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ALABAMA MARINE LAW PROGRAM

Sea Grant Project Number R/SL-2

January 1979 - May 1982

Final Report

MISSISSIPPI-ALABAMA
SEA GRANT CONSORTIUM



Publication No.: MASGP-82-010

Grant No.: NA81AA-D-00050

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Abstract

The Alabama Marine Law Program at the University of Alabama Law Center was funded from January 1, 1979 to May 31, 1982. During this period, the Program had as its continuing objective research, service and education in issues relating to law and the coastal/marine area. Major accomplishments of the program include: publication and distribution of the newsletter Update; establishment of a permit information center for the coastal area; preparation of the hearing draft for the Coastal Management Program; teaching the course "Introduction to Coastal and Environmental Law" to graduate students in 1979, 1980 and 1981 through the Marine Environmental Sciences Consortium; publication and distribution of monographs on submerged land ownership, wetlands law, water use conflicts, state energy and environmental agencies, methane gas ownership, and thermal energy storage in aquifers; presentation of workshops and seminars on environmental issues and ocean law and policy; drafting of legislation prohibiting motor vehicle use on the dune areas; and a number of research projects for marine users.

Introduction

The long-range goal of the Alabama Marine Law Program, begun in January, 1979, was to establish a mechanism to perform three functions for the state of Alabama at large and the Mississippi-Alabama Sea Grant Consortium in particular: research; service; and education in the marine law field. A major goal was to provide a single source to which both private parties and regulatory agencies could turn for assistance in researching marine legal problems. The Marine Law Program was designed to promote a legal framework adequate to protect marine resources and to provide consultant legal services for agencies and private organizations operating in the coastal zone. The Marine Law Program also functioned to correct one of the deficiencies of Alabama's educational program for marine scientists - that is, the lack of exposure to federal and state statutes and regulations which will affect their professional activities.

Objectives:

The first year of the Marine Law Program listed as its objectives the following: establish and staff the program; equip a library; produce a comprehensive survey of Alabama marine law; make contact with other marine law programs; begin offering a survey course in marine law to marine science students; respond to research questions related to marine law; assist state agencies in complying with or taking advantage of federal legislation relating to the coastal area; and establish advisory committees whose purpose would be to anticipate legal problems and provide consultant services in marine law.

Objectives for 1980 were: to develop and maintain a survey of marine law related to the Alabama Coastal Area; to respond to research questions related to marine law and undertake projects designed to modify existing law; to assist state agencies in complying with or taking advantage of federal legislation related to Alabama's coastal area; to conduct interdisciplinary course work in marine law; and to utilize an advisory committee to anticipate legal problems and provide consultant services in marine law.

Objectives for 1981 were: to provide legal research and analysis of coastal issues and problems; to assist state and local governments in complying with, or taking advantage of, federal legislation; to conduct interdisciplinary course work in the marine law field; to undertake projects informing legislatures of coastal issues and problems, and to draft legislation for needed changes; and educate marine resource users of existing laws and programs.

Problems in Achieving Stated Goals:

The only stated objective that was not fulfilled by the Marine Law Program was the plan to establish advisory committees to anticipate legal problems and provide consultant services in marine law. The original idea had been to work through the Alabama State Bar to establish committees of practicing attorneys. This proved impractical because of the scarcity of lawyers specializing in marine law and because of anticipated problems with Bar Association rules against conflict of interest. Most marine lawyers in Alabama are retained by clients and could not offer consultation in marine law to the public at large without jeopardizing their clients' interests.

The 1980 objective revised this goal to propose utilizing advisory committees. The Law Center Board of Advisors Committee then began meeting with the Marine Law Program staff on a regular basis to provide information on anticipated legal problems. Several members of the committee live and work in the coastal area and furnished valuable insight on potential legal issues affecting the area.

Accomplishments:

Service

Two major projects begun in 1979 were assistance with a hearing draft for the Coastal Management Program and establishment of a permit information center. Both projects were undertaken at the request of Alabama's Coastal Area Board. The Marine Law Program staff assisted the Board in preparing portions of the hearing draft, including a complete draft of rules and regulations which would comply with federal and state laws covering coastal and natural resources use.

