the users of the beach.

I would venture to say that few people if any have given any consideration to the impact created by the removal of the near shore sand for the re-nourishment program. Rest assured there is a price to be paid in the loss of benthic or bottom communities. The huge burrows created in the Gulf, the heavy turbidity loads and interruption of the natural cycle of sand to the dune and beach systems will prove to be a bandage over a mortal wound. One day we will learn not to mess with Mother Nature.

SOME GOOD STUFF

Thought I'd lighten things up a bit and share some of the good things that happened because of citizen involvement.

GEOGRAPHICAL AREAS OF PARTICULAR CONCERN - GAPC

CZMP did some good by coming up with Geographical Areas of Particular Concern (GAPC). These unique spots in our coastal area were deemed to have a special need for preservation. Those of us who stayed in the planning process helped identify places for preservation and quite a few of these areas are now saved for perpetuity. Point aux Pines in Mississippi Sound and thousands of acreage were saved in the Delta because of the inclusion of GAPC in the CZMP. This is yet another case where public involvement and input paid off.

OUR COASTAL HERO - THE BEACH MOUSE

It took five years and the efforts of many individuals to have the three species of Beach Mouse added to the Endangered Species List. Although the mouse has no direct economic value they provide a valuable benefit by helping to save the dune systems.

The mouse is fond of sea oats, gathering them for food and burying the seeds in its burrow at the base of a sand dune. Many seeds sprout, working their way up through the dune to become the new sea oats stabilizing the sand. This symbiotic relationship helps keep the dune healthy. I imagine some little beach mouse somewhere is thumbing his nose at Joe Broadwater.

In order for a developer to be given access through a dune system the U.S. Fish & Wildlife Service (FWS) must generate a Habitat Conservation Plan (HCP). The process requires a FONSI (Finding of no Significant Impact) to determine whether the construction would have a significant impact on the critical habitat of any endangered species, as in the case of the beach mouse.

In a proposal for a condo development on Fort Morgan Peninsula the FWS did their HCP, but the Sierra Club questioned their findings and filed a lawsuit. The Fish & Wildlife Service had not adequately explained why significant destruction from the proposed condo on the newly discovered beach mouse habitat, the scrub oak dune system on the north side of Fort Morgan Highway, would not drive the species closer to extinction. They were required to do a re-evaluation.

These little guys were discovered to have crossed the highway in order to access a high elevation habitat further from the beach, which offered them refuge during threats from hurricane storm surges. They are survivors who use their own alarms, safety systems and hurricane evacuation routes. In the re-evaluation the FWS had to include the scrub oak dune system.

This re-evaluation caused the developer to re-think their plans which led to an eventual settling out of court settlement of a million dollars for the Sierra Club. This was quite a victory for the beach mouse, the Endangered Species Act, the scrub oak dune system, Sierra Club, and the rest of us.

COASTAL BARRIER RESOURCE ACT - COBRA

In order to insure that fragile barrier island land forms could remain in their natural state the National Wildlife Federation lobbied Congress for the passage of the Coastal Barrier Resource Act (COBRA). As President of MBAS, I was asked to fly to Washington in 1982 to help lobby.

Congressman Max Baucus, from Montana, held hearings before his Subcommittee on

Environmental Protection and Public Works. He felt strongly that the Federal Government should not use its financial resources in the Flood Insurance Program to support development on unstable storm prone coastal barrier islands. Additionally, he wanted to preserve and protect critical habitats, priceless coastal shorelines and rivers to allow unimpeded access for swimming and other activities. These efforts could eliminate wasteful spending of government funds and promote and protect our quality of life in these areas.

Several lands in Alabama were included in COBRA despite protests from corporations. U.S. Capitol, a development company, claimed its land on Fort Morgan Peninsula had been included by mistake. An aerial photo had been taken, during the evaluation stage, which showed their previously undeveloped land to be in a high hazard area and therefore unsuitable for development.

Despite this, the corporation proposed a \$60 million dollar golf course and residential development on the land. Studies made by the Alabama Marine Environmental Science Consortium, known as the Dauphin Island Sea Lab, showed that this development would result in the serious degradation of the area's important wetland resources and impair the barrier island's ability to protect mainland areas from storms. They concluded it clearly qualified for inclusion in COBRA and was inappropriate for a federally subsidized development for environmental and economic reasons.

Our three Congressmen; Heflin, Shelby and Callahan all wrote letters requesting the Corporations property not be deleted from the system. They should receive a Blue Ribbon for their support

CHAPTER FOUR

FEATHERS FLYING

BOONDOGGLE — *a costly, useless, wasteful activity, commonly identified as a Congressional pork barrel project favored by the U.S. Corps of Engineers with funding being provided by Congress and the American public*

MOBILE HARBOR

Mobile is a beautiful, historical port city. Barges, tankers and container ships transport all manner of materials up and down the thirty-nine mile Mobile Ship Channel from Mobile Harbor to the Gulf of Mexico and beyond.

The sediment rich rivers of the Delta in the north, and the long shore currents from the Gulf in the south, deposit a steady load of mud and sand into the Bay. This constant sediment dump creates a need to routinely dredge the ship channel and harbor to maintain a working depth of 45 plus feet.

Any man-made disruption in the natural environs of the Bay creates potential for catastrophic impact to its health and integrity. Dredging operations create high turbidity loads, which reduces the amount of dissolved oxygen in the water vital for aquatic life. Other significant turbidity impacts are the smothering of marine life, grass beds and wetlands. The additional loss of acres of bay bottoms lead to the disruption of the benthic community which provides worms and crustaceans, a major aquatic food source. Dredging operations also stir up bottom sediments which contain toxic chemicals and these are released into the water column and ingested by marine life, creating potential health threats to the human consumer. Shoreline erosion is intensified through dredging operations with the washing away of the bay edges and wetlands. These are all pieces of a puzzle that fit together perfectly if left alone, as each play a major role in maintaining a healthy relationship in our estuary.

Another problem which results from dredging operations is where to place the dredged material? For years the Corps of Engineers (COE) and Alabama State Docks (ASD) routinely turned bay

bottoms, wetlands and surface water acreage in the harbor into *FAST LANDS* (once *public lands turned into special interests areas*). *Blakeley Island, Pinto Island and McDuffie Island* are examples of public lands which were stolen from us for private use.

The U.S. Fish & Wildlife Service conservatively estimated that the harbor area has lost three to four thousand acres of public lands because of dredge and fill operations. To this day no one has identified what impact dredging operations have made to the integrity of the Bay and its aquatic resources beyond asserting that the Bay has been *stressed*. Well...duh.

The ASD, COE, Chamber of Commerce (COC) and Alabama Development Office (ADO) seem driven only by their need to be competitive in the world market, *losing sight of what's close to home*. Their propensity to think *globally, rather than locally*, continues to *sacrifice our quality of life in the name of growth and profit*.

Environmental groups such as the MBAS became involved and tried to mitigate their numerous irresponsible harbor and channel projects in the Mobile Bay ecosystem. *Our billion dollar tourist industry, recreational activities, commercial and recreational fisheries have all suffered from the loss of the free benefits provided by Mother Nature's resources*.

COE -- CITIZEN ADVISORY COMMITTEE - (CAC)

Every three years the District Engineer of the COE would move to Washington and a new one would take his place. I made it a point to become acquainted with each in the hope of balancing his point of view on coastal environmental issues. *Col. Drake Wilson's turn was in 1978. When he asked me how the Corps image could be improved I suggested he consider setting up a Citizen Advisory Committee (CAC)*. The committee would consist of groups already involved in the permitting process and allow us access in the preliminary planning of in-house projects. He liked the idea and the committee became a reality. We became *involved in projects* which revolved around Mobile Harbor and Mobile Ship Channel dredging needs, the proposed Theodore Ship Channel and Island, and the Tennessee-Tombigbee Waterway. I don't believe this has ever been done before or after!

Membership was represented by the MBAS, U.S. Fish & Wildlife Service, Alabama Department of Conservation, Environmental Defense Fund, Alabama Department of Environmental Management, Mobile County Wildlife and others.

There were many disgruntled Corps people, who resented our input, or interference and sometimes *feathers would fly* during our meetings. Members of our group were not easily intimidated, and made the most of this open door policy. We enjoyed the opportunity of being part of the in-house COE decision making process and this innovative idea expedited change in the ASD's and COE's outmoded methodology. We encouraged use of innovative approaches to the harbor needs and were actively involved in decision-making which helped keep the port of Mobile competitive in the world market.

SENSE OF HUMOR

At times, some of the Society members would pass helpful tidbits for me to use when the time was right. One day Dr. David Dean gave me a word to bedazzle with. He said it'd make them sit up and take notice. He was right. During a meeting where a Chickasaw Creek dredging operation was being discussed, the time came to use the word. The PhD gentlemen intended to dredge the channel, construct a diked area in the wetlands then place dredged material in the middle. I asked if anyone had considered *isostasy*. They seemed to have forgotten I was even in the room and weren't all that happy to be reminded. Alas, no one seemed familiar with the geologic term.

I explained that when a heavy burden is placed on an unstable base, such as exist in wetlands, the diked system will fail and the material would spread out, flowing back into the channel and surrounding wetlands. All of the men laughed...silly woman.

It wasn't very long after the job started that the dikes failed and the material spread into the wetlands and creek. I gained some respect...unfortunately, at a price to the environment.

The geologist in the group called me several years later to see if I would like to travel into the Delta with him and several Fish & Wildlife personnel to look at keyhole slips. I wondered why he had called and during the trip he admitted embarrassment at not knowing the term, despite years spent becoming a geologist and how I had pulled the rug out from under all of them. I was always surprised when this sort of thing would surface. I appreciated his honesty and it was a gorgeous day so we let bygones be bygones.

