

**AQUACULTURE
PERMITTING GUIDE**

**FOR
COASTAL ALABAMA**

MASGP-97-005

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**AQUACULTURE PERMITTING GUIDE
FOR
COASTAL ALABAMA**

**Richard K. Wallace
and
Steven Fitzgibbons
Auburn University Marine Extension and Research Center**

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INTRODUCTION

Aquaculture, defined as the controlled cultivation and harvest of aquatic plants and animals, is a developing industry that has become a valuable supplier of aquatic products. As a result, there is a growing demand for information on getting started in aquaculture. While there are many essential elements (business plan, financing, site selection, etc.) to starting an aquaculture enterprise, one area that is often overlooked is the need for state and federal permits for the construction phase and possibly for daily operation. This guide seeks to provide information to those who desire insight on the permitting process relevant to the aquaculture industry.

The regulation and permitting of aquaculture related activities involves multiple agencies and organizations from all levels of government. Federal, state, and local components all take part in administering, regulating, and permitting aquaculture related activities. This guide lists and describes the agencies and organizations which have a role, directly or indirectly, in regulating aquaculture activities. These organizations may be involved in site selection, facility design, construction, facility operation, species obtainment, production, processing, and marketing. Prospective aquaculturist are often cautious about interacting with governmental agencies within the overall framework of the permitting process. Knowledge of the regulatory process plays a vital part in having a smooth, efficient, and successful permitting experience.

In Alabama, the Alabama Department of Environmental Management (ADEM), United States Army Corps of Engineers (USACE), and the United States Environmental Protection Agency (EPA) are the primary agencies involved in permitting aquaculture related activities. Other federal, state, and local agencies are involved, but questions about the aquaculture permitting process should be directed to the three (3) primary agencies first.

OBTAINING A PERMIT

The following provides an overview of the basic information needed to obtain the appropriate permits for activities often associated with aquaculture. More detailed information is found under "Primary Agencies" and "Other Agencies".

Pre-application Meeting

Prospective aquaculturist should contact the USACE and ADEM during the initial stages of project development, and if possible, arrange to meet with a branch representative for a preapplication meeting. If enough information is available concerning the proposed aquaculture project in this initial stage, USACE and ADEM may be able to determine if the planned development can be permitted as envisioned and assist in adjustments as needed. If the project seems acceptable during the preapplication meeting, procedures for obtaining the necessary permits can also be discussed.

US Army Corps of Engineers (USACE)

The USACE has multiple regulatory and enforcement authority. The USACE's responsibilities include, but are not limited to: the maintenance and protection of the nation's water resources, the placement of structures within or alteration of "navigable waters", the discharge of dredge or fill into all waters of the United States, and activities involving wetlands, navigable waters, or other waters of the Nation. Aquaculture activities subject to these areas of USACE authority need a permit and should submit a USACE / ADEM joint permit application. In order to obtain a permit, **the joint application must be submitted to the USACE: Mobile District, with a photocopy or duplicate of the original application being sent to the ADEM: Permit Coordination Center, ADEM: Mobile Field Office, and the Alabama State Docks Department.** The joint application (process) allows the applicant to use and fill out one application form for all involved agencies. Prospective aquaculturist can obtain a joint application by contacting the USACE or ADEM. *(For phone number and address please see "Directory of Agencies")*

After the application is received by the USACE, the following process typically takes place:

1. Application submitted, regulating authority determined, and ID number assigned.
2. Public notice may be issued with a 15 to 30 day comment period.
3. Proposal reviewed by USACE, public, special interest groups, and agencies; and comments requested.
4. USACE considers all comments.
5. Federal and state agencies consulted (where required).
6. Possible request for additional information.
7. Possible public hearing (if needed).
8. Decision by ADEM on coastal consistency and/or water quality.
9. Decision on permit issuance or permit denial (applicant advised of reason).

Federal and state laws require several agencies to review and comment on the activity in accordance with their own legislated mandates. This involves a coastal consistency determination and a water quality certification by ADEM.

US Environmental Protection Agency (EPA)

The federal government regulates the discharge of effluent into navigable waters through the Federal Water Pollution Control Act of 1972 and the National Environmental Policy Act of 1969. The EPA usually requires a permit for these discharges. Additional issues of concern for the EPA include water and air pollution, waste disposal, and various potential impacts to fish and wildlife resources. The EPA has various enforcement, regulatory and permitting responsibilities. In Alabama, ADEM is authorized to coordinate most EPA programs. ADEM has primary authority for state and federal regulations controlling the discharge of liquid wastes from distinct (point) sources. In addition to various state regulatory programs on water pollution control, ADEM administers the National Pollutant Discharge Elimination System (NPDES).

An NPDES permit contains effluent limitations that restrict the volume and concentration of certain pollutants being discharged. Section 402 of the Clean Water Act (CWA) requires that any discharge into waters of the United States must have a permit (NPDES or other permit). Discharges of aquaculture related projects are subject to the NPDES permit program through Section 318 of CWA and in accordance to Title 40 Code of Federal Regulations (CFR) part 125, sub-part B. An NPDES permit may not be required for some aquaculture discharges, but the process should be followed to avoid problems.

The NPDES application process, between the EPA and ADEM, allows for the submission of only one (1) application. An NPDES application can be obtained from the Industrial Branch of ADEM and should be submitted to the ADEM: Permit Coordination Center. ADEM will coordinate with the EPA in regards to the NPDES permit and state water quality certification. ADEM and the EPA will decide if a permit is necessary. If the proposed aquaculture facility falls under EPA regulations or causes unacceptable water quality impacts, an NPDES permit will be required. If unacceptable water quality impacts are predicted, the aquaculturist may need to provide pollution abatement. *(For phone number and address please see "Directory of Agencies")*

Coastal Consistency

Federal activities and applications for federal permits and licenses must be "consistent" with the Alabama Coastal Area Management Program and its coordinating state laws, regulations, and policies. The consistency review process involves a certification program administered by ADEM concerning activities taking place within the continuous ten (10) foot coastal area demarcation contour line in Mobile and Baldwin Counties. Construction in navigable waters, liquid waste discharge, dredge and fill material disposal, beachfront construction, coastal planning and related activities are regulated or directly permitted in accordance to the consistency review process of the Alabama Coastal Area Management Program.

Aquaculture in Federal Waters

Aquaculture in the offshore waters of the Gulf of Mexico may fall under federal jurisdiction. Federal jurisdiction starts at the limit of state jurisdiction (about 3 miles in Alabama) and reaches to 200 miles from shore. Proposed projects offshore of Alabama in federal waters undergo a permitting process similar to that of normal "State" aquaculture permitting. The USACE is the primary agency dealing with the permitting, although, a joint ADEM / USACE permit application will be used because of the proximity to State waters. Other agencies will comment and review as usual.

State Submerged Land Leases and Riparian Oyster Leases

State leases of submerged lands for aquaculture are available for oyster culture, but other aquaculture uses may be allowable. Submerged land leasing should be applied for through the Marine Resources Division (MRD) of Alabama Department of Conservation and Natural Resources (ADCNR). The MRD will evaluate the lease area with regards to habitat and the potential for aquaculture and use these two elements to determine a lease fee. Each lease fee is dependent on perceived development requirements, predicted value of product, and impact on the area to be leased. Therefore all leases are renegotiated annually according to changes in site and other similar elements.