Establishment of the permit information center involved identification and compilation of regulations and permits required by federal, state and municipal agencies for activities which have an impact on the Alabama coastal area within Mobile and Baldwin counties. A single volume describing all permit procedures was assembled, and a feasibility study on establishing the Coastal Area Board as a unified permit information center was completed through the Marine Law Program in 1980.

In 1979, Bayou La Batre's wastewater treatment facility was found to be out-of-compliance by EPA. The facility has limited the amount of waste it will accept. This has severely hurt the shrimp processing plants located in Bayou La Batre because they disposed of all their wastewater through the treatment facility. As an alternative, the Sea Grant Advisory Service has developed a proposed experimental spraying of the wastewater onto the wetlands. The Marine Law Program assisted in the drafting of a model lease, the contacting of landowners willing to lease their lands, the negotiating with their lawyers, and the determination of necessary permits. The Marine Law Program provided additional assistance on this project during 1980.

The Marine Law Program drafted legislation for the Sea Grant Advisory Service to correct discrepancies in the sales tax exemption for fishermen in Mississippi and Alabama. The legislation would increase the amount of sales tax exemption for Alabama fishermen.

In 1980, the Governor's Office requested the Marine Law Program's assistance in analyzing the environmental coordination laws enacted by other states. The staff collected these laws, which include laws from 24 states and 1 territory, and forwarded copies to Alabama Department of Energy. Then the staff analyzed the different approaches which the other states have followed. Clare Hughes, Kin Clinton, and Sabrina Andry, law student interns, wrote narrative summaries of each law. These summaries included a description of the approach taken by the state (whether it is a master permit to be circulated among several agencies or the consolidation of several agencies into a single Environmental Department); the various environmental permits to which the act applies; whether the coordination is only on the state level, or if it includes local and federal permits. The material submitted by the Marine Law Program was used as the basis for legislation creating an Environmental Services Department with the primary function of developing policy for the environmental area and making recommendations. The Marine Law Program was able to play an important role in the development of state marine policy. This legislation was designed to consolidate the air and water commissions and various other environmental boards into the new Environmental Department. Such consolidation is a trend in the environmental area.

The Environmental Management Act based on this research project was passed by the Alabama Legislature in May, 1982.

Mac Rawson of the Sea Grant Advisory Service requested that the Marine Law Program evaluate proposed legislation prohibiting motor vehicles in the dune areas. This project was completed during 1981. The proposed legislation, developed by a member of the Baldwin County Commission, expands the definition of the term "beach" to make enforcement of the law easier. In the past, enforcement has been a problem because the wording of some laws prohibiting motor vehicles on the dunes defined "dunes" so narrowly as to provide no protection for the rest of the beach area. The Marine Law Program in evaluating the proposed legislation recommended that the definition of "beach", "dune" and "primary dune area" used in Appendix G of the Alabama Coastal Area Management Program and Final Environmental Impact Statement be used in the proposed legislation. This legislation prohibiting motor vehicles from being operated in the beaches and coastal area was passed by the Alabama Legislature in 1981 and may be found at Code of Alabama, 1975, Section 32-1-7.

In 1981, work was completed on a project initiated at the request of the Sea Grant Advisory Service concerning possible legal questions involved in the formation of an Alabama shrimp processors' association. A memo on this topic was forwarded to the Advisory Service, which will be in contact with local shrimpers should further research be necessary.

The Marine Law Program worked with the Alabama Department of Energy's Waste Oil Recycling project to prepare legislation aimed at improving Alabama's waste oil recycling. Project R.O.S.E. (Recycled Oil Saves Energy), based at the University of Alabama, estimated that 20 to 45% of the oil pollution in the nation's waterways could be eliminated by recycling oil that is now dumped into waterways. A substantial amount of marine oil pollution could be abated in the same way. The Marine Law Program has been working this quarter to draft an Executive Order which, if signed by the Governor, would mandate recycling of oil by the state motor pools. A final draft of this order was completed and forwarded to Project R.O.S.E. for review in October, 1980.