The Committee spent a lot of time trying to come up with acceptable choices for the COE and ASD's fifty-year dredge disposal plan and as a result the CAC was able to develop innovative approaches to solving the problem.

Every two years, when the Mobile River was routinely dredged, it created a need for finding a suitable site for the placement of 500,000 cubic yards of material. The existing disposal sites- North and South Blakeley and north and South Pinto Island - were becoming full .

The ASD would generally lease North Blakeley from their cronies for use as a dredge disposal site. During one of the CAC meetings I asked the Directors of the ASD, Bob Hope and Bill Black why didn't they just condemn the land and buy the area for long term use? They said they didn't condemn lands. They lied.

Jackie Olafsen, a member of the Audubon Board, was aware of the recent condemnation by the ASD of an old fishing village south of the McDuffie Coal Handling Facility. Fifty plus neighborhood homes had been condemned, acquired and removed. I called Freda Roberts, the Mobile County Tax Collector and asked for copies of the condemnation papers. I then called Col. J. Pat Kelly and told him what I had done and he loved the idea of putting the ASD on a "sharp stick."

At our next meeting, Col. Kelly asked if anyone had anything to say. I told Hope and Black they had lied to the Committee members and then passed the condemnation letters around the room. Not long after that meeting I was told that North Blakeley had been acquired for approximately \$2 million dollars. It was now state land to be used as a long term disposal site which saved the taxpayers a bundle!

The Corps hired Halliburton, a contractor out of Texas, who apparently knew nothing about coastal systems. In a two volume document which had two major directives, Halliburton presented a fifty year plan with the COE/ASD's support. The first plan was to place a dike around the perimeter of the very shallow and productive estuary in the southwest section of the Mobile-Tensaw Delta known as Polecat Bay. Dredged material would then be placed in the middle. This proved to be a very bad choice for Halliburton.

What Halliburton and COE/ASD's didn't expect was intense opposition from the good old boys. These were the judges, doctors, and lawyers, who considered Polecat Bay to be their own private hunting and fishing refuge. When they heard about the proposal to destroy the Bay members of the group placed their golf clubs in the trunk of their cars and got busy. Halliburton was stopped in its tracks! Talk about feathers flying!

Commission. He had also scheduled an appointment with Governor Guy Hunt. The Governor was rude, condescending and showed no interest in the potential coastal problem posed by the COE's.

So...I called a press conference the next day. Headlines in the Mobile Press Register of February 1987 were; *Hunt accused of rudeness, indifference to coastal area*. The following week we returned to Montgomery where Governor Hunt gave Bubba a letter which stated; *the dikes would not exceed twelve feet.*

DREDGE MATERIAL A RESOURCE

I enjoyed reading newsletters from the COE's scientific research group in Vicksburg, Mississippi known as The Waterways Experiment Station (WES). The agency embraced the idea that dredge material was not a waste, but a resource. This was groundbreaking news and played a major role in the solution for the COE's and ASD's fifty-year plan for Mobile Harbor. For years they had treated the material as a waste. They used the RUC, a machine which dug grooves in the dredge material to promote de-watering and compaction within existing sites.

The material had become a resource so the CAC encouraged the COE to remove and reuse the dried material after compacting to provide additional space for new loads. This would extend the life of the existing disposal sites. Tests showed it was mostly top soil and could be usable material to maintain dikes, roadbeds, and landfill cover. I suggested filling empty coal barges with the dirt for their return to the northern part of the state and reclaim coal mined areas. There were no supporters.

De watering, recycling and reuse now extend the life of the existing diked areas. This protects our natural systems (wetlands, bay bottoms) from being destroyed, provides for fifty year harbor need, saves taxpayers monies and keeps the Port competitive.

People involvement made a huge difference and the powers that be need to be constantly reminded that we live here too and have the right to be heard and be involved in any plans that affect us and our resources. These people were elected or placed in political office or agencies to oversee and protect our resources and public health. Our unified responsibility should be as watch dogs and make sure they are responsible custodians for us and future generations-but are we doing this?

The National Audubon Society and National Wildlife Federation are considering lawsuits. Myrt Jones, the environmental leader, called it a "make work" project by the COE, which she calls "a federal Chamber of Commerce." She also questions the State of Alabama agreement to pay half of the cost of deepening the channel as Governor Wallace has ordered state cutbacks, with additional taxes being proposed for educational purposes. Where are the state monies coming from?"

In addition, the coal industry planned a huge disposal area identified as the Transshipment Island to be used for the storage and handling of tons of coal with a docking facility for barges north of Ft. Morgan in Mobile Bay.

The U.S. Fish & Wildlife Service saved the day by stating that: the shallow productive grass beds and bay bottom lands at Arlington were essential for protecting the integrity of Mobile Bay. The project was stopped. You can see how the COE's /ASD's and their special interests need constant monitoring.

AUTHOR'S NOTE

Stay vigilant folks. The powers that be only see the bay as a conduit for a massive container port and export of oil and coal. In July 2014, Jimmy Lyons, CEO of ASD's promotes another reason for widening and deepening the ship channel-"We've already had a couple of requests for deepening the channel to fifty feet as some of the shipyards want to bring in bigger oil rigs for repair work and they can't pass through our forty-five foot channel."

Author's retort - "It's our forty-five foot channel as we paid for it and my suggestion for the oil rigs is let them find a deeper channel somewhere else!"

Deepening and widening the ship channel or filling the bay to create storage for the last gasp of fossil fuels could ultimately lead to the total destruction of our coastal area. Recently the COE had intended to do an EA (Environmental Assessment), an in-house document trying to bypass NEPA's requirement of doing the EIS.

According to an article in Lagniappe (July 2014): Port puts channel project on hold indefinitely as several groups such as the Sierra Club and Dauphin Island residents expressed concern about the plan to widen a five mile stretch of Mobile's federal shipping channel to be used as a passing

lane for wider bodied container ships. The petitioners requested an overall EIS. (not the COE's piddling and questionable EA.)

Glendon Coffee, a biologist who has worked for the COE for more than thirty years, has been very vocal in his opposition to the lack of a full EIS. He says, "It's looking like they are incrementally trying to implement a wider and deeper channel with the minimum amount of public knowledge. One reason they wanted the expansion piece by piece is because they wouldn't have to look at the entire scope of the impact."

The COE is now preparing an EIS and it will have to be completed within three years. The public will then be given the opportunity to decide for themselves what will be allowed.

EROSION OF DAUPHIN ISLAND BIRD SANCTUARY *GEHAIG*

In the 1970s and 1980s some of us would be invited on field trips with state and federal agencies during on-site investigations of projects being reviewed for permits. This was a wonderful way to enter the wild, beautiful spaces in coastal Alabama, meet people and become involved in the intricacies of the bureaucratic process.

The COE invited some of us to take a trip on the very large hopper dredge, the Gehrig. The vessel sucked up millions of cubic yards of sediment from the Bay at the entrance between Ft. Morgan and Ft. Gaines during a maintenance operation in the Mobile Ship Channel. The COE was very proud of their new toy.

William J. Hearin, publisher of the local paper, and I happened to be in the same car for the hour drive to Dauphin Island. Neither of us could stand the other and during the drive, we vented our spleens to the extent the driver intervened moving one of us to the front seat. Peace prevailed for the rest of the trip. It was an enjoyable tour of the Gehrig. Members of the crew explained how the dredged material was stored in the bottom of the vessel and the ship would travel 60 miles south of Dauphin Island, opening the bottom sections, releasing the load.

I questioned whether adequate studies had been made regarding the capture of the sediment and the impact from dumping millions of cubic yards of sand into Gulf waters. I felt certain there would be problems in the near future. The COE never seems to perform the proper research needed to offset and protect the balance of natural systems in a real life cost/benefit analysis.

*Didn't realize at time these littoral drift sand
were invaluable in restoring the barrier island
beaches*

The reason for my concerns came from a COE meeting. I remember being told the removal of the bar's sediment loads could result in starving the beaches on Dauphin Island and cause erosion. Tragically, this is exactly what happened. The removal of the loads altered the natural process. Normally the sediment would have entered the western littoral drift of the Gulf currents and end up on the beaches, but it became lost. Now our frequent tropical storms and hurricane surges will continue to add to the erosion problem as the Bird Sanctuary beaches are eroded to a catastrophic extent. These problems caused in house investigations in the COE and an uproar from Dauphin Island property owners as they felt it should not have been allowed in the first place. This was another costly, special interest mess with the public expected to bail out the ASD/COE.

THEODORE INDUSTRIAL PARK--MORE COSTLY SHENANIGANS → Island

In the 1980s, the Mobile Chamber of Commerce, Board of Industrial Development, COE and ASD spawned another monster and called it *Theodore Industrial Park*. It required catastrophic destruction of thousands of acres of beautiful natural creeks, streams, intertidal wetlands and forested swamps with their pitcher plant bogs. The loss of habitat in south Mobile County and impact on bird and wildlife has never been evaluated, nor has there been any discussion of mitigation.

The Chamber of Commerce courted some of the most polluting industries in the world and placed them in this very sensitive and delicate coastal area. The dirtier the industry the better, all in the name of progress.

- 31 Their plan included the Theodore Industrial Ship Channel to be constructed off the main channel. Millions of cubic yards of dredged material was to be removed during the dredging of this million dollar project and had to be placed somewhere. After months of studies it was determined that the Bay could handle one triangular-shaped, 1,700 acre dredged island, which covered over five square miles of productive Bay bottoms. There was of course no mitigation and the project violated the state constitution.

