

Approved Funded Priorities List Amendment - Gulf of Mexico Conservation Enhancement Grant Program

On January 22, 2020, the Gulf Coast Ecosystem Restoration Council (Council) amended its 2015 Initial Funded Priorities List (Initial FPL) to approve implementation funding for the Gulf of Mexico Conservation Enhancement Grant Program (GMCEGP), which is sponsored by the U.S. Environmental Protection Agency (EPA). Specifically, the Council approved \$2.5M to support implementation of eight ecosystem conservation and enhancement projects identified by EPA as eligible for funding under the GMCEGP.

Background and Public Review:

Pursuant to the RESTORE Act (33 U.S.C. §1321 (t)), the Council is responsible for administering portions of *Deepwater Horizon* oil spill settlement funds for the purpose of restoring the environment and economy of the Gulf coast. The Council administers two funding programs, one of which is the Council-Selected Restoration Component, or “Bucket 2.” Under Bucket 2, the Council votes to approve Gulf ecosystem restoration projects and programs proposed by the Council members. Bucket 2 projects and programs approved for funding by the Council are included in what is referred to as a Funded Priorities List (FPL).

In its Initial FPL, the Council approved \$375K in planning funds for the GMCEGP. At that time the Council also identified the implementation component of GMCEGP as a priority for potential future funding and budgeted approximately \$2.1M for possible use on this program. In 2019, EPA requested that the Council amend the Initial FPL to approve approximately \$2.1M to implement GMCEGP and reallocate the \$375K from planning to implementation. In total, EPA thus requested that the Council amend the Initial FPL to approve \$2.5M for implementation of the GMCEGP.

On December 23, 2019, the Council sought public comment on the proposed FPL amendment to approve implementation funding for the GMCEGP. The deadline for public comments was December 31, 2019. During the comment period the Council received three public requests that the public comment period be extended. In response to these requests, the Council reopened the public comment period for GMCEGP from January 10 to January 20, 2020. During this second time period, the Council received three comments objecting to the approval of funds for GMCEGP. The Council considered these comments and determined that the objections did not bring into question the eligibility of the GMCEGP for funding pursuant to the RESTORE Act, nor did these comments otherwise bring into question the findings of the Council’s review of the GMCEGP at the time it was originally approved for Categories 1 and 2 of the Initial

FPL. After review of the public comments, on January 22, 2020 the Council voted to amend the Initial FPL and approve \$2.5M for implementation of the GMCEGP.

Under the approved GMCEGP, EPA will make Bucket 2 funds available to enhance private/public partnerships that support land protection and conservation across the Gulf Coast. The GMCEGP is aimed at Gulfwide land conservation organizations such as land trusts, non-governmental organizations and state land preservation agencies. The GMCEGP has the following objectives:

- Enhance land protection and conservation in priority landscapes of the Gulf;
- Improve habitats and water quality across the Gulf; and
- Enhance the understanding of the benefit of land protection to communities through focused outreach and education supporting conservation and stewardship.

Applicants for the GMCEGP must provide a non-federal match of 50% of the total cost of the project. Proposals should also demonstrate coordinated efforts among land conservation groups and include projects that are foundational and sustainable for habitat conservation and water quality improvement throughout the Gulf.

At the end of 2017 EPA issued a request for proposals for GMCEGP funding. After reviewing the proposals, EPA selected eight projects. The sponsors of these projects are listed below along with a brief description of the activity to be funded under the GMCEGP:

- **St. Tammany Parish Government:** Vegetative planting of Tenet Pond for habitat enhancement, Louisiana.
- **Atlanta Botanical Garden:** Enhance conservation through woody vegetation removal and evaluation of novel management in Florida's rare coastal wetlands ecosystem.
- **Land Trust for the Mississippi Coastal Plain:** Gulf Coast land conservation project assistance, Gulfwide.
- **Woodlands Conservancy:** Restoration and enhancement of habitat for resident and migratory birds in the Barataria Basin, Louisiana.
- **Mississippi Forestry Commission:** Enhancing and rehabilitating the ecological function in a major watershed and subwatershed in the Mississippi Gulf Coast region.
- **The Nature Conservancy:** Calcasieu Lake and Sabine National Wildlife Refuge oyster reef restoration project, Louisiana.

- **Galveston Bay Foundation:** Galveston Bay Conservation Program - enhancing preserved lands, supporting land acquisition, and understanding conservation benefits, Texas.
- **Ducks Unlimited, Inc.:** Texas Coastal Prairies Program - wetland conservation for wildlife and people.

EPA will provide subawards to these organizations to fund implementation of the associated projects.

Environmental Compliance

Prior to approving implementation funds for a project, the Council must comply with all applicable environmental laws, including the National Environmental Policy Act (NEPA). Section 4(h) of the Council's NEPA Procedures provides:

“(h) Actions Exempt from the Requirements of NEPA. Certain Council Actions may be covered by a statutory exemption under existing law. The Council will document its use of such an exemption pursuant to applicable requirements.”

In accordance with the above provision, the Council is relying upon EPA's federal statutory NEPA exemption in association with approval of implementation funding for the eight GMCEGP projects. EPA has provided the Council with documentation confirming that the eight projects fall within EPA's statutory NEPA exemption and demonstrating compliance with other applicable laws, including the Endangered Species Act, National Historic Preservation Act, and the Magnuson-Stevens Act. EPA will be required to comply with all applicable terms and conditions contained in this documentation. The Council's reliance upon EPA's statutory NEPA exemption does not alter the Council's or EPA's obligation to comply with other applicable laws.

The Council has reviewed the [environmental compliance documentation](#) provided by EPA and has found that it addresses all laws applicable to Council approval of funding under the Bucket 2.

To learn more about the RESTORE Council visit us at www.restorethegulf.gov or send questions to restorecouncil@restorethegulf.gov.