



# Fiscal Year 2017 Annual Performance Plan



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# Annual Performance Plan 2017

April 2017

Gulf Coast Ecosystem Restoration Council

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## Preface

Established by the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012, or the RESTORE Act, codified at 33 U.S.C. § 1321 (t), the Gulf Coast Ecosystem Restoration Council (Council) is comprised of five Governors from the Gulf Coast States of Alabama, Florida, Louisiana, Mississippi and Texas (States), the Secretaries from the U.S. Departments of the Interior, Army, Commerce, Agriculture, and Homeland Security, and the Administrator of the U.S. Environmental Protection Agency. The Secretary of Agriculture currently serves as the Council's Chairperson. In cooperation with our restoration partners, the Council is striving to establish a benchmark for collaborative work while facilitating efficient and responsible implementation of large-scale restoration projects across the Gulf. The Council recognizes the unique and unprecedented opportunity we have to implement a restoration effort in a way that restores and protects the Gulf Coast environment, reinvigorates local economies and creates jobs in the region. We are committed to working with Gulf communities and partners to invest in actions, projects, and programs that will ensure the long-term environmental health and economic prosperity of the Gulf Coast region

The Council has oversight over the expenditure of 60% of the funds made available from the Gulf Coast Restoration Trust Fund established by the RESTORE Act (Trust Fund). Under the Council-Selected Restoration Component of the RESTORE Act, 30% of available funding will be administered for Gulf-wide ecosystem restoration and protection according to a Comprehensive Plan developed by the Council. Another 30% will be allocated to the States under the Spill Impact Component according to a formula established by the Council through a regulation, and spent according to individual State Expenditure Plans (SEPs) to contribute to the overall economic and ecological recovery of the Gulf. The SEPs must adhere to four basic criteria and are subject to approval by the Council.

In fiscal and calendar year 2016 the Council achieved a number of critical milestones in our effort to restore the Gulf. On December 9, 2015, the Council approved an Initial Funded Priorities List (FPL) totaling \$156.6 million, focusing on 10 key watersheds and estuaries, using conservation and restoration techniques tailored to the needs of each specific area. Since then, the Council has initiated funding the projects and programs on the Initial FPL. In addition, the Council formally approved a Spill Impact Component regulation as required by the Act. Funds available under this component will be invested in projects and programs identified in approved State Expenditure Plans (SEPs). The states of Florida, Mississippi and Texas have applied for and received funding to develop SEPs and the states of Louisiana and Mississippi have released draft SEPs for public review and comment.

During the spring of 2016, the Council conducted a "Lessons Learned" review of the development of our Initial Comprehensive Plan and Initial FPL. The Council gained valuable insights from this public review and incorporated much of the feedback in a draft Comprehensive Plan Update. We held meetings across the coast throughout the summer and the Council voted to finalize the Comprehensive Plan Update on December 16, 2016. This update establishes the foundation for future action in 2017 and beyond by emphasizing collaboration and coordination with our restoration partners.

*This report is available on the internet at <http://www.restorethegulf.gov>*



## Introduction

**Vision of the Gulf Coast Ecosystem Restoration Council 10-Year Funding Strategy: *A healthy and productive Gulf ecosystem achieved through collaboration on strategic restoration projects and programs.***

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 cultural heritage. Its waters and coasts are home to one of the most diverse environments in the world—including over 15,000 species of sea life. More than 22 million Americans live in Gulf coastal counties and parishes, working in crucial U.S. industries like commercial seafood, recreational fishing, tourism, and oil and gas production. The region also boasts of a significant shipping industry with 10 of America's 15 largest ports accounting for nearly a trillion dollars in trade each year.

Despite the tremendous economic, social and ecological importance of the Gulf Coast region, the health of the region's ecosystem has been significantly impacted, most recently by the *Deepwater Horizon* oil spill, as well as by chronic and acute harm caused by other past and ongoing human actions. Restoring an area as large and complex as the Gulf Coast region is a costly and multi-generational undertaking. Over the past several decades, the Gulf Coast region has experienced loss of critical wetlands, erosion of barrier islands, imperiled fisheries, water quality degradation leading to, among many other impacts, one of the world's largest hypoxic zones every year, alteration of hydrology, and other cumulative environmental impacts (e.g., an area the size of a football field are lost every hour in coastal Louisiana). While hurricanes (such as Katrina, Rita, Gustav and Ike), subsidence and other natural forces are also key factors in land loss, this may be exacerbated by human actions which have greatly reduced ecosystem resilience and thus made coastal wetlands more vulnerable to these natural stressors.