The U.S. Fish and Wildlife Service and the MBAS were the only groups who opposed constructing the island in a high hazard zone plus losing over five square miles of bay bottoms. We suggested the dredge material should be placed onshore to provide material for roadbeds and construction purposes; no one listened. A documentary made by Judy Ferguson "The Donut

THE VULCANUS - LEPER SHIP

CWM had a port in Chickasaw where the Vulcanus was docked. It was called the *Leper Ship* and carried the deadliness of cargoes. The millions of gallons of the witch's brew of toxic and hazardous wastes were brought in tanker trucks from all over the country. The year was 1990 and CWM wanted to construct two 800,000 gallon storage tanks in the floodplain of Chickasaw Creek for storing the "witches brew" before loading it onto the ship. The Vulcanus would then travel down Mobile Bay out into the Gulf of Mexico where the waste would be incinerated off the coast of Texas.

At this time, Bubba was Director of the Inspection Services for the City of Mobile. The Manager of the Port of Chickasaw walked in requesting a permit for the CWM storage tanks. He made the mistake of criticizing three women who were opposing the project and said Marissa Gardner, Collette King and Myrt Jones were just a bunch of busy bodies. Bubba asked if he had ever heard Myrt Jones speak and if not that he should attend the public hearing the following week and listen to what his wife had to say.

That night, when Bubba came home, he wanted to know what a PCB (polychlorinated biphenyl) was. I handed him the material and he read of how deadly and long lasting PCB's were. The next day he met with the three City Commissioners: Lambert Mims, Robert Doyle and Gary Greenough and told them of the permit request for the storage tanks and the associated dangers. He outlined the potential threats which could occur during the transport of the toxic waste through the Port of Mobile and Mobile Bay. Mims and Doyle gave him the green light to take the necessary legal steps to stop CWM and the Vulcanus.

Bubba called FEMA and they immediately opposed the storage of any hazardous waste within the floodplain. This gave him the legal right to officially deny the permit for the CWM construction of the storage tanks. He didn't stop there. An old metal high-rise bridge was the major access to the CWM site on Chickasaw Creek. Since there were questions about the integrity of this structure Bubba had an engineering evaluation done. This resulted in a tonnage limitation being place on use of the bridge and the tanker trucks exceeded the limits. The new restrictions resulted in additional economic losses for CWM.

A Coastal Environmental Alliance (CEA) group was formed which added people power to the battle against CWM and their ship. It consisted of MBAS, The Chickasaw Group headed by

Marissa Gardner, Collette King, the League of Women Voters represented by Barbara Caddell, Ann Walsh and Jack Friend. Jack Friend was a rare Chamber of Commerce person who believed in the protection of the environment along with economic growth.

CEA sent letters to various agencies and politicians outlining the group's concerns and opposition. Press conferences were held. Greenpeace added their additional support and vital information about the problems associated with incinerating toxic and hazardous wastes loads.

The Environmental Protection Agency in D.C. asked a group of us to help draft incineration regulations. We had been told they wanted public input in the drafting of ocean incineration rules and regulations for the Vulcanus. Luckily, a Greenpeace representative attended with a copy of their already drafted rules and regulations. He stood and held up the document for all to see then asked, "If this was what we are here to write?" EPA was furious. Greenpeace had pulled the rug out from under EPA and CWM and all hell broke loose. The group walked out as the meeting was a scam.

EPA had violated the law and public trust by joining up with CWM. We used this information, along with the largest attendance of 5,000 people ever to show up at an EPA meeting in Texas, opposing the Vulcanus. People power stopped Chemical Waste Management and the Vulcanus. I often wonder how bad the Superfund site is at the Chickasaw Port where the Vulcanus was loaded.

CITIZEN'S CLEARING HOUSE FOR HAZARDOUS WASTES -CCHW

CCHW gave Bubba their Leadership Award for his innovative efforts in the battle with CWM and the Vulcanus:

"What CCHW liked most about The Battle of Chickasaw was the remarkable imagination and use of local government power. It's probably the neatest effort ever seen. Your work and hundreds of other leaders have helped to make the grassroots movement against toxins one of the largest and most successful movement of these times".

IDEAL CEMENT

Ideal Cement constructed the world's largest cement plant in the wetlands of the Theodore Industrial Park. There were many groups opposed to this so the company got smart and invited

Many people were now questioning the safety of their drinking water from their wells in Baldwin County as farmers had used chemical pesticides, fertilizers and herbicides for years, all of which can contaminate groundwater supplies.

Nowadays, Mobile County has been ranked as one of the major polluting counties in the nation. Sadly, it appears the chickens have come home to roost at public expense.

CHAPTER SEVEN

Guardian Angels of Coastal Alabama

In this Chapter you will see how *people power* was used to protect and acquire lands in coastal Alabama.

DAUPHIN ISLAND BIRD SANCTUARY - DIBS

In the 1960's, Dr. Wilson Gaillard, a Mobile dentist, birder and conservationist, spent time improving the area around an abandoned golf course on Dauphin Island. He created nature trails, cleaned up Gator Lake and turned 164 acres into a wildlife and bird sanctuary.

When the MBAS was organized in the late '60's the Society leased the 164 acres from The Dauphin Island Park and Beach Board (DIPBB) and designated it as *The Audubon Bird Sanctuary*. This land form provides a stopover and return for thousands of birds during their spring and fall migration over the Gulf of Mexico to Central and South America. Over 360 bird species have been identified and Dauphin Island is listed as one of the top birding spots in the Southeastern United States.

The Society became a Chapter of the National Audubon Society (NAS) and the organization

assumed financial responsibility for the lease becoming over seer of the sanctuary. The members enjoyed birding at other unique sites on the island such as the Shell Mounds, Goat Tree Reserve, swamps and marshes.

During my presidency, Carlyle Blakeney, Vice President of National Audubon Society's Southeast Regional Office, donated a number of very old birding prints for us to use as a fund raiser. I contacted an auctioneer friend, Bratt Rainey and we hosted an auction at Murphy High School. His wife Nell, collected the money, and over \$4,000.00 was received from the sale of the prints. This money was turned over to Frosty Anderson, the Director of the National Audubon Society Sanctuary Department. Frosty matched the funds and a crew constructed a boardwalk over a section of the Sanctuary's sensitive dune system, allowing visitors access to the beach. This became the George Bennett Boardwalk in honor of his years spent as Warden of the Dauphin Island Sanctuary and for his dedication in keeping the trails open and safe.

NATIONAL AUDUBON SOCIETY - NAS

We were proud to have had two Presidents of the NAS visit our area. At the time Dr. Russell W. Peterson was coming I was a member of Mobile United and thought it would be nice to invite this impressive "scientist turned environmentalist" to speak before the group. He had incredible credentials:

Russ started out as a research scientist discovering Dacron while with DuPont Chemical

While Governor of Delaware-the state's CZ Plan stopped Shell Oil from building a 200 million dollar facility. He rallied environmentalists in wearing a lapel button saying -"To hell with Shell."

As Chairman of the prestigious Council On Environmental Quality, the President's own scientific committee he helped shape environmental reviews known as Environmental Impact Statements (EIS's)

Now as President of The National Audubon Society he vigorously fought Pres. Reagan's efforts to weaken enforcement of environmental regulations to help business. Reagan said conservationists would not be happy until the White House was "a bird's nest." and Peterson's reply was "it was already a cuckoo's nest."

major speaker. He gave me one of the nicest compliments I have ever received during my thirty years of involvement. David told the audience how the Nature Conservancy would only consider buying property from *willing sellers*. If it wasn't for folks like Myrt who opened the door for his organization to consider acquisition, few lands would be acquired. He likened me to the *"individuals in World War II, who cast their bodies across barb wire in order for the next force to capture the objective."*

Years later, while touring the facility with my daughters and grand kids, we came across a wrought iron bench with the sign: *"In Honor of Myrt Jones – President of MBAS-1972-2001."* It was a nice surprise but I sometimes wonder why no one ever told me about it.

PITCHER PLANT BOG

A pitcher plant bog was discovered during the planning phase of the Weeks Bay National Estuarine Research Reserve. This became my new passion, as these *Carnivorous plants* have a very interesting habit; they eat bugs. The southeast had thousands of acres of these bogs but now more than 90% have been lost to cultivation and other man-made development.

Pitcher Plants are easily recognized as tall, ice cream cone shaped, tubular plants with a hood over the top. Insects land on the lip of the stalk and sometimes fall into the tube where they are digested by the plant's juices. Other amazing plants in the bog are the Cobra Lily, Yellow Trumpet, Sphagnum Mosses and several species of orchids.

Of particular interest to me is the *Sundew*, a name which seems inappropriate when you consider how deadly it is to the insect world. These very small green plants found close to the ground can easily trap an insect attracted to the sticky, deadly fluid on their attractive green leaves. The leaves actually fold over the insect and devour it.

Dr. Mike Magnoli, Professor of botany at University of South Alabama and an Audubon Board member, provided pictures of the pitcher plants from his collection. The Board approved placement of identification plaques on the boardwalk so with permission from WBNERR I collected donations from within the corporate world.

BON SECOUR NATIONAL WILDLIFE REFUGE – BSNWR - PERDUE TRACT

In 1978, the MBAS became involved with the preservation of additional coastal lands. I received

a phone call from Skipper Tonsmiere, a local real estate developer, who had become interested in land conservation. He wanted to save a tract of land which had played an important role in his childhood memories. It was the **Perdue Tract in Gulf Shores.**

A developer held an option on the 1,200 acre tract and Skipper gave me a copy of his proposed development of condos, residential areas, shopping centers and golf course. The golf course was to be placed on top and within the thirty to forty foot dune system and the residential commercial development was planned around Gator Lakes and Little Lagoon. The proposal brought tears to my eyes.

