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Alabama Department of Environmental Management  
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December 31, 2013

National Oceanic and Atmospheric Administration  
Office of the General Counsel  
Attn: Denise A. Walker, Senior Attorney  
263 13<sup>th</sup> Avenue South, Suite 177  
St. Petersburg FL 33701

Re: State of Alabama: Coastal Consistency Determination  
Phase III Early Restoration Actions for the Deepwater Horizon Oil Spill as described in the Draft Programmatic and Phase III Early Restoration Plan & Draft Early Restoration Programmatic Environmental Impact Statement

1. Swift Tract Living Shoreline
2. Gulf State Park Enhancement, and
3. Oyster Cultch Restoration (Mobile County, Alabama)

ADEM Tracking ID: 2014-067-NRDA

Dear Ms. Walker,

The Alabama Department of Environmental Management (ADEM) reviewed NOAA's determination of coastal consistency for the proposed Swift Tract Living Shoreline, Gulf State Park Enhancement, and the Oyster Cultch Restoration (Mobile County, Alabama) projects.

The ADEM previously reviewed two of these proposals and determined they were consistent with the Alabama Coastal Area Management Program (ACAMP).

1. ADEM Coastal Program Permit No. 2012-345-COE-M1 Mobile District Corps of Engineers Permit Number: SAM-2012-1009-DEM for the Oyster Cultch Restoration (Mobile County, Alabama)
2. ADEM Coastal Program Permit No. CCB&D-03-0107-A for the Gulf State Park Enhancement project

The ADEM **concurs** with the NOAA's determination that the Swift Tract Living Shoreline project proposal is also consistent with the enforceable policies of the ACAMP to the extent that these activities have been defined by the current level of planning and design contained in the Phase III - DERP.

Given the scope of the Swift Tract Living Shoreline project, it is likely that the activities will require a federal permit. In that case and at that time, the ADEM will review the applicant's statement of coastal consistency pursuant to 15CFR930 subpart D and make a final activity-specific coastal consistency determination.

If you have any questions regarding this matter, please contact J. Scott Brown by email at [jsb@adem.state.al.us](mailto:jsb@adem.state.al.us) or by phone at (251) 304-1176.

Sincerely,

A handwritten signature in black ink, appearing to read "S. O. Jenkins", is written over a white background.

Steven O. Jenkins, Chief  
Field Operations Division

SOJ/jsb

File: CORS/

eCopy: William H. Brantley, ADCNR-SLD   Phillip Hinesley, ADCNR-SLD   Joy Earp, Corps of Engineers-Mobile District

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