The cumulative impacts of chronic (e.g., water quality, sea level rise) and acute (e.g., hurricanes and floods) stressors to the Gulf ecosystems have resulted in increased storm risk, land and habitat loss, depletion of natural resources, altered hydrology and compromised water quality and quantity, which are imperiling coastal communities' natural defenses and ability to respond to natural and man-made disruptions. These problems not only endanger the natural systems but also the economic vitality of the

In addition, the Gulf of Mexico experienced extensive and severe water quality and habitat impacts resulting from the *Deepwater Horizon* oil spill including excess nutrients, altered sediment resources, pathogens, mercury, remaining *Deepwater Horizon* oil and other pollutants. Five years after the spill, living coastal and marine systems still show signs of stress, such as depleted species populations and degraded habitats.

The Council will play a key role in helping to ensure that the Gulf's natural resources are sustainable and available for future generations. Use of the Gulf restoration funds 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.

## Scope of Responsibilities

The Council was formally established in 2015 as a new, independent Federal Agency with a clear mission to implement a long-term, comprehensive plan for the ecological and economic recovery of the Gulf Coast region. This document represents the Council's first submission of an Annual Performance Plan (APP). In light of this, the Fiscal Year 2016 APP includes a formal "Background" section to provide fundamental information on the Council and its responsibilities. Unlike most federal agencies, the Council does not receive funds through the annual federal appropriations process (all funds are received through the Trust Fund (Trust Fund)); however the Council does appear in the Appendix to the President's Budget.

### **The RESTORE Act**

Spurred by the *Deepwater Horizon* oil spill, the RESTORE Act was signed into law by President Obama on July 6, 2012. The RESTORE Act envisions a regional approach to restoring the long-term health of the valuable natural ecosystems and economy of the Gulf Coast region. The RESTORE Act dedicates 80 percent of civil and administrative penalties paid under the Clean Water Act, after the date of enactment, by responsible parties in connection with the *Deepwater Horizon* oil spill to the Trust Fund for ecosystem restoration, economic recovery, and tourism promotion in the Gulf Coast region. This effort is in addition to the restoration of natural resources injured by the spill that is being accomplished through a separate Natural Resource Damage Assessment (NRDA) under the Oil Pollution Act. A third and related Gulf restoration effort is being administered by the National Fish and Wildlife Foundation using funds from the settlement of criminal charges against BP and Transocean.

In addition to creating the Trust Fund, the RESTORE Act established the Council. The Council is currently chaired by the Secretary of the U.S. Department of Agriculture and includes the Governors of the States of Alabama, Florida, Louisiana, Mississippi and Texas and the Secretaries of the U.S. Departments of Agriculture, Army, Homeland Security and the Interior, and the Administrator of the U.S. Environmental Protection Agency.

One of the Council's primary responsibilities is to develop a Comprehensive Plan to restore the ecosystem and the economy of the Gulf Coast region, and to update the Plan at least every five years. State Expenditure Plans, developed under the Spill Impact Component, are also submitted to the Council for approval in accordance with the RESTORE Act. Pursuant to the RESTORE Act, the Council approved the initial Comprehensive Plan in August 2013, which outlines an overarching framework for an integrated and coordinated approach for region-wide Gulf Coast restoration.

### **The Trust Fund**

The RESTORE Act directs the Council to use the best available science and give highest priority to ecosystem projects and programs that meet one or more of the following four Priority Criteria. The Council will use these criteria to evaluate proposals and select the best projects and programs to achieve comprehensive ecosystem restoration.

- Projects that are projected to make the greatest contribution to restoring and protecting the natural resources, ecosystems, fisheries, marine and wildlife habitats, beaches, and coastal wetlands of the Gulf Coast region, without regard to geographic location within the Gulf Coast region.
- Large-scale projects and programs that are projected to substantially contribute to restoring and protecting the natural resources, ecosystems, fisheries, marine and wildlife habitats, beaches, and coastal wetlands of the Gulf Coast ecosystem.
- Projects contained in existing Gulf Coast State comprehensive plans for the restoration and protection of natural resources, ecosystems, fisheries, marine and wildlife habitats, beaches, and coastal wetlands of the Gulf Coast region.
- Projects that restore long-term resiliency of the natural resources, ecosystems, fisheries, marine and wildlife habitats, beaches, and coastal wetlands most impacted by the *Deepwater Horizon* oil spill.

The funds supporting the Council's efforts are defined by the RESTORE Act, which divides funds made available from the Trust Fund into five components, colloquially referred to as "buckets," and sets parameters for how these funds will be spent.