I invited Skipper to appear before the Board of MBAS and after his presentation five of us became involved. Skipper took us on a tour of the amazing acreage and we fell in love with this coastal gem. Mary Burks, a very dear friend and President of The Alabama Conservancy, suggested I call The Nature Conservancy (TNC) and connect with David Morine. He knew of the property and loved our coastal area so he came and gave us guidance on how to proceed.

The U.S. Fish & Wildlife Service had to determine if the area could be deemed suitable through The **Bird Migration Act**, which allowed for acquisition of such lands. Of course, this tract more than fit the criteria. Congressman Jack Edwards had been approached to help acquire the land but he refused after he became aware a developer held an option as he could not be seen openly working with me. I told him that I would work behind the scenes, as there was plenty to do, however I resented his political attitude.

When I learned the developer had lost his option I *called the Chase Manhattan Bank in New York to see if the property was still available. It was and they wanted ten million dollars. My next call was to David who took the necessary steps by the Nature Conservancy to acquire the property.*

A 'quick' study was completed by the F&W Service and Edwards went before Congress and received the funds for the purchase of the property from TNC. The property became the first parcel in the Bon Secour National Wildlife Refuge. Five of us, Skipper, Jack Friend, John Borom, Nancy Garrett and I were presented with The Alabama Conservancy's Conservationist of the Year Award for spearheading the acquisition of this unique total barrier island system.

LITTLE DAUPHIN ISLAND - LDI

In 1979, Hurricane Frederic wiped out a portion of the bridge connecting Dauphin Island to the mainland and a new high rise bridge was under construction to replace it.

Chris Delaney, a respected Mobile attorney and owner of Little Dauphin Island, wanted the island acquired and included in the BSNWR. Members of the Society's Board supported acquiring the island as it was a coastal land form vital for bird migration and had large acreage of valuable salt water marshes. I told Chris in order to receive the Society's support he would have to remove a ramp which was planned to go from the bridge to the island. So it was. I called David Morine and after another Fish & Wildlife quick study it became the second parcel of the BSNWR.

AUTHOR'S NOTE

Besides the 600 plus acres of major wetlands, submerged grass beds and bay bottoms there were archeological, cultural and historical values on Little Dauphin Island. Greg Spies, Mike Rushing and I took a boat trip to the island with Greg pointing out pottery shards, arrowheads and the bottom of old French wine bottles scattered on the narrow beach. We also enjoyed the variety of bird life found on this lovely small island.

Somewhat upsetting was his story about the sea turtles. Sailing vessels would sail the Gulf, capture the turtles, and place them in kraals in Dauphin Island Bay. When they had enough turtles, they would store them in the hold of their ship, sail to New York where they would be sold to make turtle soup

LITTLE POINT CLEAR— THREE RIVERS

In 1979 Pace Oil Company owned Little Point Clear a beautiful unspoiled tract of land located on the north side of the Fort Morgan Peninsula. They wanted to dredge and destroy the numerous tidally influenced inlets and fill the prime wetlands with a residential development and marina similar to those found all over south Florida.

As President of the Society I sent a letter to the District Engineer of the COE, informing him of intentions to acquire this tract for the BSNWR. Fortunately, the Alabama Department of Conservation and U.S. Fish & Wildlife, notified the owner that his proposed project would have a significant environmental impact on the area and was therefore denied. This was in 1980 and became the last parcel the MBAS was involved in acquiring for the BSNWR.

Memorins of
Cady 27 → 73

The catastrophic BP Oil spill in April, 2010, proved my point as it occurred on the same kind of rig as the Lena in even deeper water.

The following is an excerpt from the Mobile Register dated November 9, 2012:

"Gulf Oil Spill Not Included In Study".

"By omitting the nation's largest environmental disaster from its calculation of the environmental impacts and costs of drilling, MMS, now the supposedly "reformed agency" Bureau of Ocean Energy Management, Regulation and Enforcement (BOEMRE) continues to bury its head in the sand and pretend that the Deepwater Horizon accident never happened."

This is a quote from Catherine Wannamaker-Southern Environmental Law Center. This group along with a coalition of environmental groups filed a recent lawsuit against MMS and their latest EIS as violating environmental laws such as NEPA, CWA, CAA, ESA and on and on.

SAVING N.E.P.A. (NATIONAL ENVIRONMENTAL POLICY ACT OF 1969)

On New Year's Day in 1970, President Nixon signed into law the NEPA declaring the seventies...

"Absolutely must be the years when America pays its debt to the past by reclaiming the purity of its air, its waters and our living environment. It is literally now or never."

It was a powerful tool, fully equal to the challenge of fulfilling the Nations commitments as it:

-- Required all agencies of the Federal Government to fully consider all of the environmental and social costs of their activities to insure they are indeed in the public's best interest.

-- Required the agencies to explore all feasible alternatives to guarantee they choose the best way to accomplish their objectives.

-- Guaranteed citizens the opportunity to actively participate in the decision-making which have profound influence on them and their environment.

NEPA must have been doing something right as it came under attack from the agencies hit hardest by continual lawsuits. These were the Atomic Energy Corporation, Corps of Engineers, the Transportation Department and their corporate backers (vested interests) and MMS and the oil/gas companies. They had all banded together to try and destroy the Act. Aware that citizens would not tolerate an overt attack they devised a program to kill it a little at a time by "amending" it to death behind closed doors.

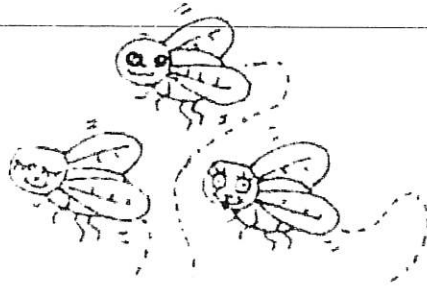
NEPA had done more to protect the environment in its two year four month existence than

anything previously so a massive citizen protest against Nuclear Industry, Utilities, the Highway Lobby and Steel, Paper and Chemical Companies, and Oil/Gas Industry began. People Power was finding its feet and already impacting the world in a positive way.

My letter to Congressman W.L. Dickinson of April 1972 received his resounding support in protecting this important and vital NEPA legislation. It remains in place.

CHAPTER THREE

Swarms of Gadflies



Charles Dickens was a man who fought for justice. In his writing, he showed how individuals can make a difference by noticing, caring, and by encouraging.

When people join together amazing things can happen, but involvement can't take a holiday. Nowadays, when enforcement of environmental laws seems lax or nonexistent and politicians are more likely to support special interests, rather than the needs of their constituents, watchdogs are needed more than ever.

COASTAL ZONE MANAGEMENT PLAN (CZMP)

In the mid to late 1970's, NOAA (National Oceanic and Atmospheric Agency) gave citizens an opportunity to develop a plan for managing, protecting and developing Alabama's coastal resources. The plan was called the Coastal Zone Management Plan and public involvement was vital.

Initially, only Mobile Bay was identified as needing special protection. After a few meetings, citizens met on their own in order to come up with a more comprehensive plan which included the Mobile-Tensaw Delta Bottomlands, the Barrier Islands and the Gulf of Mexico. The inclusion of these areas was necessary to protect the overall ecosystem as a unit. Hackles were raised as the planners had reasons for not wanting this to happen.

These planners tried to discredit us by using the term "environmentalist" as though it was synonymous with "anti-industry." But, truthfully, all we wanted were our natural resources respected and protected and hoped that the CZMP would give us what we needed for our area.

After many months and innumerable meetings a plan was presented, then rejected. Three drafts, and a lot of compromise later, one was adopted which we felt was acceptable. We had fought for a plan with some teeth as we knew we needed all the help we could get to protect Alabama's gulf coast for the future.

DELTA

The CZMP became the comprehensive delineation of the Mobile Bay Ecosystem that the citizens had demanded. This was vital as each section played an essential part in the interrelationship of the whole.

The Mobile-Tensaw Delta is a geologic depression to the north of Mobile Bay. In previous years, the Department of the Interior had designated the area as a National Landmark. It is comprised of bottom land swamps with seven freshwater rivers flowing through the system. These rivers dumped loads of freshwater into the bay. Each system has their own unique aquatic wildlife and birdlife species.

The Delta supports a multi-million dollar tourist trade in coastal Alabama. It's used for hunting, birding, fishing, cultural and archeological sites and scenic beauty. Access for many tourists is by a guided tour from a motorized float from The Five Rivers Delta Center. Kayaks and air boats are available too. The motorized float is preferred by many as there are very large alligators and snakes in the area.

Much of the Delta has now been acquired through the Forever Wild Trust Fund and is saved for perpetuity. The Mobile-Tensaw Delta is a magical area and the Indians believed the place to be sacred.

MOBILE BAY

The environs of Mobile Bay have already been discussed so we'll move on to the barrier island systems.

BARRIER ISLANDS

The barrier islands are located in the southern portion of the Bay. They are Dauphin Island to the west and Fort Morgan, Gulf Shores and Orange Beach to the east. These systems provide buffer areas from the numerous tropical storms and hurricanes and are major attractions for our tourist trade. Human usage put these areas at risk as these sandy areas are very sensitive.

Mother Nature's dynamic role played between the winds, waves, beach and dune systems is truly magical. Interference by man can have devastating consequences on these processes.

Beaches and dunes play a unique role in the preservation of coastal landscapes and provide important feeding habitat for birds and wildlife. There is a symbiotic relationship between the shifting sands, stabilizing dunes, vegetation and wildlife.

Near shore, the forces of wind and waves keep the sand in continual motion, as it moves to offshore bars or returns to the beach to be carried inland by wind. The beach restores itself in cycles, so the supply of sand must be maintained in both offshore and upland locations.