Riparian (water fronting) property owners have a "riparian right" to grow oysters in front of their land to a distance of 600 yards from shore. The "riparian right" does not confer ownership of the water bottoms (which are held in trust for all citizens of Alabama), but does allow the property owner of land fronting the water to lease his "riparian right" to grow oysters. Riparian claims, though, cannot be exercised over natural oyster reefs. Before the riparian land owner exercises his "riparian oyster rights", he must have the submerged bottom surveyed by a registered surveyor and file a plat with the MRD of ADCNR. Individuals wishing to exercise a riparian claim must document the claims validity by filing with the MRD a property deed or lease from the property's owner. The submerged lands which the riparian land owner has the right to grow oysters on must be marked at the corners and each 600 feet in between (at least). The riparian land owner or the "riparian right lessee" must also provide MRD with a list of persons who are authorized to harvest from the marked areas. MRD will patrol these areas and prevent illegal taking of oysters. Harvest of oysters from riparian beds are subject to the same

Alabama Health Department Standards that govern the taking of oysters from public beds.

The following sections provide more detail on the role of the agencies that may be involved in the permitting process. Some repetition of information is unavoidable given the overlapping responsibility in jurisdiction. If in doubt about any aspect of permitting, a call to either the U.S. Army Corps of Engineers or the Alabama Department of Environmental Management should take care of most problems.

PRIMARY AGENCIES

ADEM

USACE

EPA

Alabama Department of Environmental Management

The Alabama Department of Environmental Management (ADEM) is responsible for providing comprehensive and coordinated program management for Alabama's natural resources with respect to the environment and health, safety, and welfare of the public. All major federal environmental laws in Alabama are administered by the ADEM. These laws include the Clean Air Act, Clean Water Act, and other similar environmental legislation. ADEM is legislated to conserve, protect, maintain, and improve the quality of public water while at the same time allowing for the propagation of wildlife, fish and aquatic life, and for domestic, agricultural, industrial, recreational, and other uses. In addition to having responsibility for certification of permits issued by the EPA and USACE, ADEM functions as the regulator for all purposes of the Federal Water Pollution Control Act.

Permits

ADEM has the responsibility for all programs and activities involving environmental permits and enforcement actions. In particular, ADEM is responsible for the permitting, regulation, and enforcement functions in the coastal area. ADEM issues permits for the following activities:

Alabama Coastal Area Management Program activities:

- Certification of any state/federal permit application within the coastal area.
- Permits for construction along Gulf of Mexico beaches and dunes.
- Permits for any new commercial or residential development within the coastal areas which is greater than 5 acres in size and either contains wetlands, is located adjacent to coastal waters, or is located along the Gulf beaches and dunes.
- Permits for any new groundwater wells which will have a greater than 50 gallon per minute capacity and have a 50 year capture zone extending in to the coastal area.

NPDES Permit

A National Pollutant Discharge Elimination System (NPDES) permit contains effluent limitations that restrict the volume and concentration of certain pollutants being discharged. Section 402 of the Clean Water Act (CWA) requires that any discharge into waters of the United States must have a permit. Discharges of aquaculture related projects are subject to the NPDES permit program through Section 318 of CWA and in accordance to Title 40 CFR part 125, subpart B. An NPDES permit must be attained prior to any discharging activities. ADEM, having primary authority for state and federal regulations controlling the discharge of liquid waste from point sources into state waters, administers the NPDES. In Alabama, the EPA delegated ADEM the authority to administer the NPDES program.

The NPDES application process, between the EPA and ADEM, allows for the submission of only one (1) application. An NPDES application can be obtained from the Industrial Branch of ADEM and should be submitted to the ADEM: Permit Coordination Center. ADEM will coordinate with the EPA in regards to the NPDES permit and state water quality certification. ADEM and the EPA will decide if a permit is necessary. If the proposed aquaculture facility falls under EPA regulations or causes unacceptable water quality impacts, an NPDES permit will be required. If unacceptable water quality impacts are predicted, the aquaculturist may need to provide a form of pollution abatement.

Initial contact with ADEM should be made through the permit Coordination Center, unless the industry (proposed facility) is certain that a proposed project requires only wastewater permits. During the initial planning stage of the proposed project, a pre-application meeting should be arranged to possibly determine if the planned development cannot be permitted as desired. This decision would be based upon the capacity of the stream intended to receive the wastewater discharge or the publicly owned treatment works.

When a completed application (including all requested information) has been received by ADEM, a draft permit is developed and the applicant and EPA are provided 30 days in which to review and comment. After consideration of these comments, appropriate revisions of the draft permit are made and public notice of the intent to issue the permit is made. The public has a 30-day comment period to show if sufficient public interest exists in the project. If so, a public hearing will be held. Following consideration of comments received during the public participation process, a final permit is developed and issued or the permit is denied.

State Indirect Discharge Permits (SID)

In Alabama, ADEM issues State Indirect Discharge (SID) permits to dischargers of industrial wastes to publicly owned treatment works and to privately owned treatment systems not operated by the waste discharger. Permits are required for those dischargers meeting the definition of significant industrial user. The application process for a SID permit is similar to the NPDES permit process (See NPDES permit information), but requires a separate application from ADEM.

Permit Procedure

Contact ADEM for the appropriate application for the proposed activity. ADEM will review the application, forward information to appropriate federal and state agencies, and coordinate with applicant in regards to modifications. ADEM will issue a public notice regarding the proposed activity and authorize review and comment time schedules for the appropriate agencies. If no objections or comments are received and regulations are met, ADEM will issue the permit. If there are comments, ADEM will review them against applicable laws and regulations before making the final decision concerning permit issuance or denial.

Examples of Agency Involvement:

- Wetlands protection and management
- Point source (NPDES) discharges
- Developments greater than 5 acres
- Solid waste disposal
- Coastal area management
- Construction in all navigable waters
- Construction in wetlands
- Activities on state water bottoms
- Agriculture waste disposal

Addresses and Contacts:

ADEM
Mobile Field Office
2204 Perimeter Road
Mobile, AL 36615
(334) 450-3400

ADEM
Permit Coordination Center
1751 Cong. WL Dickinson Dr.
Montgomery, AL 36130
(334) 271-7714

ADEM
Water Division, Industrial Branch
1751 Cong. WL Dickinson Dr.
Montgomery, AL 36130
(334) 271-7700

U.S. Army Corps of Engineers

The U.S. Army Corps of Engineers (USACE) has various regulatory and enforcement authority as required by Section 10 of the Rivers and Harbors Act, Section 404 of the Clean Water Act, and Section 103 of the Marine Protection, Reserve, and Sanctuaries Act. These responsibilities include, but are not limited to: the maintenance and protection of the nation's water resources, the placement of structures within or alteration of "navigable waters", the discharge of dredge or fill into all waters of the United States, and activities involving wetlands, navigable waters, or other waters of the Nation. Aquaculture activities subject to Sections 10, 404, and/or 103 must submit a USACE and ADEM joint application. The joint application process allows for the submission of one (1) application. The original application should be sent to the Mobile District USACE, with a photocopy or duplicate of the original application being sent to the ADEM - Permit Coordination Center, the ADEM - Mobile Field Office, and the State Docks Department.