In 1981, a joint project with the University of Mississippi studied charter boat ownership liability in Mississippi and Alabama. The objective of this project was to inform charter boat owners of their liability for passenger safety under state law. Topics researched include: boating registration requirements; federal and state regulations on safety; accident reporting; statutory liability; and employee liability. The section on Alabama laws was completed in September, 1981, and delivered to the University of Mississippi Sea Grant Program and the Alabama Sea Grant Advisory Service.

Co-principal investigator Sarah Kathryn Farnell was asked to become a member of the Alabama League of Municipalities' Natural Resource Steering Committee. At the Steering Committee's 1980 meeting, Ms. Farnell presented a report on legal aspects of various environmental issues facing local governments. Particular interest was shown in the monograph "Municipal Water Supplies, Interbasin Transfers and Interstate Water Problems Confronting Alabama." Copies of this monograph were distributed to all members of the steering committee to be incorporated in their reference libraries.

Research

Four major research projects were begun in 1979. The staff researched the controversy between federal and state governments over ownership of submerged lands in the Mississippi Sound off the Mississippi-Alabama coastline for the Alabama Conservation Department. An overview of the litigation and a history of submerged land cases was published as a result of the research.

The Marine Law Program also made a survey of Alabama energy and environmental agencies at the request of Oak Ridge National Laboratory in Oak Ridge, Tennessee. A monograph, published in January 1980 and entitled "Alabama Energy and Environmental Agencies," provided a quick reference source to all Alabama laws which affect the coastal areas. Copies were sent to all members of the state legislature and to government agencies throughout Alabama and neighboring states.

Research on water use conflicts in Alabama was provided for the Alabama Development Office. The research involved legal issues surrounding withdrawal of groundwater from aquifers in the Alabama coastal region, the interbasin transfer of water in Jefferson County, the rights of riparian owners on the Chatahoochee River and methods for resolution of interstate water conflicts.

A survey of all federal regulations governing the development of the wetlands was undertaken at the request of the Sea Grant Advisory Service in Mobile. The results were published in a monograph entitled "A Survey of Wetlands Law," published in October 1980.

Due to a steady popular demand, Monograph #2 entitled "Alabama Energy and Environmental Agencies" was reprinted in October, 1980. The new printing of 300 copies was distributed to libraries in Alabama and neighboring states, to government officials, planning agencies, developers and other interested groups. The monograph is designed to function as a guide to Alabama's permitting procedure and as a reference tool for any organization or individual dealing with these agencies. The monograph gives information on how each agency coordinates with other agencies, as well as giving cites to statutes, regulations, and other reference material.

In 1979 and 1980, one of the law student aides worked with the Attorney General's office to determine whether the Attorney General had standing to sue on behalf of the citizens of the coastal communities to prevent enforcement of the modified federal flood insurance regulations. The Attorney General filed for a preliminary injunction in June, 1980 against the Federal Insurance Administrator. In August, the preliminary injunction was denied. The Attorney General's office sought a permanent injunction. In addition, an administrative appeal was prosecuted. Since the question of standing to sue was crucial to the outcome of this suit, the Attorney General's office continued to work with the Marine Law Program.

The administrative appeal filed by the Attorney General's office seeking repeal of the modified federal flood insurance regulations was denied in November, 1980. A companion lawsuit on the merits of the case, and seeking relief from the denial of the administrative appeal, was then prepared by the Attorney General's office and filed in 1981. The suit, filed by the state on behalf of the coastal communities involved, was brought in the Federal District Court for the Southern District of Alabama in Mobile. The lawsuit sought modification of the regulations

governing flood insurance which went into effect in April, 1980.