The primary dune system is in the intermediate zone and consists of gently rolling ridges and hummocks of varying elevations covered by grassy vegetation. It is more stable than the beach and is a dynamic system. During storms, even when altered, these systems continue to act as a sand source by maintaining the beach during erosive forces.

During calm sea conditions, winds gradually move sand from the primary dunes landward to maintain the interior dune system. The vegetation, such as sea oats, of this zone is wind and salt resistant and is essential for holding the reservoir of sand within the primary dune system in order for it to be slowly supplied to adjacent areas. These are the first line of defense from storm forces for the entire complex.

The dynamic nature of the primary dunes is seen in the extreme following a major storm such as Hurricane Frederic in 1979, as they were completely leveled. But, in two years their natural cycle had begun to restore them to pre-storm conditions. This was the case only where the system had not been disturbed. Where construction activities had interrupted the balance restoration was slower or non-existent.

If you go further into the interior there are the large, older, more stable secondary dunes which are covered by woody vegetation often reaching 30-40 feet in height. These dunes act as bulkheads, stopping storm waters and slowing winds to offer protection for homes from hurricanes. These dunes need a steady supply of sand in order to be replenished from the primary dune system.

All of these systems are found only on the barrier islands. Hopefully, one day man will work with nature instead of trying to control it. Right now we don't seem to recognize how our actions create more problems than they solve.

Someone shared this little tidbit with me to show just how delicate and remarkable the natural world is. There exists, between the dune systems, especially the secondary ones, a depression known as a swale. Rainwater collects in these areas creating ponds of fresh water and food for birds and wildlife. The areas eventually dry up, but retain microscopic organisms which become dormant in the sand. When it rains again these little fellows wake up and once again become a food source for God's creatures. Symbiosis. Web of Life.

GULF OF MEXICO

The salty Gulf of Mexico provides its own variety of aquatic life. The transportation of sand by

long shore currents, replenishes the beaches and dunes as long as man doesn't disturb the natural balance .

COASTAL AREA BOARD (CAB)

After the CZMP had been adopted a board was created comprised of political appointees from Mobile and Baldwin counties, from state and federal agencies and our CAC representative. Many of us had high hopes for the CAB in the beginning as we felt it was an opportunity for competent leadership and people involvement, which was vital, to protect our coastal resources. It quickly became evident this was not to be the case. Many people became thoroughly disgusted and felt there was no leadership; just politics as usual.

CITIZEN'S ADVISORY COMMITTEE (CAC)

The CAC was an additional board created which was comprised of a group of concerned citizens, such as myself. We were to work in conjunction with the CAB on issues which could affect our coastal area. On numerous occasions I personally squared off at meetings with our CAC representative, Steve McMillan, a real estate developer. In my opinion, he seemed to put his own special interests before those of the Citizen Advisory Board. After one meeting, the Chairman of the CAB, Mobile City Commissioner Gary Greenough took me aside to ask if I could lay off the representative. I told him, "No Way!"

GEOGRAPHICAL AREAS OF PARTICULAR CONCERN (GAPC)

Something positive did come out of the Plan. Unique and sensitive areas were identified which needed to be acquired and from this list quite a few places have been saved for perpetuity. Point aux Pines, wetland acreage in Mississippi Sound and thousands of acreage were saved in the Delta because of the CZMP.

AMERAPORT

Eventually, it came to light that the driving force behind the State of Alabama's adoption of a CZMP was the need to have a plan in place in order to qualify for federal funding and to be included for consideration as an oil offshore port in the Gulf of Mexico. Talk about sneaky, dirty politics. Citizens had just been put through the wringer in order to come up with a plan to be proud of but unfortunately it proved to be just another dirty tactic. Offshore ports were called Superports, in our case, Ameraport, and were to be used for offloading supertankers full of oil. Most of the supertankers were rusty hulks that spilled oil all over the world and at the time, Onassis had the largest fleet of violators.

State Senator Red Noonan and his cronies, were in the forefront promoting the Ameraport. As

President of the MBAS I was one of his major opponents. On one occasion he looked at me and said; "Myrt you are a Gadfly." At the time I didn't know what a Gadfly was so looked it up in the dictionary. Guess what? He was right.

SOCRATES

Plato refers to Socrates as the first Gadfly, since he irritated people by suggesting they should consider justice and pursuit of goodness for others. His attempts to improve the Athenian's sense of justice may have been the reason behind his execution as he had made many enemies. I felt honored to be in such good company.

ARISTOTLE ONASSIS

Onassis was a Greek shipping magnate who owned the Onassis Tanker Fleet which consisted of 65 tankers. Lloyds of London records identified his company as having had 54.5% of the tanker accidents in the world. A truly bad record.

In December 1973, Onassis was sniffing around 3,500 acres of land in Durham Point, New Hampshire with the idea of locating a controversial \$600 million dollar oil refinery. He would need an offshore buoy terminal for Supertankers, whose crude oil would then be piped underwater to the refinery on shore.

Opposition from New Hampshire residents was so high that Onassis went looking elsewhere. He visited numerous potential sites along the Gulf Coast.

I wrote Governor Edwin Edwards of Louisiana trying to get Onassis's address. I wanted Onassis to know we, in Alabama, would be as unwelcoming as the folks New Hampshire. The Governor said the information was unavailable. Good news for Alabama but bad news for Louisiana as they were picked for the Superport-called The Loop. Just another nail in their environmental coffin.

POLITICAL SHENANIGANS

The CAB was plagued by political shenanigans. The following is an excerpt from an article in the Mobile Press Register, December 27, 1982:

"Trick on Trickey?" --"Dr. Bruce Trickey, Executive Director of the board since it's inception, was replaced last week by former Mobile County Commissioner Bay Haas in a swift and surprise move. He was forced aside by some powerful board members who accused him of becoming too firmly entrenched with bureaucrats and their environmentalist friends. Members of the board, who were not informed of what was in the works until the axe had fallen on Trickey, are

certain to object to appointment of Haas because of his pro-development views."

CONDO LAND

Hurricane Frederic, in 1979, swept through our area wiping out hundreds of homes along Fort Morgan Peninsula, Gulf Shores and Orange Beach. The complete devastation made it seem as if God was sending a message to not build in this area. This message was lost on developers and politicians.

Almost immediately after the devastating hurricane, this area was inundated with developers and their unchecked building of condominiums on our coast. Development was allowed everywhere, even in our dune systems. The situation was unbelievable, as nothing was sacred, even the laws were ignored. The Baldwin County coastal area became a greed driven madhouse.

Developers were issued waivers which allowed primary and secondary dune systems to be completely bulldozed, with the only requirement being that the sand would be piled up and afterwards to be returned into a mound. The ten foot contour was ignored as homes and condominiums were built in front of dunes and close to the beach.

GOVERNOR FOB JAMES

Governor Fob James emasculated the CZMP by dissolving the CAB. He then appointed The Alabama Department of Economic Development (ADECA) to assumed leadership over receiving and dispersal of the federal funding. Regulatory control was placed in the hands of the Alabama Department of Conservation (DOC). Without proper funding the program couldn't work and that is exactly what they hoped for. The program was destroyed because of greed and manipulation of the laws.

The citizens were appalled as the very things of beauty that made enjoyment of the coastal area a major drawing power were now victims of destruction.

AWIC--NOW ADEM--ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

Governor James became a joke, as after dissolving AWIC, he created ADEM and appointed a retired CIA agent, Joe Broadwater, the new Director. Broadwater, a typical redneck, who had no environmental background or interest what so ever was quoted as saying:

"I ain't no damn birdwatcher. What environment is it going to destroy if they go in and flatten the dunes? It's not going to do any great environmental harm. There are no endangered species in Baldwin County. It's not a breeding ground for sea oats or any endangered animal."

Good job, Joe, cause what's the point in being stupid, unless you can prove it?

QUOTES FROM ARTICLES OF NUMEROUS INDIVIDUAL LAWSUITS

Mobile Register September 1983

"Harris suit among recent ADEM cases--is typical of the recent civil suits filed against ADEM for alleged improper permitting of condominium projects on the coast. They've leveled about 400 feet of dunes. They've taken off all the vegetation and built in the velocity zone, where FEMA said they shouldn't build. Harris contends like other homeowners in the Gulf Shores area: the flood hazard to his home is increased by alteration of the sand dunes."

Jesse Havard of Fort Morgan Peninsula "asked the court to enjoin ADEM and the developers of Gulf Shores Plantation (U.S. Capitol) from further willful or negligent violations of Alabama's CZMP. The destruction of a large amount of the facing dunes--has increased the potential for storm, wave surge and flooding damage to his home. Another point made was -The Gulf Shores Utility Board-discharge of the sewage from their treatment plant into the groundwater will affect the drinking water on the peninsula."

LeLani project in 1983 "ADEM allowed the developer to completely destroy the primary and secondary dune systems with the requirement that they would pile the sand back when they were finished."

FORTY YEARS LATER

Now, because of waivers, questionable decisions and practices during the 70,s and 80,s our coastal areas are at risk. Beaches are eroding at an unprecedented rate, our dune systems are ravaged and houses are sitting out in the Gulf.

The Nation's taxpayers are paying for another COE boondoggle known as the "beach renourishment program." Dredges are placed in the Gulf, sucking up multi million cubic yards of near shore sand then placing mountains of it onshore. The tons of sand cover the important food sources for shore birds, plus kills untold numbers of turtle eggs buried in the sand.

This project is done in order to recover and restore the eroded beaches around homes and condominiums, which were constructed too close to the Gulf in the first place. BP OIL funded another beach nourishment program in order to make reparation for the damage to Alabama's coast from the oil spill. In my opinion it was just another cover up.