Section 10: Rivers and Harbors Act of 1899

Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) regulates (primarily by the USACE) all work, obstructions, or alterations of navigable water of the United States. "Navigable waters of the United States" are those waters that are subject to the ebb and flow of the tide shoreward to the mean high water mark and/or presently used, or have been used in the past, or which may be susceptible to use, or transport of interstate or foreign commerce. Aquaculture pens, cages, driving stakes for open-water oyster cultures, dikes for ponds, piers, pipelines, artificial reefs and intake / discharge pipes are examples of activities that require a permit.

Section 404: Clean Water Act of 1977

Section 404 (in accordance to Section 301) of the Clean Water Act prohibits the discharge of dredge or fill material into the waters of the United States without a permit from the USACE. Any work or activity which involves the placement or discharge of dredge or fill into the "waters of the United States" requires a permit. "Waters of the United States" includes, but is not limited to, adjacent wetlands and tributaries to navigable waters of the U.S., natural ponds, mudflats, and intermittent streams. Construction of fish ponds and levees in wetland areas are examples of activities that require a permit.

Section 103: Marine Protection, Research, and Sanctuaries Act of 1972

Section 103; Marine Protection, Research, and Sanctuaries Act, as amended (33 U.S.C. 1413) authorizes the USACE to issue permits for the transportation of dredge material for the purpose of dumping into ocean waters. The USACE shares responsibility for Section 404 and Section 103 with the U.S. Environmental Protection Agency.

Permit Process

A USACE / ADEM joint application must be submitted to the USACE District Office, the Alabama State Docks, and ADEM (Permit Coordination Center and Mobile Field Office) in order to obtain a permit. The original application should be sent to the USACE with copies being sent to the other agencies. Aquaculture activities subject to Section 10, Section 404, and / or Section 103 can obtain the joint application from the USACE - Mobile District Office or ADEM - Permit Coordination Center. Alabama aquaculture activities fall under one of two USACE districts. Most of the state falls under the Mobile District, should your activities occur in one of the 16 northern counties associated with the Tennessee Valley Authority contact the Nashville District.

After the joint application is received, the following typical process takes place:

1. Application submitted, regulating authority determined, and ID number assigned.
2. Public notice may be issued with a 15 to 30 day comment period.
3. Proposal reviewed by USACE and public, special interest groups, local, state, and federal agencies.
4. USACE consider all comments.
5. Federal and state agencies consulted where required.
6. Possible request for additional information.
7. Possible public hearing (if needed).
8. Decision by ADEM on coastal consistency and/or water quality certification.
9. Decision on permit issuance or permit denial (applicant advised of reason).

Prospective aquaculturists should contact the USACE and ADEM during the initial stages of project development, and if possible, arrange to meet with a representative for a **preapplication meeting**. If enough information is available concerning the proposed aquaculture project in this initial stage, USACE and ADEM may be able to determine if the planned development can be permitted as envisioned and assist in adjustments as necessary. If the project seems acceptable during the preapplication meeting, procedures for obtaining the necessary permits can also be discussed.

Federal and state laws require several federal and state agencies to review and comment on the activity in accordance to their own legislated mandates. Involved in the review process is a coastal consistency determination and a water quality certification by ADEM. Federal and state agencies that are involved in the review and comment process are listed on the following page.

Federal

U.S. Environmental Protection Agency
U.S. Fish and Wildlife Service
National Marine Fisheries Service
U.S. Coast Guard
Federal Emergency Management Admin.

State

Department of Environmental Management
Department of Conservation & Natural Resources
State Docks Department
State Historic Commission

Permit Types

The USACE has four basic types of authorization for their Regulatory (permit) Program. The types of authorization are:

- Nationwide Permit:* Permits regulating small, minimal impact activities.
- General Permit:* Permits regulating minor activities which have minimal adverse cumulative effects on the environment.
- Letters of Permission:* Authorization mostly for navigable water activities in which objections are unlikely, and do not qualify for a general permit.
- Standard Individual Permit:* Activities that are not covered by the other three permits, and which are controversial in nature, or may cause larger environmental impacts.

Examples of Agency Involvement:

- Activities involving public navigation rights
- Construction in wetlands
- Dredging and filling on state water bottoms
- Activities on state water bottom
- Wetlands protection and management

Addresses and Contacts:

USACE (Original Application)
Mobile District
Regulatory Branch
P.O. Box 2288
Mobile, AL 36628
(334) 690-2581

ADEM
Permit Coordination Center
171 Cong. W. L. Dickinson Drive
Montgomery, AL 36130
(334) 271-7714

USACE
Nashville District
Regulatory Branch
P.O. Box 1070
Nashville, TN 37202
(615) 736-5181

ADEM
Mobile Field Office
2204 Perimeter Road
Mobile, AL 36615
(334) 450-3400

Alabama State Docks
P.O. Box 1588
Mobile, AL 36633
(334) 441-7114

U.S. Environmental Protection Agency

The U.S. Environmental Protection Agency (EPA) has the responsibility of protecting air and water quality in the United States. This includes prevention of adverse impacts to fish and wildlife resources and the public's health in general. Through the Federal Water Pollution Control Act of 1972 and the National Environmental Policy Act of 1969, the federal government regulates the discharge of effluent into navigable waters. The EPA usually requires a permit for such discharges. Additional issues of concern for the EPA include water and air pollution, waste disposal, and various potential impacts to fish and wildlife resources. The EPA has enforcement, regulatory and permitting responsibilities. In Alabama, the Alabama Department of Environmental Management (ADEM) is authorized to coordinate most EPA programs. There is a joint application process between the EPA and ADEM which allows for the submission of applications only to ADEM in order to make the application process more efficient.

Section 402 Permit: National Pollutant Discharge Elimination System

Section 402 of the Clean Water Act requires that any discharge into waters of the United States must have a permit. A National Pollutant Discharge Elimination System (NPDES) permit contains effluent limitations that restrict the volume and concentration of certain pollutants being discharged. An NPDES permit must be attained prior to any discharging activities. NPDES permits involve two kinds of effluent limitations:

Technology based Requires discharges to use various wastewater treatment technologies. Technology based standards are based on "Best Available Technology Economically Achievable" for a specific industrial category.

Water quality based Requires dischargers to not exceed specific numerical limits for particular pollutants. These standards apply when technology based standards are not enough to protect water quality.

To decrease pollution being discharged, most NPDES permit effluent limitations are tightened every five years at the time of renewal.

Section 404 Permit Review

Section 404 provides regulation of the discharge of dredged or fill material into waters of the U.S., including wetlands. Based on EPA guidelines and review and comment procedures, the USACE issues permits for activities related to Section 404 of the Clean Water Act. The EPA may oppose permit issuance if use of a site would cause unacceptable harm to municipal water supplies, shellfish beds, fishery areas, wildlife, or recreational areas. EPA and USACE may seek criminal or civil penalties or restoration in dealing with Section 404 violations.