In October 1980, the monograph "A Survey of Wetlands Law" was published and distributed. The State Geological Survey showed great interest in this publication and utilized this monograph in conjunction with a study of theirs on the decrease of wetlands area in coastal Alabama. Since the Survey monograph deals with all federal regulations governing use of the wetlands, it is felt that this volume will be of interest to other states concerned about the safe development of their wetlands. The Survey monograph was made available to the Sea Grant offices of neighboring states.

The monograph entitled "Municipal Water Supplies, Interbasin Transfers and Interstate Water Problems Confronting Alabama" was published in October, 1980. The Marine Law Program received requests from several state agencies and organizations for this monograph which grew out of a research project for the Alabama Development Office. The monograph discusses rights and liabilities of municipalities sharing a common underground aquifer, transferral of water from one river basin to another, and the rights of riparian owners along the Alabama-Georgia border.

Owing to continued demand for the out-of-print monograph on Submerged Lands, MASGP-79-008-1, first published in January, 1980, work was begun early in 1981 on an updated version of this monograph which was published in September, 1981. The ownership of submerged lands was of particular interest to Gulf Coast states at this time because of the recent important oil and gas discoveries off the Alabama and Mississippi coasts. The revised monograph includes an analysis of the current state of submerged lands ownership litigation which affects all coastal states and which has been before the U.S. Supreme Court almost continuously since 1946.

The revised version of the monograph is entitled State and Federal Claims to Submerged Lands in the Mississippi Sound, MASGP-81-010 (2). The Alabama Department of Energy provided a grant of \$500 to help defray publication costs of this work.

During August, 1981, work was completed on a research project analyzing the various methods by which states have attempted to tax offshore resources such as oil and gas. Louisiana's "First Use Tax" on natural gas produced in federal waters was declared unconstitutional by the U.S. Supreme Court in May. The finished research project was submitted in the form of an article entitled "State and Local Taxation of Offshore Resources" to Sea Grant Today and appears in the January, 1982 issue. An abstract of a similar paper on "Regulation of Alabama's Offshore Resources" was accepted for publication by The Alabama Lawyer. The article, which appears in the April, 1982 issue of this publication, covers the Alabama and federal regulatory scheme as it applies to offshore resources.

An abstract of a paper entitled "Legal Options for Wetlands Management" was submitted in May, 1981 to the seventh annual conference of the Coastal Society held in Galveston, Texas, in October, 1981. This abstract was accepted and the final paper was completed and delivered at the conference. The paper was presented by Ted LaRoe of the U.S. Fish and Wildlife Service as a part of the panel discussion on wetlands management. Mr. LaRoe substituted for author Kathie Farnell, who was attending the Sea Grant Site Visit. The paper will be published in the Conference Proceedings in 1982.

Another project grew out of the publication A Survey of Wetlands Law. The expanded project, undertaken jointly with the Sea Grant Legal Program at the University of Mississippi, involved analysis of the future of Mississippi and Alabama wetlands and the legal aspects of wetlands use. Avoyelles Sportsmen's League, Inc. v. Alexander was decided in Louisiana. The federal court in Avoyelles granted an injunction prohibiting owners of wetlands property from using that property for the production of agriculture or forestry products. The Alabama portion of this joint wetlands project was carried out by the Marine Law Program, providing legal expertise, and the Marine Advisory Service in Mobile, providing scientific data on wetland loss and pollution. The Louisiana State University Sea Grant Legal Program has requested to be included in the joint study on wetland loss which initially involved the Alabama and Mississippi Marine Law Programs and Marine Advisory Services. Work was completed on the Alabama portion of the project in October, 1981, and the results forwarded to the University of Mississippi Sea Grant Legal Program.

The Office of Energy and Environmental Law Component of the Marine Law Program completed several research projects involving unconventional gas in 1981. "Unconventional gas" is a broad term covering methane gas, low btu gas and other forms of natural gas which are not being heavily utilized at present. Principal Investigator Farnell was a panelist at the U.S. Department of Energy Unconventional Gas Workshop in Birmingham, Alabama in April, 1981. Major barriers to methane gas development were identified as: ownership conflicts; use conflicts; safety considerations; lack of a legal definition of methane gas; and jurisdictional conflicts between federal and state agencies.