No one has given any consideration to the impacts as a result of the removal of the Gulf sand by the renourishment program. Rest assured there is a price to be paid in the loss of benthic

communities, the heavy turbidity loads smothering aquatic life and by the interruption of the natural cycle. The sand will prove to be a bandage over a mortal wound. One day we will learn not to mess with Mother Nature.

OUR COASTAL HERO--THE BEACH MOUSE

In order for a developer to be given access through a dune system the U.S. Fish & Wildlife Service (FWS) had to do a Habitat Conservation Plan (HCP). The process first required a FONSI (Finding of no Significant Impacts) to determine whether the construction would have a significant impact on the critical habitat of any endangered species, in this particular case, the beach mouse.

In two proposed developments on Fort Morgan Peninsula the FWS had done their HCP's. The Sierra Club questioned their findings and filed a lawsuit. The FWS had not adequately explained why significant destruction of the newly discovered beach mouse habitat would not drive the species closer to extinction. They were required to do a re-evaluation which was included in the new findings.

The Service had not included the scrub oak dune system found on the south side of the highway. The little mouse was actually using evacuation routes they had established for crossing the road in order to access the critical high elevation habitat this area offered during threats from hurricane storm surges. They were survivors who used their own alarms and safety systems. In the re-evaluation the FWS included the scrub oak dune system.

This re-evaluation caused the developers to re-think their plans and eventually settling out of court with a multi-million dollar settlement for the Sierra Club. Quite a victory for the beach mouse, the ESA, the scrub oak dune system and Sierra Club.

Many of us felt the HCP which includes the ICP (Incidental Takings Process) actually legalized the killing of the beach mouse.

ADDITIONAL INFORMATION ON THE BEACH MOUSE

The Alabama Beach Mouse is our coastal hero. This intrepid little guy's habitat became threatened by all of the Condo development in the dunes. The mouse lives in a burrow at the base of the dunes and if it hadn't been listed in the ESA he would be extinct. It took five years and the efforts of many individuals to get the three species of Beach mouse on the Endangered Species List.

Although the Beach mouse has no direct economic value—they aren't trapped for food or clothing, they're cute, but tourists don't spend money to look at them, they do provide a valu-

able economic benefit. The mouse is fond of sea oats and gather them for food, burying quite a few in their burrow at the base of the sand dunes. Many of these seeds sprout working their way up through the dune and stabilize the sand. This symbiotic relationship helps keep the dune systems stable and healthy. I imagine some little beach mouse somewhere is thumbing his nose at Joe Broadwater.



Photo Credit: Joel Sartore / joelsartore.com

COASTAL BARRIER RESOURCE ACT (COBRA)

In order to insure that fragile land forms could remain in their natural state the National Wildlife Federation was lobbying in Congress for the passage of COBRA. As President of MBAS, I was asked to fly to Washington in 1982 to help lobby.

Congressman Max Baucus, from the State of Montana, held hearings before his Subcommittee on Environmental Protection and Public Works. He felt strongly that the Federal Government should not use its financial resources to support the development of unstable and storm prone coastal barrier islands. Additionally, he wanted to preserve and protect critical habitats and priceless coastal shorelines and rivers in order to allow unimpeded access for swimming and other activities. This would eliminate wasteful spending of government funds and promote and protect our quality of life in these areas.

Several lands were included in COBRA despite protests from corporations. U.S. Capitol, a development company, claimed its land had been included by mistake during the evaluation phase. An aerial photo had been taken which showed their previously undeveloped land to be in a high

hazard area and therefore unsuitable for development.

In spite of this, they had proposed a \$60 million dollar golf course and residential development. Studies made by the Alabama Marine Environmental Scientist Consortium, known as the Dauphin Island Sea Lab, testified that this development would result in the serious degradation of the area's important wetland resources and impair the barrier island's ability to protect mainland areas from storms. They concluded it clearly qualified for inclusion and was inappropriate for a federally subsidized development for environmental and economic reasons.

Our three Congressmen; Heflin, Shelby and Callahan all wrote letters requesting the Corporations property not be deleted from the system.

*In recognition and appreciation of your efforts
toward the passage of the
Coastal Barrier Resources Act,
an act which establishes a federal resource system of
undeveloped coastal barriers in order that these
fragile land forms may remain in their natural state,
We present this certificate to*

MYRT JONES

*Your support and concern for the wise use and management of the barrier islands
and beaches which line the Atlantic and Gulf coasts of the United States
will stand as an example of your commitment to the conservation cause.*

Jay D. Vinter
Jay D. Vinter
National Wildlife Federation

Laurence Rockefeller
Laurence Rockefeller
Americans for the Coast

October 1, 1982

NORTH PINTO

Colonel Pat Kelly, the new District Engineer of the COE called and asked me to meet him on the boardwalk. North Pinto Disposal site is immediately adjacent to Pinto Pass. He told me his idea to raise the dike system from its present height of 12 feet to 40 feet, believing it would solve long term dredge disposal problems. My response was, "Like hell you will, I'm going to stop you."

Capt. Diffley also thought it was a horrible idea. He knew of my husband's experience in floodplain management so the Commission hired Bubba to stop the COE. Bubba explained to his bosses that a 40 foot high wall could divert storm surges during a hurricane into downtown Mobile. He also felt FEMA would not allow a wall of this magnitude in this high hazard area as it could threaten the City's Flood Plain Management and Flood Insurance Programs. The Commissioners gave him carte blanche to stop the COE.

We attended a meeting with the State of Alabama Building Commission in order for Bubba to explain the proposal and our daughter Sharon traveled with us to Montgomery. Bubba had also scheduled an appointment with Governor Guy Hunt to discuss the coastal problem with him. In our meeting with the Governor he was rude, condescending and showed no interest or concern about the potential problems which could be created by the COE's proposal.

As President of the MBAS I called a Press Conference the next day. The headlines in the Mobile Register of Feb. 1987 were, "Hunt accused of rudeness, indifference to coastal area."

Bubba and I returned to Montgomery the following week for another meeting with the Building Commission and he was handed a letter from Governor Hunt which stated the dikes would not exceed 12 feet. This was great news for all.

DREDGED MATERIAL AS A RESOURCE (FINAL SOLUTION TO LONG TERM NEEDS)

Scientific findings from COE's scientific group, the Waterways Experiment Station (WES) stated that dredge material was not a spoil but a resource. The COE was encouraged to reevaluate how they handled the material and to start de-watering and reusing the resource within their disposal sites. The dirt could be used to maintain dike systems, roadbeds and, ideally, barge loads could be sent north to reclaim lands that had been destroyed in coal and strip mining. Other uses were beach nourishment, landfill cover, possible agricultural, bird nesting, development of wetlands and recreational uses if the material was deemed safe enough.

NORTH AND SOUTH BLAKELEY

Every two years the ASD routinely leased North and South Blakeley from their cronies to use for dredge disposal sites. During one of the CAC meetings regarding the harbor dredging I asked the Directors of the ASD's Bob Hope and Bill Black why they didn't condemn and buy the areas for long term use. They told us they didn't condemn lands.

Jackie Olafsen, a member of the MBAS Board told me the ASD actually did in fact condemn lands. She was aware of the recent condemnation of an old fishing village south of the McDuffie Coal Handling Facility where fifty plus neighborhood homes had been condemned and removed.

Freda Roberts, our Mobile County Tax Collector made me a few copies of the condemnation papers so I called the Colonel with my idea of putting the ASD on a "sharp stick". He loved it.

At our next meeting Colonel Kelly asked if anyone had something they would like to say. I told Black and Hope that they had lied to the Committee members. Members were shown the condemnation letters and not long after that meeting North and South Blakeley were acquired for approximately two million dollars. This saved taxpayer's money as they were now owned by the State. Now the COE was finally

discussing WES's suggestion of lengthening the life of disposal sites by using the dewatering- reuse plan.

ALCOA MUDLAKES

Since the 1940's the Alcoa Aluminum Company had piped their toxic red mud and wastewaters under the Mobile River into a 600 acre disposal site on Blakeley Island. By the 1970's, six mudlakes with forty foot high dikes had been filled. The waste load was extremely alkaline, dangerous and nothing lived in the lakes. Once, an individual accidentally fell in and was hospitalized with third degree burns.

Over the years there were frequent overflows of mud and wastewater which ended up with the formation of accreted lands and polluting Polecat Bay. Members of the MBAS, such as the Linzey's, were very much involved in those days and took aerial photographs which showed the problems and violations. As the new President I also became involved.

The Alabama Department of Conservation State Lands Division threatened a lawsuit against Alcoa as the company wanted to lay claim to the accreted lands along the edge of Polecat Bay. The Agency rightfully claimed they were state lands. A lawsuit was threatened regarding ownership of these lands. In an effort to stay out of court a committee was put together consisting of representatives from various groups. As President of MBAS I was invited along with Dr. John Winn, a MBAS Board member and a COE person. We, along with others, were given the task of coming up with a solution everyone could live with. It was called "The Agreement."

In a way, it was a "mitigation bank" as bottom lands, wetlands, surface waters, grass beds had been destroyed in previous years and this would be a way to return them to the public. It was also an experimental pilot program to determine if a waste area could be utilized and turned into a usable one holding dredged material and providing a healthy habitat for birdlife.

In the Agreement the plan was for dredged material to be pumped into one of the six mud lakes after carefully preparing the area in compliance with state and federal strict guidelines to be able to properly receive the material from the Mobile Harbor. A large wooden platform was placed in the receiving spot in order to absorb the impact from the dredged material and disperse the flow out of the pipe. If it worked then 600 acres of land would be returned to the state.

The first lake was ready, the dredge was in the harbor, pipes laid out and everyone watched as the first 500,000 cubic yards of dredged material flowed onto its surface. As it hit the platform the material spread out onto the bottom and edges of the lake. I was horrified by the appearance of the material as it looked like black oil! We left the site with my head reeling and the thought that we had made a horrible mistake.