Other Water Quality Programs:

Section 303: mandates state water quality standards

Section 305: mandates state reporting on water quality in streams and coastal waters

Section 208: mandates state programs for area-wide management of waste water

Permit Procedures

All prospective aquaculturists should submit an NPDES permit application to the EPA. The NPDES permit should be sent to ADEM's Permit Coordination Center. ADEM will coordinate with the EPA in regards to the NPDES permit and state water quality certification. ADEM and EPA will decide if a permit is necessary. If the proposed aquaculture facility falls under the EPA regulations or causes unacceptable water quality impacts, an NPDES permit would be required. If unacceptable water quality impacts are predicted, the aquaculturist may need to provide a form of pollution abatement.

In general, an aquaculture facility needs an NPDES permit if it is a "flow-through system", but not if it is a closed pond that discharges only during periods of excess runoff. A hatchery, fish farm, or other aquatic animal production facility are subject to the NPDES program. EPA Title 40 CFR, Part 122, Appendix C, authorizes the granting of exceptions.

Processing activities that result in waste water must obtain a permit.

The EPA has review and comment responsibilities on many types of permits. Likewise, federal and state laws require the following agencies to review and comment on EPA activities in accordance to their own legislated mandates.

Federal

U.S. Army Corps of Engineers
U.S. Fish and Wildlife Service
National Marine Fisheries Service
National Park Service
Federal Emergency Management Admin.

State

Department of Environmental Management
Department of Conservation & Natural Resources
State Docks Department
State Historic Commission

Involved in the review process, is a coastal consistency determination and water quality certification by ADEM. Upon completion of reviews, the EPA will evaluate all comments and make a decision regarding the permit issuance, denial, issuance with modification, or request for public hearing.

Examples of Agency Involvement:

- Activities involving public navigation rights
- Construction in all navigable waters
- Construction in wetlands
- Point source (NPDES) wastewater discharge
- Activities on state water bottoms
- Developments greater than 5 acres
- Coastal area management
- Agriculture

Addresses & Contacts:

EPA
1 Sabine Island Drive
Gulf Breeze, FL 36561
(850) 934-9200

EPA
Region VI
Atlanta Federal Center
100 Alabama St., S.W.
Atlanta, GA 30303
800-241-1754

EPA
401 M Street, SW
Washington, DC
20460
(202) 260-2090

ADEM
Permit Coordination Center
171 Cong. W.L. Dickinson Dr.
Montgomery, AL 36130
(334) 271-7714

ADEM
Mobile Field Office
2204 Perimeter Road
Mobile, AL 36615
(334) 937-7771

Wetlands Hotline: 1-800-832-7828

Non-point Source Control Branch: (334) 260-7100

OTHER AGENCIES

State

ADECA
ADCNR
ASDD
ADAI
ADPH
AHC
OAG

Federal

FWS
NMFS
USCG
FDA
USGS
ADC

Local

BCEMD
SARPC
BCBI
BCSWCD
MCID

State Agencies

Alabama Department of Economic & Community Affairs

The Alabama Department of Economic and Community Affairs (ADECA) is structured to work with federal, state, and local governments to develop comprehensive and coordinated plans for economic development, enhancement and preservation of the states resources, encourage state program coordination, and assist in securing federal assistance. Much of the support for community development comes in the form of seed money or short term grants. Projects that have been funded include experimental oyster culture and the Alabama State Aquaculture Plan. ADECA has specific responsibilities in coastal and water resource planning and is responsible for the Alabama Coastal Area Management Program (ACAMP) except for permitting, regulating and enforcement functions.

Permits

The Alabama Department of Environmental Management (ADEM) has the responsibility for all ADECA programs and activities involving environmental permits or enforcement actions. ADECA may review and comment on permit applications which involve Sections 401 and 404 of the Clean Water Act, and water wells and water use issues. Most of the review and comment process of ADECA checks for coastal consistency with the Alabama Coastal Area Management Plan. The ACAMP is a joint effort by ADECA and the National Oceanic and Atmospheric Administration (NOAA) in accordance with the Coastal Zone Management Act.

Alabama Coastal Area Management Program

ADECA's Coastal Programs Office has the responsibility for the management of coastal resources, which is accomplished through ACAMP. The Coastal Programs Office works in conjunction with ADEM, Alabama Department of Conservation and Natural Resources, EPA, NOAA, and the USACE. ADEM has responsibility in the coastal area for permitting, regulation, and enforcement actions. ADECA is responsible for the overall management and administration of the coastal program.

Office of Water Resources

Water resource issues and concerns are the responsibility of the Office of Water Resources. The Office of Water Resources responsibilities include collecting and analyzing water quality and quantity data, representing the state on various water issues, and conducting educational programs.

Examples of Agency Involvement:

- Coastal area management
- Wetlands protection/management
- Watershed planning/management
- Non-point source pollution
- Planning assistance to local governments
- Water supply system installation (wells)

Addresses and Contacts:

ADECA
401 Adams Avenue
P.O. Box 5690
Montgomery, AL 36103-5690
(334) 242-5100

ADECA
Coastal Program Field Office
1208 Main Street
Daphne, AL 36526
(334) 626-0042

Alabama Department of Conservation **& Natural Resources**

The Alabama Department of Conservation and Natural Resources (ADCNR) has responsibility for protecting and administering the natural resources, state parks, monuments, and historical sites of the state. These responsibilities include promotion, protection, and supervision of wildlife, administration of the game and fish laws, and administration of boat registration. ADCNR is comprised of five Divisions: Game and Fish, Lands, Marine Resources, Marine Police, and State Parks. In regards to conservation and management of natural resources, enforcement of state conservation laws and management of state lands, each individual division has separate responsibilities.

Game and Fish Division

The Game and Fish Division (GFD) contains four sections: Administrative, Enforcement, Fisheries, and Wildlife. GFD is mandated to protect, manage, and enhance the State's fish and wildlife resources. Although the GFD does not have direct enforcement / permitting capability, it does render opinions and comments during the permitting (review) process for National Pollution Discharge Elimination Systems permits. ADEM, USACE, Alabama Department of Transportation, and the GFD are all involved in the "review period" of the permitting process. The GFD designates what species shall be considered game fish, daily catch limits, and regulates catching methods. GFD also has the authority to prohibit the importation of fish into the state and prohibit the sale or transportation of game fish taken from private and public waters.

GFD's aquaculture concerns include many issues. One issue involves exotic species (fish not native to Alabama waters such as silver and black carp) competing with native fishes and the loss of biodiversity due to competition. Another concern of GFD's is their ability to monitor and control what goes in and comes out of public waters.

Lands Division

The Lands Division is the administrative component of ADCNR responsible for the ownership and management of public trust lands as established by Alabama's Constitution. The Lands Division's jurisdiction includes all State water-bottoms and submerged lands up to the mean high tide line. The Lands Division's responsibilities focus on permitting procedures and environmental permits dealing with activities on state water-bottoms. These activities include oil and gas exploration / production leases and construction of pipelines and commercial piers.