A grant of \$1,000 from the Alabama Department of Energy was used to defray part of the publication costs of a monograph entitled "Legal Constraints on Methane Gas Development," which was published in July, 1981.

Education

"Introduction to Coastal and Environmental Law" was taught for graduate level students twice at Dauphin Island Sea Lab, in 1979 and 1981, and once at the University of Alabama, in 1980. Course materials and visiting lecturers covered methods of settling disputes in the water pollution context, ownership concepts, coastal zone management, oil pollution control, water pollution control, fisheries regulation and oil exploration.

The Marine Law Program also contributed to the area of education through assistance with an environmental law seminar in 1979, designed for practicing attorneys and sponsored by the University of Alabama's Continuing Legal Education Program. The material taught included:

- a. Land-use issues in the coastal area.
- b. The federal and state court systems.
- c. Constitutional limitations on enforcement of environmental laws.
- d. Common law remedies to pollution, such as nuisance, trespass, and negligence.
- e. National Environmental Protection Act.
- f. Rivers and Harbors Act of 1899.
- g. Federal Water Pollution Control Act.
- h. Alabama Water Pollution Control Act.
- i. Riparian Rights.
- j. Coastal Zone Management Act.

The 1981 Marine Law course was offered to students in the Marine Environmental Sciences Consortium. Kathie Farnell met with students at the Dauphin Island Sea Lab in a workshop in July, 1981. Two graduate students, Freda Dennis and Prince Collins, submitted papers in satisfaction of course requirements and received credit for the course through the University of Alabama graduate school. These two papers, on marine pollution regulations and wetlands law, have been published by Sea Grant as occasional papers.

Research into the issue of control of motor vehicles on the beach area was begun in September, 1980, at the request of the Sea Grant Advisory Service in Mobile. A law student aide worked full-time on this project with Mac Rawson and Ron Donohoe of the Advisory Service. In final form the research paper was used as part of an educational project conducted by the Advisory Service aimed at marine resource users. The paper surveys the legal status of off-road vehicles (ORVs) under federal and state laws. Various methods of controlling vehicle use are covered under sections dealing with state statutes, regulations of state agencies, the Coastal Zone Management Program, and county and municipal ordinances. The final draft of this paper was published by the Advisory Service in February, 1981, under the title Beaches and Dunes vs. Off-Road Vehicles.

Co-principal investigator Bob McCurley represented the Marine Law Program at the N.O.A.A. Ocean and Coastal Law Policy Workshop in November, 1980, in Fredericksburg, Virginia. McCurley participated in the working group on Pollution and Marine Transportation. The working groups identified problems facing the nation in the areas of marine transportation and control of marine pollution. Major problems listed were: ineffective communication, lack of incentives for pollution control, confusion in the federal laws and agency regulations, and jurisdictional disputes.

A conference was held at the University of Alabama campus in November, 1980, for the state's local government energy coordinators. The University's Office of Energy and Environmental Law, of which the Marine Law Program is a component, co-sponsored the conference with the Alabama Department of Energy. Participants in the conference discussed means to assist the various areas of the state, including the coastal area, in developing practical methods of energy conservation.

A project, begun at the request of the Alabama Labor Council, involved research into the problem of transportation and disposal of hazardous wastes in Alabama. Work was completed on the initial phase of the project during 1981, and a memo on the subject delivered to the Labor Council. The memorandum outlines applicable federal and state laws relating to marine and land-based disposal of hazardous wastes. The research effort begun as part of this project has continued as interest in this topic has increased. An article on toxic waste laws was published in The Alabama Lawyer, official publication of the Alabama State Bar, in the January, 1981 issue. An article on the same topic appeared in the publication issued by the Alabama League of Municipalities, in May, 1981.

A workshop on minerals leasing in the coastal area was sponsored by the Marine Law Program and the Escambia County Bar Association in July, 1981 in Flomaton, Alabama. Topics covered by Kathie Farnell and John Carey, attorney for the State Oil and Gas Board, included the common law of minerals leasing, state and federal laws, and Oil and Gas Board regulations.