The Council is directly responsible for two of the five components, as follows:

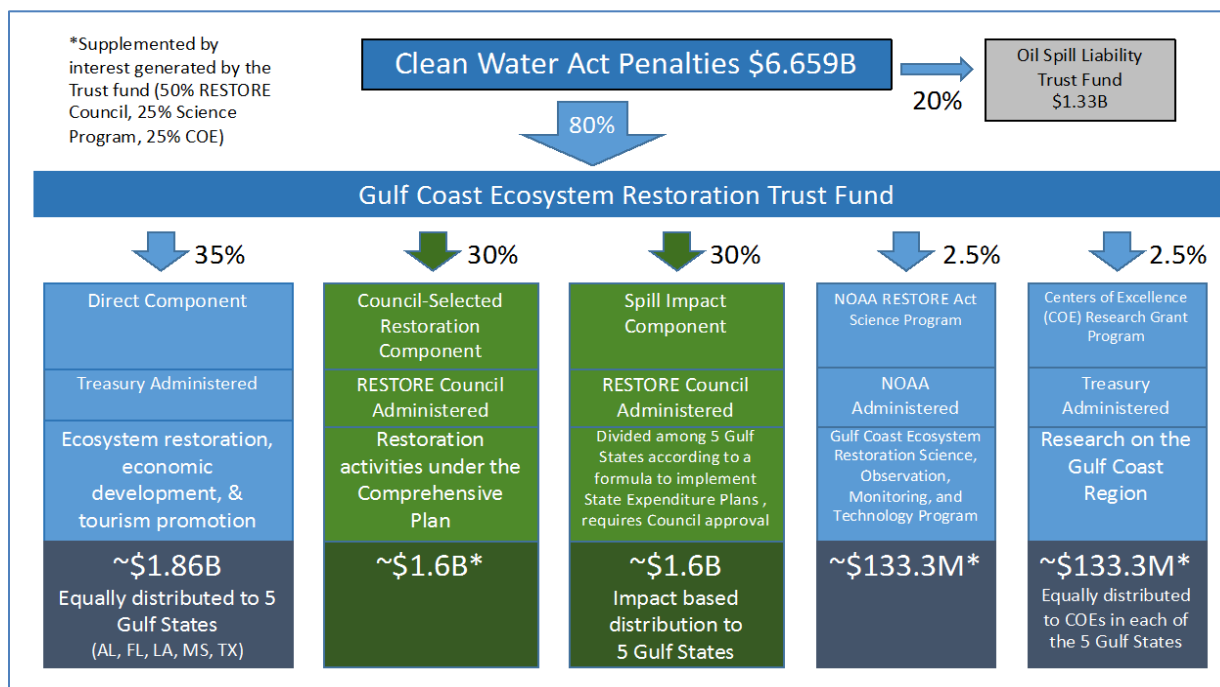
- *Council-Selected Restoration Component*: 30 percent of the funds (plus 50 percent of interest earned) will be administered for ecosystem restoration and protection according to the Comprehensive Plan developed by the Council. The Council approved and published an Initial Comprehensive Plan in August 2013.
- *Spill Impact Component*: 30 percent of the funds are dedicated to the States based on a formula set forth in the RESTORE Act and established by the Council through a regulation. This allocation formula is based on a weighted allocation of the number of miles of shoreline of each State that experienced oiling as a result of the *Deepwater Horizon* oil spill; the inverse proportion of distance from *Deepwater Horizon* drilling rig to the middle of oiled shoreline in each State; and the average coastal county population in each State as of the 2010 Census. Each State will be required to have a State Expenditure Plan (SEP) in place for the use of these funds. The SEPs must be consistent with the Goals and Objectives of the Comprehensive Plan and are subject to Council approval in accordance with criteria set forth in the RESTORE Act. More information regarding SEP guidelines can be found on the RESTORE Council website (<https://www.restorethegulf.gov/our-work/spill-impact-component>).

On January 3, 2013, the United States announced that Transocean Deepwater Inc. and related entities had agreed to pay \$1 billion (plus interest) in civil penalties for violating the Clean Water Act in relation to their conduct in the *Deepwater Horizon* oil spill. In accordance with the consent decree, Transocean has paid all three of its installments of civil penalties plus interest to the U.S. Department of Justice. The U.S. Department of Justice has transferred 80 percent of these funds to Treasury for deposit into the



Gulf Coast Restoration Trust Fund, totaling \$816 million. On November 20, 2015 the federal court for the Eastern District Court of Louisiana ordered Anadarko Petroleum Corp. to pay a \$159.5 million civil fine; of this amount, \$128 million, including interest, has been deposited in the Trust Fund. Anadarko was the last defendant in the *Deepwater Horizon* spill Clean Water Act litigation.