Marine Resources Division

The Marine Resources Division (MRD) contains three sections, Administrative, Enforcement, and Fisheries. MRD is mandated to protect, manage, and enhance the state's marine resources. The responsibilities of MRD include assessment and monitoring of current fish stocks, raising of stock for release in coastal water, and various research and educational outreach activities. The MRD enforces all laws and regulations pertaining to the protection, propagation, preservation or conservation of seafood including oysters, saltwater fish, shrimp, or other seafood being caught, taken or transported within territorial jurisdiction of the State of Alabama. Although the MRD has no direct permitting responsibilities for most activities (See State Submerged Land Leases and Riparian Oyster Leases Section), it does render comments and opinions during the permitting process.

State Submerged Land Leases and Riparian Oyster Leases

State leases of submerged lands for aquaculture are available for oyster culture, but other aquaculture uses may be allowable. Submerged land leasing should be applied for through the Marine Resources Division of ADCNR. The MRD will evaluate the lease area with regards to habitat and the potential for aquaculture and use these two elements to determine a lease fee. Each lease fee is dependent on perceived development requirements, predicted value of product, and impact on the area to be leased. Therefore all leases are renegotiated annually according to changes in site and other similar elements.

Riparian (water fronting) property owners have a "riparian right" to grow oysters in front of their land to a distance of 600 yards from shore. The "riparian right" does not confer ownership of the water bottoms (which are held in trust for all citizens of Alabama), but does allow the property owner of land fronting the water to **lease** his "riparian right" to grow oysters. Riparian claims, though, cannot be exercised over natural oyster reefs. Before the riparian land owner exercises his "riparian oyster rights", he must have the submerged bottom surveyed by a registered surveyor and file a plat with the MRD of ADCNR. Individuals wishing to exercise a riparian claim must document the claims validity by filing with the MRD a property deed or lease from the property's owner. The submerged lands which the riparian land owner has the right to grow oysters on must be marked at the corners and each 600 feet in between (at least). The riparian land owner or the "riparian right lessee" must also provide MRD with a list of persons who are authorized to harvest from the marked areas. MRD will patrol these areas and prevent illegal taking of oysters. Harvest of oysters off riparian beds are subject to the same Alabama Health Department Standards that govern the taking of oysters from public beds.

Examples of Agency Involvement:

- Commercial fisheries management and regulation (including shellfish).
- Sports fishing management and regulation.
- Control of damaging / dangerous animals.
- Threatened and endangered species.

Addresses and Contacts:

ADCNR
64 N. Union Street
Montgomery, AL 36130
(334) 242-3151

Game & Fish Division
P.O. Box 248
Sp. Fort, AL 36633
(334) 626-5153

Marine Resources Division
P.O. Drawer 458
Gulf Shores, AL 36547
(334) 968-7576

Lands Division
64 N. Union Street
Montgomery, AL 36130
(334) 242-3483

Alabama State Docks Department

The Alabama State Docks Department (ASDD) has the responsibility to protect and enhance the natural resources of the state, while increasing commerce and economic development along the coasts and waterways. The ASDD promotes, supervises, controls, manages, and directs the state docks and other waterways and lands within its jurisdiction. The department is also concerned with improving public waterways, port authority capabilities to efficiently move cargo through ports, and expand maritime commerce and development. The ASDD shares nonexclusive jurisdiction over the waters and shores of all rivers and streams within the state which are, or may be made, navigable for commercial traffic.

Permits

The ASDD requires permits for any construction activity involving the State's navigable waters, the public rights to navigation, or related activities. This is done through the USACE / ADEM joint application. ADEM reviews all ASDD permit applications for coastal consistency determinations.

Procedure

A letter of intent requesting a permit for the proposed work along with a copy of the USACE permit application should be submitted to ASDD. After department review, determination of possible interference with the public's right to navigation, and other state and federal agency approvals, a license will be sent to applicant with a copy going to the USACE. All ASDD permit application which involve activities in the coastal area are reviewed by ADEM for ACAMP consistency. ADEM, or another agency, may also require a permit for the proposed activity.

Examples of Agency Involvement:

- Construction of piers, boat houses, boat ramps, bulkheads, and underwater pipelines.
- Construction activities involving navigable waters (including dredging and filling).
- Activities involving the public's right to navigation.
- Construction in wetlands.

Address and Contacts:

ASDD
P.O. Box 1588
250 N. Water Street
Mobile, AL 36633
(334) 441-7066

Alabama Department of Agriculture & Industries

The Alabama Department of Agriculture and Industries (ADAI) administers programs to prevent contamination of groundwater resources from pesticides and also co-manages (with the EPA) and enforces the endangered species program. ADAI provides regulatory and inspection services in accordance to the laws, rules, and regulations that relate to the agriculture, consumer safety, and services provided to farmers and agribusinesses.

ADAI has statewide responsibility for aquaculture coordination. ADAI provides feed inspection services for the aquaculture industry, collects feed check-off money, and remits check-off funds quarterly to Alabama Catfish Producers (a division of the Alabama Farmers Federation).

Address and Contacts:

ADAI
1445 Federal Drive
P.O. Box 3336
Montgomery, AL 36193
(334) 242-2650

Alabama Department of Public Health

The Alabama Department of Public Health (ADPH) exercises general control over the enforcement of laws relating to public health. The primary goal of ADPH is to initiate and carry out primary and secondary preventative programs in personal and environmental health services. ADPH, interacting with ADEM, local governing bodies, agencies and offices, has a broad range of service and permit responsibilities that cover on-site sewage activities, solid waste activities, and commercial seafood activities.

The seafood program involves the inspection, classification, sampling, and monitoring of shellfish growing areas located in Alabama, and inspection of all coastal Alabama fish and seafood processing plants.

Addresses and Contacts:

ADPH
572 E. Patton Avenue
Montgomery, AL 36111
(334) 613-5200

ADPH, Seafood Branch
4168 Commanders Dr.
Mobile, AL 36615-1413
(334) 432-7618

Alabama Historic Commission

Section 106 of the National Preservation Act of 1966 requires federal agencies to consult with a state's Historic Preservation Office (Alabama Historic Commission) to determine if the proposed activities will impact any cultural resources on or associated with the National Register of Historic Places. The Alabama Historic Commission is typically only involved during the review and comment period of the permit process.

Address and Contacts:

Alabama Historic Commission
725 Monroe Street
Montgomery, AL 36130-0900
(334) 242-3184

Office of Attorney General

The Office of Attorney General (OAG) has an Environmental Division with extensive statutory authority responsible for enforcing all environmental laws of the State of Alabama. The OAG represents ADEM in enforcement actions and has authority to enforce EPA provisions of multiple federal acts.

Address and Contacts:

Office of Attorney General
Environmental Division
11 S. Union Street
Montgomery, AL 36130
(334) 242-7395

Federal Agencies

U.S. Fish and Wildlife Service

Responsibilities for the U.S. Fish and Wildlife Service (USFWS) primarily focus on the protection and management of fish and wildlife resources and the supporting natural systems. The USFWS has federal responsibility for marine mammals, sports fisheries, migratory birds, and threatened and endangered species of animals and plants. The USFWS can have an impact on proposed aquaculture activities because it reviews, comments, and makes recommendations on proposed activities with regard to endangered species and wildlife habitat on all federal activities that may affect any stream or body of water.