Co-principal Investigator Farnell presented a workshop on "Energy and the Law" to the University of Alabama's Summer Institute Teaching About Energy and the Environment in July, 1981. The Institute was presented for high school, junior high and middle school teachers.

The newsletter, Energy and Environmental Law Update, published six times annually, was distributed to 350 groups and private individuals in the Southeast during the grant period.

A conference on the impact of the Tennessee-Tombigbee Waterway was presented in April, 1982. Speakers from University of Alabama, University of Mississippi, Mississippi State University, and federal, state and local agencies discussed changes which are expected for communities along the waterway.

The Alabama and Mississippi legal programs presented a joint workshop on Marine Law and Policy for participants during the 1981 Sea Grant Retreat in Biloxi, Mississippi in September, 1981. A publication, Issues in Ocean and Coastal Law and Policy, MASGP-81-010 (3), was prepared and distributed at the workshop. Topics covered include marine pollution, hazardous waste regulations, and offshore mineral rights.

Users:

State agencies made extensive use of Marine Law Program project results. The Alabama Coastal Area Board used the Marine Law Program staff's information in the hearing draft for the state's Coastal Management Program. The Marine Law Program also established the Coastal Area Board's permitting center in Daphne, Alabama. The Sea Grant Advisory Services in Mississippi and Alabama used Marine Law Program findings in educational projects control of off-road vehicles in the dune areas, wastewater disposal in Bayou la Batre, and charter boat owner liability. Legislative drafting projects used by the Alabama Advisory Service included sales tax exemptions for boats owned by Alabama fishermen and legislation prohibiting motor vehicles on the dunes. The Alabama Advisory Service utilized Marine Law Program expertise on a variety of questions relating to businesses operating in the coastal area, such as the procedure for organizing a shrimp processors' organization.

The Advisory Service also used the Marine Law Program to compile a survey of Federal wetlands laws, published as A Survey of Wetlands Law.

The Alabama Governor's office used Marine Law Program research to compare environmental permitting procedures in other states with Alabama's. The Alabama Environmental Management Act, passed in 1982, was the result of this research in setting up a consolidated environmental permitting system for the state.

The Alabama Department of Energy's Waste Oil Recycling Project used the Marine Law Program to draft an executive order mandating use of recycled oil in state vehicles. This executive order, when implemented, will result in substantial reduction in the amount of waste oil being dumped into waterways.

The Alabama Conservation Department incorporated the results of the Marine Law Program's study of the controversy over ownership of submerged lands into its suit against the federal government over ownership of lands in the Mississippi Sound. The Mississippi Attorney General's office also used Marine Law Program results in its brief.

Research on water use conflicts was used by the Alabama Development Office and also appeared as a monograph by Professor Harry Coker of the University of Alabama Law Center.

Oak Ridge National Laboratory in Oak Ridge, Tennessee used Marine Law Program research to compile a listing of Alabama energy and environmental agencies. This listing was published as a monograph which went through two printings and also appeared as a chart of energy related agencies.

The Alabama State Attorney General's office used the Marine Law Program staff on a continuing basis as consultants on a lawsuit against the Federal Flood Insurance Administrator to prevent enforcement of the modified federal flood insurance regulations.

Graduate students in the marine sciences used Marine Law Program teaching expertise in the course "Introduction to Coastal and Environmental Law", offered in 1979, 1980, and 1981 through Marine Environmental Sciences Consortium at the University of Alabama campus and the Dauphin Island Sea Lab. Two students, Freda Dennis

and Prince Collins Chukobasih, prepared papers based on the course materials which were published by Sea Grant as occasional papers. Both these students received their MS degrees through the University of Alabama. Members of the Alabama State Bar participated in a Continuing Legal Education workshop on environmental law in 1979 which featured Marine Law Program staff members and covered a variety of marine related topics. Landowners in the Alabama coastal area were provided with information on minerals leasing in a 1981 workshop led by Kathie Farnell and State Oil and Gas Board Attorney John Carey.

