



Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act (RESTORE Act) Draft Initial Funded Priorities List

The Gulf Coast Ecosystem Restoration Council (Council) hereby requests comments on a list of projects and programs (activities) proposed for funding pursuant to the RESTORE Act. This proposed list of activities is called the Initial Funded Priorities List (or FPL). This draft Initial FPL would use currently available funds for planning and on-the-ground restoration activities in key watersheds across the Gulf. It also includes monitoring, community investments, and other Gulf-wide activities designed to lay a foundation for comprehensive restoration and effective use of future funding opportunities. These proposed activities build upon past and ongoing restoration work and, where possible, leverage other funding sources. The following executive summary provides an overview of this draft FPL and instructions for providing comments on it. Further detail can be found in the main document and appendices. The Council looks forward to hearing from the public on this important next step toward comprehensive Gulf Coast restoration.

Executive Summary

The Gulf Coast region is vital to our nation and our economy, providing valuable energy resources, abundant seafood, extraordinary beaches and recreational activities, and a rich natural and cultural heritage. Its waters and coasts are home to one of the most diverse natural environments in the world – including over 15,000 species of sea life and millions of migratory birds. The Gulf has endured catastrophes, including major hurricanes such as Katrina, Rita, Gustav and Ike in the last 10 years alone. The region has also experienced the loss of critical wetland habitats, erosion of barrier islands, imperiled fisheries, water quality degradation and significant coastal land loss. More recently, the health of the region’s ecosystem was significantly affected by the *Deepwater Horizon* oil spill. As a result of the oil spill, the Council has been given the great responsibility of helping to address ecosystem challenges across the Gulf.

The *Deepwater Horizon* oil spill led to passage of the RESTORE Act (or “Act”). The Act dedicates 80 percent of all Clean Water Act administrative and civil penalties related to the *Deepwater Horizon* oil spill to the Gulf Coast Restoration Trust Fund (Trust Fund). The Act created the Council, an independent Federal entity comprised of five Gulf Coast states and six Federal agencies. The Council is to administer a portion of the Trust Fund known as the Council-Selected Restoration Component to “undertake projects and programs, using the best available science, that would restore and protect the natural resources, ecosystems, fisheries, marine and wildlife habitats, beaches, coastal wetlands, and economy of the Gulf Coast.” Pursuant to the Act, the Council approved an Initial Comprehensive Plan (Initial Plan) in August 2013^{i, ii} that outlines an overarching vision for Gulf restoration and includes the following five goals:

(1) *Restore and Conserve Habitat*

(2) ***Restore Water Quality***

(3) ***Replenish and Protect Living Coastal and Marine Resources***

(4) ***Enhance Community Resilience***

(5) ***Restore and Revitalize the Gulf Economy***

As part of the Initial Plan, the Council is required to publish for public and Tribal review and comment a draft FPL that proposes the activities which the Council intends to prioritize for funding. This draft FPL is provided herein. The Council will carefully review public comments to this proposal, make appropriate changes, and then finalize the Initial FPL. Once finalized, the Initial FPL will serve as the basis for allocating funds under the Council-Selected Restoration Component.

The members of the Council collaborated to build a draft FPL that responds to ecological needs regardless of jurisdictional boundaries. With this draft FPL, the Council is seeking to provide near-term “on-the-ground” ecological results, while also building a planning and science foundation for future success. The Council is proposing to focus on 10 key watersheds across the Gulf in order to concentrate and leverage available funds to address critical ecological needs in high priority locations. This draft FPL focuses on habitat and water quality, and includes restoration and conservation activities that can be implemented in the near term. It also supports project-specific planning efforts necessary to advance large-scale restoration. The comprehensive planning and monitoring efforts proposed in this FPL would provide Gulf-wide benefits into the future.

This draft FPL would fund approximately \$139.6 million in restoration activities such as hydrologic restoration, land conservation, and planning for large-scale restoration projects; and would prioritize 16 restoration activities for possible funding in the future, subject to environmental compliance and further Council review. The Council recommends reserving approximately \$43.6 million for implementing priority activities in the future. Should the Council propose such prioritized activities for funding in the future, it would do so through a public process.

If finalized and approved by the Council, this draft FPL would provide substantial near-term ecological benefits and would help set the stage for future success with large-scale, comprehensive Gulf restoration. Among other activities, this proposed FPL would:

- ***Restore and Conserve Habitat*** by focusing on projects that restore and enhance the health, diversity, and resilience of key marsh habitat and other coastal, estuarine, and marine habitats;
- ***Restore*** valuable wetlands by backfilling 16.5 miles of abandoned oil and gas canals;

- **Conserve** approximately 9,400 acres of high value coastal habitat;
- **Protect** existing coastal ecosystems by plugging 11 abandoned oil and gas wells;
- **Improve** water quality by working with private land owners to eliminate the use of approximately 16,000 pounds of fertilizer annually up to 15 years, and by funding activities that will result in water pollutant load reductions of approximately 60,000 pounds annually;
- **Advance** comprehensive restoration by funding a range of water quality and/or habitat restoration planning efforts in 10 key watersheds and estuaries;
- **Invest** in Gulf-wide science, coordination, and planning programs; and