We returned a month later and to our surprise saw beautiful brown dirt covering the lake with patches of natural vegetation springing up! Our "Agreement" was a success thanks to all involved. This was another step taken in solving the long term needs for dredging of Mobile Harbor as the door was now open to reclaim the other five lakes the same way. An unexpected bonus was that birders found the reclaimed mudlakes to be the best birding sites in coastal Alabama.

These changes have saved taxpayers monies, public lands are left alone, and long term dredge disposal needs for the the Harbor keep the port competitive in the world market. People involvement provided common sense and the use of innovative methods which in many minds-provided a "miracle".

THE TENN-TOMBIGBEE WATERWAY REANALYSIS - ANOTHER BOONDOOGLE

The TTWW cost taxpayers billions of dollars and was a boondoggle from the very start. It was strictly constructed for the coal barons to export coal. The project was supported by Congress, state and local officials, COE and of course the coal export supporters. Destruction of the environment was rampant,

endangered species were killed, cultural and archeological values were lost, all due to this project. The TTWW was envisioned as another route from the center of the United States, starting in Tennessee then through Alabama to the Gulf in order to compete with the Mississippi River.

Those of us on the CAC received the draft copy of their "Reanalysis" - there was no Congressional support or Federal funding available for "The Reanalysis" and it was just off the COE drawing board. The original TTWW plan had not included the area south of Demopolis on the Tombigbee River so more money was needed. In the Reanalysis the winding Tombigbee River would be destroyed and be turned into a SUPERHIGHWAY in order to allow eight barge tows. On the Mississippi River twenty four barges, or more on one tug were not impossible. This proposal was unrealistic and extremely costly. The year was 1976.

Citizen Advisory Committee (CAC) involvement paid off when we were handed "The Economic Reanalysis Study." it showed that the COE and ASD needed another billion dollars to even get started. Their plan was to:

- destroy the natural and numerous bends of the Tombigbee River
- eliminate sixteen cut-offs and twenty-eight bends of the river
- remove the natural benefit of slowing stormwaters coming south
- lose the dispersal and assimilation of the storm or flood waters
- lose natural absorption of pollutants
- lose thousands of acres of major habitat areas for birdlife, and wildlife
- add huge turbidity loads taking its toll on water quality, cause erosion and release sediment ending up in the Harbor adding loads to be dredged
- smother aquatic life
- remove and rebuild three bridges
- change road beds and utility lines
- create the need for new dredge material sites in the Mobile-Tensaw Delta

If there had not been a CAC this project would have slipped through Congress like a greased pig. The MBAS Board told me to notify the COE that the Society would file a lawsuit to stop them. At the next CAC meeting the agency was informed of our intent. Jim Trippe, with the Environmental Defense Fund and U.S. Fish & Wildlife Service, Larry Goldman said that they planned similar threats. The plan was stopped. This was in 1976. Those of us on the CAC stopped a multi-billion dollar destructive boondoggle...and no one knows about it

DEEPENING OF THE MOBILE SHIP CHANNEL—CONTAINER PORT

Despite the persistent problems associated with dredge material disposal for just routine maintenance, the COE and ASD, puppets of Alabama Coal Barons, tried to sell the idea of deepening the channel from 40 to 55 feet. These people tried to convince the public that it was an action needed in order for the Port to stay competitive in the world shipping market.

It was quite obvious who would gain from this. This was prohibitively expensive to the taxpayers and the integrity of the Bay would be threatened, as once again, the plan was to grab thousands of acres of public lands. At first, only 1,700 acres were mentioned but additional bay lands were included as the plans grew to 32 million cubic yards of dredge material.

Arlington Point (Brookley Field) was to be the location but this acreage was considered by the USF&W Service to be a valuable shallow productive nursery area for marine life with major wetlands, grassbeds and baybottom.

In Montgomery Advertiser article-August 1986

"Environmentalists, Coal Barons square off over harbor dredging" Cathy Donelson wrote- "The National Audubon Society and National Wildlife Federation are considering lawsuits". "Myrt Jones the environmental leader- called the project a "make work" project by the COE, which she calls "a federal Chamber of Commerce." "She also questions the State of Alabama agreement to pay half the cost of deepening the channel as Governor Wallace has ordered state cutbacks with additional taxes being proposed for educational purposes. Where are the state monies coming from? Under the Reagan Administration the cost-sharing arrangement would require the state to pay money they don't have at this time?"

The proposed project was eventually stopped but this was the sort of thing people had to contend with in those days and most of these situations continue to plague the country today. People need to wake up to what special interests and corporations are doing to this country, the environment and its people.

FORTY YEARS LATER

U.S. Ports are back to the drawing board with plans to deepen channels in order to allow the larger and deeper draft container vessels into their bays. Hopefully the people will speak out and encourage the COE and port planners and promoters to consider other options such as "topping off" or "Roll on roll off" container vessels.

These options would lessen the need to deepen the channels because the deeper draft vessels would stay in the ocean while the shallow draft vessel would bring the cargo into the port. Either way will be expensive so why not make the choice to protect the Bays?

Our natural resources provide too many free societal benefits to let growth and development destroy them. Economics exist in the freebies such as tourism, recreational, fishing activities and enjoying a clean bay. Use these dollar marks to counter their need. Watchdogs should stay involved in protection of our natural world and the public interest. The "special interests" have been the controlling force for too long.

TRANSHIPMENT ISLAND

Beside the filling of lands at Arlington Point another proposed boondoggle was the construction of a huge island in the Bay, just north of Fort Morgan. It was another plan considered for a dredge disposal site and a coal handling facility. Hurricane anyone?

OCEAN DUMPING

A technique used for channel maintenance at the mouth of the Bay was catching sediment loads in a huge hopper ship, the Gehrig. Multimillions of cubic yards of sand were sucked up and held in the ship's hold then transported and dumped 40-60 miles south of Dauphin Island into the Gulf. Very few if any studies were made to determine possible impacts in the Gulf.

Normally the sediment loads coming down the channel into the Gulf entered the littoral western drift ^{SANDS} which replenished the beaches at Dauphin Island. The loss of these millions of cubic yards of material starved the beaches causing serious erosion. The additional stress from the frequent storm waves and surges made it worse.

As a member of the CAC I heard the Corps admit that the capture of the sediment loads could cause erosion of coastal lands on Dauphin Island. The COE is now required to dump closer to the littoral

penning Ship
channel. 47
48
49

the natural capture of the sand in order for the starved beaches to try and recover. There ongoing uproar between the property owners, COE and ASD as it is felt this badly planned could not have been allowed and they are right.

3 SHIP CHANNEL AND ISLAND

ASD came up with another plan through the direction of the Chamber of Commerce and Industrial Development. It involved the construction of another ship channel off of the channel for access to the the newly developed Theodore Industrial Park in south Mobile

development had already caused destruction to thousands of acres of intertidal wetlands and streams plus the area had a high water table posing threats to aquifers with pollution loads. Of course the toll taken on the displaced wildlife living within this ecosystem was never evaluated. Most of the industry here is considered to be "dirty" but they provide jobs, so as far as the Chamber was concerned, this is all that matters.

Pollution of all types is rampant because of industry too dirty to be welcome elsewhere were wooed to Alabama by the Chamber. Our three refineries are located in the Park plus chemical companies that would not have been allowed elsewhere, so I am told.

The plan included the construction of a spoil island in order to accommodate the multimillion cubic yards of dredged material from the new channel. This resulted in the filling of over five square miles of bay bottom lands (public lands) and surface waters-(navigable bodies of water.)

The MBAS and the USF&W Service had objected to the idea of an island and suggested the material be placed onshore and used for roadbeds and construction. This would have provided an economic savings plus other beneficial uses but...we lost.

Millions of dollars of taxpayer's monies were spent to try and stabilize this island as it is in a high hazard area because of frequent storms and fast currents. The agencies tried planting vegetation, bulk heading the edges and all failed until, finally huge rocks (rip rap) stabilized portions of the island.

After the construction was complete, we went on the "celebratory" boat trip which toured the perimeter of the island. Nell Echols Burks and I met on this trip. She was the Editor of the Chamber of Commerce magazine. This was a fortuitous meeting and we became instant friends. It was Nell who encouraged me to write "Planning Paradise" and she edited the piece. The article had been given permission for placement in the next Chamber Magazine by Al Weiskoff.

An unexpected, happy outcome resulted in the construction of this island. I believe God intervened and made the best of the bad situation as the brown pelican, an endangered species, came to the island. They hadn't been seen in the area for decades. Four pair of these birds were raising their fledglings. While these birds nested and raised their young there could be no dredging and placement of material on the island. Once the COE and ASD considered ignoring this requirement and were told by Larry Goldman F&W they would be arrested. The message was clear. No dredging!

Nature came out on top for a change, and now an explosion of pelicans, terns, skimmers, and gulls and other species started using the island. It became known to locals as "Bird Island" and the official name is now Gaillard Island, in honor of a local birder.

RIP VAN WINKLE LETTER

In 1986, as president of MBAS I appeared before Congressman Tom Bevill's Committee in Washington, to present our opposition on the Tenn Tom waterway. Bubba had never met his congressman and wanted to meet Sonny Callahan. We didn't have an appointment but I knew his Administrative Aide and

CHAPTER SEVEN



Guardian Angels of Coastal Alabama

GOOD NEWS – PEOPLE POWER AT WORK

In this Chapter you will see how *People Power* was used to protect lands in coastal Alabama.