The University of Mississippi Sea Grant Legal Program used research and information provided by Marine Law Program in projects involving wetlands conservation and charter boat owner liability. Other Sea Grant participants used Marine Law Program research results and informational reports. A workshop on "Issues in Ocean and Coastal Law and Policy" was presented to Sea Grant participants at the 1981 Sea Grant Retreat in Biloxi, Mississippi.

Dissemination of Results:

- Office of Energy and Environmental Law Monographs:

Alabama Energy and Environmental Agencies, MASGP-79-008-2, January, 1980 and October, 1980.

State and Federal Claims to Submerged Lands in the Mississippi Sound, MASGP-81-010 (2), October 1981.

A Survey of Wetlands Law, MASGP-79-008 (3), August 1980.

Municipal Water Supplies, Interbasin Transfers and Interstate Water Problems Confronting Alabama, MASGP-79-008-4, August, 1980.

Issues in Ocean and Coastal Law and Policy, MASGP-81-010 (3), September, 1981.

Legal Constraints on Methane Gas Development, MASGP-81-010 (1), August, 1981.

- Center for Public Law and Service Monographs:

Legal Barriers to Development of Thermal Energy Storage in Aquifers, April, 1982.

Impact of the Tennessee-Tombigbee Waterway, May, 1982.

- Alabama Coastal Area Board Publications:

Building in the Coastal Counties, February, 1980.

- Sea Grant Advisory Service Publications:

Beaches and Dunes vs. Off-Road Vehicles, MASGP-80-006 (4), February, 1981.

- Sea Grant Student Papers:

State and Federal Interactive Relationships on Water Pollution Regulatory Systems, 1981.

Wetland Laws, MASGP-81-022.

- The Coastal Society; Conference Proceedings:

Legal Options in Wetlands Management, October, 1981.

- Legal Journals:

State and Federal Regulation of Alabama's Offshore Lands, "The Alabama Lawyer", April, 1982.

Methane Gas Ownership - A Proposed Legislative Solution for Alabama,
"Alabama Law Review", Summer, 1982.

- Sea Grant Today:

State and Local Taxation of Offshore Resources, Vol. 12, No. 1, 1982.

- Update:

Newsletter published semi-monthly since 1979. Present regional circulation 350.

Publications

Farnell, Sarah Kathryn, Legal Options in Wetlands Management. Proceedings of the Seventh Annual Convention of the Coastal Society, October, 1981. Paper.

Farnell, Sarah Kathryn, State and Federal Regulation of Alabama's Offshore Lands. The Alabama Lawyer, April, 1982, p. 340.

Farnell, Sarah Kathryn, State and Local Taxation of Offshore Resources. Sea Grant Today, Vol. 12, No. 1, 1982, p. 10.

Farnell, Sarah Kathryn, Legal Constraints on Methane Gas Development. Office of Energy and Environmental Law, MASGP-81-010 (1), August, 1981. Monograph.

Farnell, Sarah Kathryn, Legal Barriers to Development of Thermal Energy Storage in Aquifers, Center for Public Law and Service, April, 1982. Monograph.

Farnell, Sarah Kathryn, Impact of the Tennessee-Tombigbee Waterway, Center for Public Law and Service, May, 1982. Monograph.

Farnell, Sarah Kathryn, Methane Gas Ownership - A Proposed Legislative Solution for Alabama, Alabama Law Review, Summer, 1982. In Press.

Farnell, Sarah Kathryn and Gibbs, Michael, Issues in Ocean and Coastal Law and Policy. Office of Energy and Environmental Law, MASGP-81-010 (3), September 1981. Monograph.

Simon, George, State and Federal Claims to Submerged Lands in the Mississippi Sound, Revised. Office of Energy and Environmental Law, MASGP-81-010 (2), October 1981. Monograph.

Prince Collins Chukobasih, State and Federal Interactive Relationships on Water Pollution Regulatory Systems, Student paper published by MASGC, 1981.