Permits

The USFWS reviews Section 402 (Clean Water Act) applications for National Pollutant Discharge Elimination System permits (NPDES). NPDES permits are issued for point source pollutant discharges. The USFWS also reviews applications for Section 404 / 10 (Clean Water Act / Rivers and Harbors Act) permits. Section 404 / 10 permits refer to the placement of dredge and fill material in waters of the U.S. including wetlands. The Daphne Field Office of the USFWS reviews Section 402 permits for Alabama and Coastal Mississippi and Section 404 / 10 permits for Baldwin County, Mobile County, and the surrounding region.

Section 7: Endangered Species Act

Section 7 of the Endangered Species Act of 1973 requires all federal agencies to ensure that actions authorized, funded, or carried out do not jeopardize the continued existence of endangered or threatened species or result in the destruction or adverse modification of habitat which has been previously determined to be critical. Permits may not be granted if an aquaculture project modifies or threatens the habitat of any endangered species. The Daphne Field Office reviews all federal actions which may affect listed species for Baldwin and Mobile counties and the surrounding region.

Fish and Wildlife Import / Export License

The USFWS regulates the import and export of fish and wildlife across state lines and international boundaries. Imports or exports of animals or fish with a value exceeding \$25,000 per year for propagation or sale must first obtain a USFWS Import / Export License. The license fee is \$125 and is valid for one year. A \$25.00 fee will be charged for each import and export inspection. A completed *Declaration of Importation or Exportation of Fish and Wildlife* clearance form must be submitted to the USFWS inspector at the port-of-entry for approval. U.S. Customs will not release without this approval form.

Designated Port Exemption Permit

The USFWS has designated nine (9) ports-of-entry for the import or export of fish and wildlife. These ports-of-entry are Chicago, Dallas, Honolulu, Los Angeles, Miami, New Orleans, New York, San Francisco, and Seattle. If a different city is preferred over a designated port-of-entry, a Designated-Port Exemption Permit may be obtained. The Designated Port Exemption Permit will cost \$25.00 and is valid for two years. A \$55.00 per shipment inspection fee will be charged.

Examples of Agency Involvement:

- Threatened and endangered species
- Construction in wetlands
- Storm water discharge
- Wetlands protection and management
- Point sources (NPDES wastewater discharges)

Addresses and Contacts:

USFWS
75 Spring Street, S.W.
Atlanta, GA 30303
(404) 331-3588

USFWS
P.O. Box 1190
Daphne, AL 36526
(334) 441-5181

National Marine Fisheries Service

The National Marine Fisheries Service (NMFS) has the responsibility for the management and protection of marine fish, habitat, and some marine mammals. The NMFS is often suggested to be the marine counterpart of the U.S. Fish and Wildlife Service.

Permits

The NMFS involvement in permitting is generally associated with the review process. The Fish and Wildlife Coordination Act requires federal permitting agencies to coordinate and consider the comments of the NMFS before issuing permits for activities that might affect marine fish species. The NMFS reviews and comments on activities that potentially could impact fish, shellfish species, and fisheries located in tidal waters and adjacent wetlands. Examples of these activities include upstream dams or other structures that might significantly alter riverine water flow to tidal habitats.

Address and Contacts:

NMFS
Habitat Construction Division
4700 Avenue U
Galveston, Texas 77551-5997
(409) 766-3699

Gulf of Mexico Fishery Management Council

The Gulf of Mexico Fishery Management Council (GMFMC), established by the Fishery Conservation and Management Act of 1976, is charged with developing and monitoring management plans for all fishery resources in the federal waters of the Gulf of Mexico. The area which is in the GMFMC jurisdiction is referred to as the Exclusive Economic Zone (EEZ). The EEZ (previously known as the Fishery Conservation Zone) is an area that begins at the end of State jurisdiction and extends 200 miles from shore. Fishery Management Plans (FMP's) manage the offshore waters of the states of Florida, Alabama, Mississippi, Louisiana, and Texas and are constructed to provide for the best use of fishery resources in the Gulf of Mexico.

Permits

The GMFMC involvement in permit procedures primarily occurs during the comment and review process. The GMFMC comments and reviews permit applications which may affect fisheries of the Gulf of Mexico.

Fishery Management Plans

FMP's provide the basis for fishery resource management in the EEZ. FMP's specify the amount of fish (or resources) that should be harvested in the best interest of the public and all the users of that particular fishery. FMP's become federal law when implemented by the Secretary of Commerce. These plans are then enforced by the U.S. Coast Guard and National Marine Fisheries Service Agents. FMP's are presented in public hearings and are updated and reviewed yearly.

Examples of Agency Involvement:

- Federal Water Mariculture
- USACE Permit Reviews for Federal Waters

Address and Contacts:

GMFMC
Suite 331, Lincoln Center
5401 West Kennedy Boulevard
Tampa 33609
(813) 228-2815

U.S. Coast Guard

The United States Coast Guard (USCG) is responsible for maintaining and regulating safe navigation in U.S. navigable waters. This includes environmental protection for all U.S. navigable and tributary waters along the coastal area. Locally, the U.S. Coast Guard Marine Safety Office - Mobile, is responsible for the area from Long Beach, Mississippi to the East side of Apalachicola Bay, Florida. The USCG coordinates with several federal and state agencies.

Permits

The USCG coordinates with the USACE during the processing of Section 404 and Section 10 permits for determining whether proposed activities associated with U.S. navigable waters are subject to the regulations for marking structures and obstructions. For the protection of maritime navigation, any structure, mooring, buoy or dam in or over U.S. navigable waters must be marked by lights or other signals. These lights and signals are referred to as "private aids to navigation".

Private Aids to Navigation

When the review process of a proposed activity determines that an activity in U.S. navigable waters is a potential hazard to navigation, the USCG will notify the permit applicant that a private aid to navigation is required and forward instructions. This requirement usually becomes a condition of the USACE permit. Examples of items that would most likely require a private aid to navigation include floating cages, intake pipes, discharge pipes and other obstructions related to aquaculture facilities.

Addresses and Contacts:

USCG
150 North Royal Street
P.O. Box 2924
Mobile, AL 36652-2924
(334) 441-5286

USCG
Private Aids Section
Hale Boggs Building
500 Camp Street, Room 1141
New Orleans, LA 70130
(504) 589-6236

U.S. Food And Drug Administration

The Food and Drug Administration (FDA) has the responsibility to protect the public health of the nation as it may be impaired by foods, drugs, biological products, etc. One specific responsibility of the FDA is the approval and regulation of drugs that can be used in aquaculture operations (EPA administers pesticide regulations). The regulation of these drugs includes additives to feed and treatment of disease. The FDA also inspects seafood processors engaged in interstate trade for sanitation, aquaculture farms for drug compliance, and feed mills for illegal ingredients.

Address and Contacts:

USFDA
Mobile Resident Post
3737 Government Blvd., Suite 308
Mobile, AL 36693
(334) 441-5161

U.S. Geological Survey

The U.S. Geological Survey (USGS) collects, compiles, and analyzes much of the federal water data. The USGS collects hydrologic data associated with stream flow, groundwater, and water quality and quantity.