DAUPHIN ISLAND BIRD SANCTUARY(DIBS)

In the 1960's Dr. Wilson Gaillard, a Mobile dentist, birder and conservationist, began to spend his time improving the area around an abandoned golf course on Dauphin Island. He created nature trails, cleaned up Gator Lake and reclaimed the area as a wildlife and bird sanctuary.

After the formation of the MBAS in the 1960's, Don , Alicia Linzey, Dr. Gaillard and others leased the 164 acres from The Dauphin Island Park and Beach Board (DIPBB) calling it, "The Audubon Bird Sanctuary". This saved the land from being developed as it is a major landform for the thousands of birds using the migratory route over the Gulf of Mexico.

When the MBAS became a Chapter of the National Audubon Society (NAS), the national organization assumed financial responsibility for the the lease and became overseers of the sanctuary. The members enjoyed the sanctuary for birding and other unique areas such as the Shell Mounds, Goat Trees, swamps and marshes found on the island.

Dauphin Island and Fort Morgan Peninsula are important landforms for the hundreds of thousands of Neo Tropical birds during their spring and fall migrations. On their return from the Yucatan Peninsula, one may see actual "fallouts" of thousands of exhausted birds. In the early days 360 species were identified by birders in the annual bird counts.

The barrier islands are vital in providing flyways as they are the first and last stops for a migration. A variety of waterfowl, seabirds, shore birds and the (LBJ'S) little brown jobs can be seen during these periods. Dauphin Island is listed as one of the top birding spots in the Southeastern United States.

During my tenure as president of MBAS there was a good relationship between our Chapter and National, most of the time. Carlyle Blakeney, Regional Vice President of the Southeast Regional Office, donated quite a few very old birding prints to the MBAS to be used as a fund raiser for the Chapter.

I contacted an old friend, Bratt Rainey, who was an auctioneer and we held an auction at Murphy High School. Bratt, and his wife Nell, helped raise \$4,000.00 in the sale of the prints. These monies were

turned over to Frosty Anderson, who was Director of the National Audubon Society Sanctuary Department at the time. Frosty matched the funds and a crew constructed a boardwalk through the sanctuary over a section of the dune system to the shoreline. This became the George Bennett Boardwalk in honor of his years as Warden and for his dedication in keeping the trails open and safe.

In 1992 the Chapter Policy was violated by the new National Audubon Society President Peter Berle. He disbanded the Southeast Regional Office, firing Carlyle Blakeney and staff without any notification to the Chapters. Chapter Policy dictated that no changes would be made to chapters without prior notification. The Chairman of the Board and Peter Berle received a bunch of "dead flowers" with a black ribbon wrapped around the stems from me and a memorial letter condemning their disrespect for the Chapters in the Southeast Region. They gave us no reason other than "*they just didn't think this area was worth their time and money*". NAS destroyed the family that once existed from their Ivory Tower offices in New York.

The Birmingham and Mobile Chapters had just organized the Alabama Audubon Council as Carlyle Blakeney had told us there were now 5,000 members in Alabama who did not belong to any chapter. Huntsville, Muscle Shoals, and Tuscaloosa were now included, which added to our strength. The Alabama Audubon Council was formed with representation from each of the five chapters throughout the state and it was timely.

Minnie Nonkes, Venetia Friend and others contacted me on what could be done since our Chapter now had no lease or monies in order to maintain the Sanctuary. NAS had abandoned these responsibilities as well. I suggested to the ladies they be our delegation and present the problem before the Council meeting the following week.

Thank goodness members of the Council came through! The Friends of Dauphin Island Sanctuary (FODIS) was formed with Dr. John and Jackie Porter as the leaders. This organization continued the lease agreement with the Park and Beach Board.

The FODIS developed a Management Plan. Educational materials and brochures were put together and released. Signs were put up to help the visiting public realize the urgent need for protection of the area. They cleared trails and more boardwalks were constructed. In all of those years under NAS nothing of this magnitude had been achieved so things worked out for the best thanks to involved members.

FORTY YEARS LATER (DIBS)

In 2012, John Porter informed me the Dauphin Island Bird Society, formerly FODIS, continues to be a major and active birding society with over 500 members from all over the country. Their protected areas consists of lands covering the Shell Mound, the Goat Trees, Tupelo Gum Swamp and other vital acreage. The Weeks Bay Foundation recently had 28 parcels protected under a "conservation easement" which keeps it out of the hands of developers.

In a recent bird count there were 347 species identified. The decline in the number of species may be from the destruction of their habitat and food sources along their migratory routes plus pollution loads. This is disturbing on many levels. For additional information email-coastalbirding.org.

of the plants and animals in the area.

Of particular interest to me is the "Sundew", a name which seems inappropriate when you consider how deadly it is to the insect world. These very small green plants are close to the ground and hard to see, but can easily trap an insect attracted to the sticky, deadly fluid on their attractive green leaves. The leaves actually fold over the insect and devour it.

BON SECOUR NATIONAL WILDLIFE REFUGE (BSNWR)--PERDUE TRACT

The MBAS became involved with the preservation of coastal lands after I received a phone call from a local real estate developer, Skipper Tonsmiere. Skipper became interested in land conservation by wanting to save the Perdue Tract, an important area in his childhood memories. During his childhood he had been free to roam the area as friends of Dr. Perdue and his family. The doctor and his family lived in a cypress home built behind the dune system. A developer had an option on the 1,200 acres tract and his plans consisted of condos, residential areas, a golf course and shopping centers.

He asked me how to save these lands, but I didn't know so invited him to appear before the Board of Directors of MBAS. Four of us got involved with Skipper and toured the amazing acreage; they were Jack Friend, Nancy Garrett, John Borom and me. When Skipper gave me a copy of the developer's plans I cried, a very uncharacteristic reaction from me as usually I just got mad. Luck was with us as the developer lost his option on the property.

Before this happened Mary Burks, a very dear friend and President of The Alabama Conservancy, suggested I call The Nature Conservancy (TNC). I had not heard of them, but was lucky to get just the man we needed: David Morine. He had heard of the property and loved our coastal area, so he came and met with five of us and gave us directions on what would be needed. When I heard the developer had lost his option, I called the Chase Manhattan Bank in New York and asked if the property was still available. It was! They wanted ten million for the property. The next call was to David Morine who would now take the necessary steps for the Nature Conservancy to acquire the option.

The U.S. Fish & Wildlife Service had to do a "quick study" to determine if the area could be deemed vital for bird migration in context of The Bird Migration Act, which allowed for acquisition of such lands. Of course, this tract more than filled the criteria as a vital landform. U.S. Rep. Jack Edwards (R-Mobile) had initially been approached to help acquire the land, but he refused when he became aware of a developer holding an option. He also said he could not be seen openly working with me because of some of his developer contacts within his political world, so he was told I would work behind the scenes, as there was plenty to do. I resented his political attitude and realized he wasn't truly a constituent politician.

After the study, and with TNC holding the option, Edwards went before Congress finding the necessary funds needed for the purchase of the property from TNC. The property became included in the National Wildlife Refuge System and became the first parcel in what is now known as the Bon Secour National Wildlife Refuge.

The five of us were presented with The Alabama Conservancy's "Conservationist of the Year" for spearheading the acquisition of this unique barrier island system.

LITTLE DAUPHIN ISLAND (LDI)

Hurricane Frederic in 1979 had wiped out a portion of the bridge which connects Dauphin Island to the mainland and during this period a new high rise bridge was being constructed to replace it.

Chris Delaney, a respected Mobile attorney, owned Little Dauphin Island. One day I was with him and we discussed the fact that he wanted the island to be acquired and included in the BSNWR. Members of the MBAS supported acquiring the island, but there was a problem as there was a ramp on the new bridge construction plans allowing access to the island and possible development. I told Chris that in order for the MBAS to give our support the ramp would have to be removed and so it was. There was a call to David and the Fish & Wildlife did another quick study. Little Dauphin Island became the second parcel of the BSNWR.

According to the studies Little Dauphin Island is the only North-South oriented barrier island in the Gulf area with patches of pine trees and ancient oyster shell mounds (middens) which is associated with the Indian period.. In this 600 plus acres there are major wetlands, submerged grass beds plus the surface waters and bay bottoms of Dauphin Island Bay.

Greg Spies and Mike Rushing took me on a boat trip to the island and Greg spun his tales of how the Indians had used the island to enjoy the oysters. Then he showed the evidence of this by the layers of shells in the eroded portion of the island. Pottery shards and arrowheads were also found on the narrow beach.

He told me when the French occupied Dauphin Island they would visit LDI-- then handed me a large green bottom of a French wine bottle. What really intrigued me was his story about the sea turtles. Sailing vessels would sail the Gulf, capturing the turtles then placing them in kraals (corral areas) in Dauphin Island Bay. When they had enough turtles they would place them in the hole of the ship and sail to New York to sell for turtle soup. The island was an incredibly rich area, biologically, historically, culturally and archaeologically.

LITTLE POINT CLEAR—THREE RIVERS

Pace Oil Company was the owner of this beautiful unspoiled tract of land. Mr. Pace wanted to dredge the small tidally influenced inlets and fill wetlands for another condo, marina development with residential areas and bulk headed shorelines much like those found in Florida.

As President of the MBAS I sent a letter in 1979 to the District Engineer of the COE informing them of intentions to acquire this tract for the BSNWR. Fortunately the COE wrote the owner telling him that his proposed project would adversely impact a significant amount of tidally influenced wetlands and was therefore denied. This was in 1980 and was the last parcel the MBAS was involved in for the BSNWR.

ROBINSON ISLAND

In 1988, the owner of Robinson Island which lies in Perdido Pass in Baldwin County applied to the COE PN for a permit to construct a floating pier on the island. The purpose was to provide private access for subsequent development.. This was very sneaky.

Everyone involved with this valuable little island knew the owner planned to construct 30-40 homes, a