Freda Dennis, Wetland Laws, Student paper published by MASGC, 1981, MASGP-81-022.

Marine Law Program, Building in the Coastal Counties, Alabama Coastal Area Board, February, 1980. Monograph.

Donohoe, Ronald D. and Hess, James P., Beaches and Dunes vs. Off-Road Vehicles, Alabama Sea Grant Advisory Service, MASGP-80-006-4, February, 1981. Monograph.

Marine Law Program, Alabama Energy and Environmental Agencies, Office of Energy and Environmental Law, MASGP-79-008-2, January, 1980. 2nd printing October, 1980. Monograph.

Marine Law Program, A Survey of Wetlands Law, Office of Energy and Environmental Law, MASGP-79-008-3, August, 1980. Monograph.

Cohen, Harry, Municipal Water Supplies, Interbasin Transfers and Interstate Water Problems Confronting Alabama, Office of Energy and Environmental Law, MASGP-79-008-4, August, 1980. Monograph.

Tabulation:

Field exercises - not applicable

Person-hours expended (in man-months) -

	<u>In-Kind</u>	<u>Charged to Grant</u>
1979	7	12
1980	6	12
1981	6	10.19

Dollars encumbered to date -

	<u>Sea Grant</u>	<u>Matching</u>
1979	32,893	16,627
1980	34,303	16,706
1981	34,303	17,152

Percent Completion of Project Objectives - 100%

Cooperative Efforts:

Alabama Department of Energy

Alabama Coastal Area Board

Marine Environmental Sciences Consortium

University of Mississippi Marine Resources Law Program

Alabama Association of County Commissioners

US Department of Energy

Alabama League of Municipalities

Alabama Sea Grant Advisory Service

Alabama State Department of Conservation

Alabama Attorney General's Office

Alabama State Oil & Gas Board and Geological Survey

Dauphin Island Sea Lab

Coastal Society

University of Alabama School of Mines and Energy Development

University of Alabama Continuing Legal Education

United States Bureau of Land Management

University of Alabama Law Center Board of Advisors

State of Alabama, Governor's Office

Alabama Law Institute

Project R.O.S.E.

Oak Ridge National Laboratory

Louisiana State University Sea Grant Legal Program

Alabama Labor Council

Student Accomplishments:

- George L. Simon - Juris Doctor awarded, May, 1980
Practicing law in Montgomery, Alabama
- Elizabeth C. Garber - Juris Doctor Candidate, May, 1983
Intern with firm of Drake & Knowles, Tuscaloosa, Alabama
- John P. Furman - Juris Doctor awarded, May, 1982
Practicing law in Camden, Alabama
- Carolyn T. Moore - Juris Doctor Candidate, December, 1982
Intern with firm of Murphy & Murphy, Tuscaloosa, Alabama
- James W. Martin, Jr. - Juris Doctor awarded, May, 1982
Job offers from Social Security office in Huntsville,
Alabama and Birmingham, Alabama
- Donald L. Heflin - Juris Doctor Candidate, May, 1983
Intern with University Counsel's office
- Sabrina A. Andry - Juris Doctor awarded, May, 1981
Employed with Corps of Engineers, Mobile, Alabama, on water
related projects
- Jeffrey G. McKnight - Juris Doctor awarded, May, 1981
Practicing law in Atlanta, Georgia
- James P. Hess - Juris Doctor awarded, May, 1981
Employed by Huntsville, Alabama District Attorney
- Rankin A. Clinton - Juris Doctor awarded, May, 1982
Employed as environmental lawyer by Teledyne Brown
Engineering, Huntsville, Alabama
- Raymond J. Hawthorne - Juris Doctor awarded, December, 1980
Employed by Drummond Coal Company, Jasper, Alabama
- Christine M. Lewis - Juris Doctor awarded, May, 1981
Employed by Legal Services Corporation of Alabama
- Jay E. Emerson, Jr. - Juris Doctor awarded, May, 1982