Address and Contacts:

USGS
520 19th Avenue
Tuscaloosa, AL 35401
(205) 752-8104

Animal Damage Control

The Animal Damage Control (ADC) is a cooperatively funded program administered by the Animal and Plant Health Inspection Service and the United States Department of Agriculture. The ADC helps solve problems caused by wildlife when it damages agriculture, urban or natural resources, or presents a threat to public health and safety. The ADC involvement in aquaculture is usually during migratory bird depredation.

The Fish and Wildlife Service (FWS) may issue a migratory bird depredation permit, allowing a limited number of the species causing damage to be killed. The ADC evaluates the site to assess the depredation problem and recommends the most effective control method. ADC personnel make the recommendation to the FWS concerning issuance of a permit. The FWS issues the depredation permit.

Address and Contacts:

USDA/APHIS/ADC
Room 118 Extension Hall
Auburn University, AL 36849-5656
(334) 844-5321

Local Agencies

Baldwin County Environmental Management Department

The Baldwin County Commission has charged the Baldwin County Environmental Management Department (BCEMD) with protecting the natural resources and ecology of the county. The BCEMD has seven divisions. The divisions are the Environmental Projects Division, Solid Waste Division, Recycling Division, Division for Illegal Dump Eradication and Litter Control, Animal Control Division, and Enforcement Division. The jurisdiction for this agency is county wide except within incorporated areas.

Environmental Projects Division

The Environmental Projects Division (EPD) administers projects concerning land, air, and water quality and other environmental resources within Baldwin County. The EPD is also responsible for public education and information, coordination of interagency projects, and operation of the interagency environmental clearing house program.

Enforcement Division

Enforcement of federal and state regulations is completed in cooperation with federal and state agencies. The agencies include ADEM, the Alabama Health Department, the EPA, and the Corps of Engineers. Alabama State law does not allow the counties to enact environmental regulations on its own.

Address and Contacts:

BCEMD
15140 County Road 49
Summerdale, AL 36580
(334) 989-2320

South Alabama Regional Planning Commission

The South Alabama Regional Planning Commission (SARPC) does not issue or administer environmental permits, but is involved in environmental activities related to water quality management, sewer system, solid waste planning and management, coastal zone management, dredge spoil disposal, and comprehensive conservation and management planning.

Address and Contacts:

SARPC
651 Church Street
P.O. Box 1665
Mobile, AL 36633

Baldwin County Building Inspector

The Baldwin County building official is responsible for all building permits and inspections in unincorporated areas of Baldwin County and for enforcing the Alabama Coastal Area Management Plan under contract with the Alabama Department of Environmental Management. The building official also administers and regulates all zoning ordinances in accordance to the Baldwin County Zoning Enabling Act.

The building inspector enforces building codes and zoning regulations and coordinates with the Corps of Engineers and ADEM concerning wetlands and coastal area permitting. The building inspector handles all building permits that intersect coastal control lines. With regard to the coastal area, the building inspector monitors construction activity seaward of the 10-foot contour and patrols the coastal area for illegal activities.

The Baldwin County building inspector accepts applications, reviews, and makes recommendations to ADEM on permits for beach front construction activity proposals where the coastal construction control line intersects the property.

Address and Contacts:

Baldwin County Building Inspector
201 E. Section Street
Foley, AL 36535
(334) 928-3002

Baldwin County Soil & Water Conservation District

The Baldwin County Soil and Water Conservation District (BCSWCD) is responsible for administrating a comprehensive program for soil and water conservation. The BCSWCD administers the Alabama Resources Conservation Program and the Weeks Bay Pollution Prevention Project. The BCSWCD works in cooperation with local, state, and federal agencies.

Examples of Agency Involvement:

- Construction in wetlands
- Construction on beaches and dunes
- Coastal area management
- Non-point source pollution
- Agricultural waste storage or disposal
- Construction in unincorporated areas
- Watershed planning and management
- Wetlands protection and Management
- Wetlands protection and Management
- Septic tanks and waste disposal

Address and Contacts:

BCSWCD
1504-C Hwy 31 S.
Bay Minette, AL 36507
(334) 937-7174

Mobile County Inspection Department

The Mobile County building inspector is responsible for all building permits and inspections in unincorporated areas of Mobile County and for enforcing the Alabama Coastal Area Management Plan, under contract with the Alabama Department of Environmental Management. Anyone constructing a building within the unincorporated portion of the county must have a building permit and construct the building in accordance with the Southern Building Code.

The inspection department enforces building code and zoning regulations, coordinates with the Corps of Engineers and ADEM concerning wetlands and coastal area permitting, and enforces the National Flood Insurance Regulations and the Southern Building Code through its inspections. The building inspector handles all building permits that intersect coastal control lines. With regard to the coastal area, the building inspector monitors construction activity seaward of the 10-foot contour and patrols the coastal area for illegal activities.

The Mobile County Inspection Department accepts applications, reviews, and makes recommendations to ADEM on permits for beach front construction activity proposals where the coastal construction control line intersects the property.

Address and Contacts:

Mobile County Inspection Services
1150 Schilinger Road N.
Mobile, AL
(334) 639-3507

Additional Legislation Affecting Aquaculture

Lacey Act: The Lacey Act regulates the introduction of foreign or domestic fish into new locations. Administered by the U.S. Fish and Wildlife Service, the Act makes it illegal to import any species of wild mammal, wild bird, fish (mollusks and crustacea included), amphibians, or reptiles specified in the Act or described by regulation to be injurious to humans, agriculture, horticulture, forestry, or wildlife of the United States. Essentially, the Lacey Act and the Non-indigenous aquatic Nuisance Prevention and Control Act of 1990 provide authority for controlling and regulating the introduction of non-native fish and shellfish.

Endangered Species Act: The Endangered Species Act basically requires federal agencies not to conduct activities that jeopardize the continued existence of endangered or threatened species or their critical habitat. Federal agencies must ensure that actions authorized, funded, or carried out do not jeopardize these designated species existence.

Fish and Wildlife Coordination Act: The Fish and Wildlife Coordination Act requires the U.S. Corps of Engineers to coordinate with federal and state fish and game agencies and to comprehensively consider these organizations recommendations and comments on how to prevent loss and damage to fish and wildlife resources in accordance to the proposed activities.

Estuaries Protection Act: The Estuaries Protection Act, administered by the Environmental Protection Agency, protects and improves water quality of specified estuaries threatened by overdevelopment and pollution.

Coastal Zone Management Act: The Coastal Zone Management Act (CZMA) provided incentives for states to prepare and implement management plans for their coastal areas. The CZMA does require certain things to be included in a state coastal management plan, such as the identification of coastal zone boundaries and definitions of permissible land and water uses in the coastal zone. The CZMA, specifically Section 307, requires federal projects or projects supported by a federal agency in the coastal zone to be consistent with the state's federally-approved coastal zone management plan to the maximum extent practical.

National Aquaculture Act: The National Aquaculture Act (NAA) of 1980 requires coordination of various Federal programs and policies concerning the aquaculture industry to assist in the support and promotion of the overall industry. This Act created the Joint Subcommittee on Aquaculture (JSA). The JSA's purpose is to increase the overall effectiveness of Federal research, development, and assistance programs in aquaculture by serving as a Federal Government coordination group. The JSA established the "National Aquaculture Development Plan". The NAA also established a national policy for aquaculture. This policy, primarily, was to encourage the development of aquaculture in the U.S. while recognizing that industry development was in the realm with the private sector.