Funds reserved for future high-priority activities have the potential to restore and conserve thousands of additional acres of valuable coastal habitat as well as improve water quality in key watersheds. The planning activities proposed in this draft FPL, if implemented in the future, could yield tens of thousands of additional acres of wetland restoration and many miles of living shorelines. Activities proposed in this draft FPL would be conducted in cooperation with other ecosystem restoration and science initiatives occurring in the Gulf, including the ongoing Deepwater Horizon Natural Resource Damage Assessment (NRDA) and the National Fish and Wildlife Foundation (NFWF) Gulf Environmental Benefit Fund (GEBF).

In July 2015, BP announced that it reached Agreements in Principle (AIPs) with the United States and the Gulf States for settlement of civil claims arising from the *Deepwater Horizon* oil spill. According to the announcement the AIPs provide for a payment to the United States of a civil penalty of \$5.5 billion under the Clean Water Act, payable over 15 years. As discussed above, the Act provides that 80% of civil penalties paid under the Clean Water Act arising out of the *Deepwater Horizon* oil spill would be dedicated to the Trust Fund and allocated to the Direct Component, the Council-Selected Restoration Component, the Spill Impact Component and the other components as defined by the Act.

There are, however, additional steps that must be completed before those funds become available. The terms of the proposed settlements are subject to a confidentiality order and will not become final until, among other things, a consent decree is negotiated, is made available for public review and comment, and is approved by the court.

This draft FPL does not represent a precedent for future FPLs. The draft Initial FPL, when final, would be reviewed at least annually, and future iterations will be developed as additional funding becomes available. The Council anticipates that once the full amount of funds ultimately available under the RESTORE Act is certain, future FPL iterations would include significantly larger projects and project lists that reflect the full amount available to be spent for

restoration activities. The types of activities included in future FPLs may differ from those proposed herein, which are based on currently available funding and reflect priorities relevant at this stage in the Council's planning.

The Council intends to play a key role in helping to ensure that the Gulf's natural resources are sustainable and available for future generations. Currently available Gulf restoration funds and those that may become available in the future represent a great responsibility. The ongoing involvement of the people who live, work and play in the Gulf region is critical to ensuring that these monies are used wisely and effectively. The Council thanks all those who have participated in the process thus far, and offers thanks in advance to those who will take the time to again offer thoughts on how we can collectively help restore the Gulf. To that end, the Council is pleased to invite the public to review and comment on the draft Initial FPL.

The deadline for public and Tribal comments on this draft Initial FPL is September 28th, 2015.

Comments may be submitted through one of these methods:

Mail: Send to Gulf Coast Ecosystem Restoration Council, Draft FPL Comments, Hale Boggs Federal Building, 500 Poydras Street, Suite 1117, New Orleans, LA 70130.

Email: Send to draftfplcomments@restorethegulf.gov.

Web: www.restorethegulf.gov

In general, the Council will make any comments received publicly available on its website, www.restorethegulf.gov, including any business or personal information provided, such as names, addresses, email addresses, or telephone numbers. All comments received, including attachments and other supporting materials, will be part of the public record and subject to public disclosure. You should therefore only submit information that you wish to make publicly available.

For further information: Please send questions by email to draftfplcomments@restorethegulf.gov, or contact Will Spoon at (504) 239-9814.

Public and Tribal Meetings on the Draft Initial FPL:

In addition to the comment opportunities discussed above, the Council will also hold a number of public and Tribal meetings across the Gulf to hear from the public and Tribes regarding this proposed FPL. The locations, dates, and times for the public meetings are provided below.

State	Location	Date	Time
Texas	Texas A&M University University Center - Lonestar Ballroom 6300 Ocean Drive Corpus Christi, TX	Aug. 20, 2015	6:00 p.m. Central
Florida	FWC Fish & Wildlife Research Institute 100 Eighth Ave. SE St. Petersburg, FL	Aug. 26, 2015	6:00 p.m. Eastern
Florida	Gulf Coast State College 5230 West US Hwy. 98 Panama City, FL	Aug. 27, 2015	6:00 p.m. Central
Alabama	The Battle House Renaissance Mobile Hotel 26 North Royal St. Mobile, AL 36602	Sept. 1, 2015	6:00 p.m. Central
Mississippi	MS Coast Coliseum & Convention Center (Room D) 2350 Beach Blvd. Biloxi, MS	Sept. 10, 2015	5:00 p.m. Central
Louisiana	University of New Orleans Homer L. Hitt Alumni Center 2000 Lakeshore Dr. New Orleans, LA	Sept. 15, 2015	5:30 p.m. Central
Louisiana	Morgan City Municipal Auditorium 728 Myrtle St. Morgan City, LA	Sept. 16, 2015	5:30 p.m. Central