National Environmental Policy Act (NEPA): The National Environmental Policy Act of 1969 requires the complete disclosure and consideration of environmental impacts of any federal agency activity or project that significantly affects the environment. This usually requires the preparation of an Environmental Impact Statement (EIS) or an Environmental Assessment (EA).

National Historic Preservation Act: The National Historic Preservation Act requires consultation of federal agencies with state historical preservation authorities. This coordination aims to determine whether significant historical structures or sites will be affected by the proposed activity or project.

Magnuson Fisheries Conservation and Management Act (Magnuson Act): The passage of the Fisheries Conservation and Management Act in 1976 established federal fishery jurisdiction to 200 miles offshore. This area is referred to as the Exclusive Economic Zone (EEZ) and ranges from state jurisdiction to 200 mile offshore. This act not only set up the current fishery management system, but also established the eight Regional Fishery Management Councils which prepare fishery management plans for fisheries which require federal management.

APPENDIX I:

**Agency Acronyms &
General Activity Involvement**

State Agencies

ADAI	Alabama Department of Agriculture and Industries
ADCNR	Alabama Department of Conservation & Natural Resources
ADECA	Alabama Department of Economic and Community Affairs
ADEM	Alabama Department of Environmental Management
ADPH	Alabama Department of Public Health
AHC	Alabama Historic Commission
ASDD	Alabama State Docks Department
OAG	Office of Attorney General

Federal Agencies

ADC	Animal Damage Control
FDA	Federal Drug Administration
FWS	Fish and Wildlife Service
GMFMC	Gulf of Mexico Fishery Management Council
NMFS	National Marine Fisheries Service
USACE	US Army Corps of Engineers
USCG	US Coast Guard
EPA	US Environmental Protection Agency
USGS	US Geological Survey

Local Agencies

BCBI	Baldwin County Building Inspector
BCEMD	Baldwin County Environmental Management Department
BCSWCD	Baldwin County Soil and Water Conservation District
MCISD	Mobile County Inspection Services Department
SARPC	South Alabama Regional Planning Commission

General Activity Involvement Table

ACTIVITIES or PROJECTS WHICH INVOLVE:	PERMITTING AGENCY(ies)	OTHER INVOLVED AGENCIES (enforcement, technical/financial assistance)
Coastal area (zone) management	ADEM, State Docks	ADECA, BCSWCD
Wetlands protection, management, & construction	ADEM, USACE, EPA, State Docks	ADEM, USACE, EPA, BCSWCD, FWS, ADECA
Wastewater discharge from a point source (NPDES)	ADEM, EPA	ADEM, EPA, FWS, ADECA
Navigation (including construction in navigable waters or water bottom and dredge / fill)	ADEM, USACE, EPA, State Docks	ADEM, USACE, EPA, State Docks, FWS, USCG
Management and regulation of commercial fisheries	ADCNR, ADPH	ADCNR, ADPH, BCSWCD
Management and regulation of sport fishery	ADCNR	ADCNR, BCSWCD
Threatened & endangered species	FWS, ADCNR	ADCNR, FWS, BCSWCD
Control of damaging animals	ADCNR	ADCNR

APPENDIX II:
Directory of Agencies

State Agencies

Alabama Department of Environmental Management

Mobile Field Office

2204 Perimeter Road

Mobile, AL 36615 (334) 450-3400

Permit Coordination Center

1751 Cong. WL Dickinson Dr.

Montgomery, AL 36130 (334) 271-7714

Water Division: Industrial Branch

1751 Cong. WL Dickinson Dr.

Montgomery, AL 36130 (334) 271-7700

Alabama Department of Conservation and Natural Resources

64 N. Union Street

Montgomery, AL 36130 (334) 242-3151

Lands Division

64 N. Union Street

Montgomery, AL 36130 (334) 242-3151

Game and Fish Division

P.O. Box 248

Spanish Fort, AL 36633 (334) 626-5153

Marine Resources Division

Post Office Box 189

Dauphin Island, AL 36528 (334) 861-2882

Post Office Drawer 458

Gulf Shores, AL 36547 (334) 968-7575

Alabama Department of Economic and Community Affairs

401 Adams Avenue

P.O. Box 5690

Montgomery, AL 36103-5690 (334) 242-5100

Alabama State Docks Department

P.O. Box 1588

250 N. Water Street

Mobile, AL 36633 (334) 441-7066

Alabama Department of Agriculture and Industries

1445 Federal Drive (P.O. Box 3336)

Montgomery, AL 36193 (334) 242-2650

Alabama Department of Public Health

572 E. Patton Avenue

Montgomery, AL 36111 (334) 613-5200

Seafood Branch

4168 Commanders Drive

Mobile, AL 36615-1413 (334) 432-7618

Alabama Historic Commission

725 Monroe Street

Montgomery, AL 36130-0900 (334) 242-3184

Office of Attorney General

Environmental Division

11 S. Union Street

Montgomery, AL 36130 (334) 242-7295

Local Agencies

Baldwin County Environmental Management Department

15140 County Road 49
Summerdale, AL 36580 (334) 989-2320

South Alabama Regional Planning Commission

651 Church Street
P.O. Box 1665
Mobile, AL 36633 (334) 433-6541

Baldwin County Building Inspector

201 E. Section Street
Foley, AL 36535 (334) 928-3002

Baldwin County Soil and Water Conservation District

1504-C Hwy 31 S.
Bay Minette, AL 36507 (334) 937-7174

Mobile County Inspection Services Department

1150 Schilinger Road N.
Mobile, AL 36633 (334) 639-3507

Federal Agencies

US Army Corps of Engineers

Mobile District - Regulatory Branch

P.O. Box 2288

Mobile, AL 36628 (334) 690-2581

US Army Corps of Engineers

Nashville District

P.O. Box 1070

Nashville, TN 37202 (615) 736-5181

US Environmental Protection Agency

1 Sabine Island Drive

Gulf Breeze, FL 36561 (850) 934-9200

US Environmental Protection Agency

Region VI Office

345 Courtland Street, NE

Atlanta, GA 30365

US Fish and Wildlife Service

P.O. Box 1190

Daphne, AL 36526 (334) 441-5181

US Fish and Wildlife Service

75 Spring Street, S.W.

Atlanta, GA 30303 (404) 331-3588

National Marine Fisheries Service

4700 Avenue U

Galveston, TX 77551-5997 (409) 766-3699

Gulf of Mexico Fishery Management Council

Suite 331, Lincoln Center

5401 West Kennedy Blvd.

Tampa, FL 33609 (813) 338-2815

US Coast Guard: Mobile Office

150 North Royal Street

P.O. Box 2924

Mobile, AL 36652-2924 (334) 441-5286

US Coast Guard

Private Aids Section

500 Camp Street, Room 1141

New Orleans, LA 70130 (504) 589-6236

Federal Drug Administration

Mobile Resident Post

3737 Government Blvd., Suite 308

Mobile, AL 36693 (334) 441-5661

US Geological Survey

520 19th Avenue

Tuscaloosa, AL 35401 (205) 752-8104