On April 4, 2016, a federal court in New Orleans entered a consent decree resolving civil claims against BP arising from the *Deepwater Horizon* oil spill. The resolution of civil claim totals for entities held responsible for the *Deepwater Horizon* oil spill will yield more than \$20 billion, the largest civil penalties ever awarded under any environmental statute, and the largest recovery of damages for injuries to natural resources of The United States. Of these penalties, the RESTORE Act will provide \$5.33 billion (80 percent of \$6.659 billion) to the Trust Fund, based on the following: \$1 billion (plus interest) in civil penalties from Transocean Deepwater Inc. and related entities for violating the Clean Water Act in relation to their conduct in the *Deepwater Horizon* oil spill; \$159.5 billion from a civil fine paid by Anadarko Petroleum Corporation; and \$5.5 billion (plus interest) from BP Exploration and Production, Inc. (BP) for a Clean Water Act civil penalty under the April 4, 2016 consent decree, payable over a fifteen-year period.



**Figure 1.** Allocation of the Gulf Coast Restoration Trust Fund based on settlements with BP, Transocean and Anadarko; RESTORE Council oversight components are highlighted in green.

### Council-Selected Restoration Component

The RESTORE Act requires creation of a funded priorities list (FPL) that includes the projects and programs the Council intends to fund through the Council-Selected Restoration Component. The Council completed its Initial FPL during the first quarter of fiscal year 2016

(<https://www.restorethegulf.gov/council-selected-restoration-component/funded-priorities-list>) using a

process that emphasized public input, transparency, coordination with other restoration programs, and rigorous science review.

Activities in the Initial FPL will 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).

### **Spill Impact Component**

Spill Impact Component funds will be invested in projects, programs, and activities developed by the States and identified in approved State Expenditure Plans (SEPs). The RESTORE Act allocates 30 percent of the Trust Fund to the Gulf Coast States under a formula established by the Council through a regulation, and spent according to individual SEPs. Each State will develop one or more SEPs describing how it will disburse the amounts allocated to it under the Spill Impact Component. These projects and programs will be implemented through grants to the States in a manner that is consistent with the requirements of the RESTORE Act as well as the goals and objectives of the Comprehensive Plan.

#### Finalization of State Expenditure Plan Allocations

On December 9, 2015, the RESTORE Council voted to approve the formula allocating funds made available from the Gulf Coast Restoration Trust Fund among the Gulf Coast States pursuant to Sec.1603(3) of the RESTORE Act for the Spill Impact Component ([https://www.restorethegulf.gov/sites/default/files/SICR\\_FINAL\\_Approved\\_Dec\\_9.pdf](https://www.restorethegulf.gov/sites/default/files/SICR_FINAL_Approved_Dec_9.pdf)). The final regulation was published in the *Federal Register* on December 15, 2015 (<https://www.federalregister.gov/agencies/gulf-coast-ecosystem-restoration-council>).

On April 4, 2016, the United States District Court for the Eastern District of Louisiana entered a consent decree among the United States; the states of Alabama, Florida, Louisiana, Mississippi and Texas; and BP Exploration and Production Inc. with respect to the civil penalty and natural resource damages in case number MDL No. 2179. The Council regulation implementing the Spill Impact Component was effective as of April 12, 2016.

Using the formula and information set forth in the Rule, the allocation of Spill Impact Component funds among the five States is:

- Alabama – 20.40 percent
- Florida – 18.36 percent;
- Louisiana – 34.59 percent;
- Mississippi – 19.07 percent; and
- Texas – 7.58 percent.

#### Development of State Expenditure Plans and Updated Guidelines

The Council recognizes that each Gulf Coast State is unique and may have a distinct set of priorities. The Council will review each SEP to ensure that it is consistent with Goals and Objectives set forth in the

Comprehensive Plan and that all applicable requirements are met. The States will make SEPs available to the public and Tribes for a period of 45 days. Once submitted by the States, the Council will approve or disapprove an SEP within 60 days. If an SEP does not meet the applicable requirements, the Council will work with the State to address any outstanding issues.

On March 17, 2016, the Council updated the SEP Guidelines to further describe the required elements of an SEP, the process for submitting an SEP, and the standards by which the Council Chair will evaluate the SEP. The Guidelines also describe the requirements for a Planning SEP authorized by the RESTORE Act Spill Impact Component Planning Allocation Final Rule (80 FR 1584).

([https://www.restorethegulf.gov/sites/default/files/SEP-Guidelines\\_Approved-20160317.pdf](https://www.restorethegulf.gov/sites/default/files/SEP-Guidelines_Approved-20160317.pdf)).

On November 16, 2016, the Council's Steering Committee clarified Section 6.1 of the SEP Guidelines with respect to economic projects under the Spill Impact Component. The approved revised language states: "**Criterion 3: Takes into consideration the Comprehensive Plan and is consistent with the goals and objectives of the Comprehensive Plan:** The Council staff will determine whether the State Expenditure Plan as a whole is consistent with the goals and objectives of the Comprehensive Plan. The Council staff will evaluate whether each project contained in the State Expenditure Plan will further one or more of the five goals set forth in Section 4.1.2 and that no project is incompatible with any of the seven objectives set forth in Section 4.1.3; and will look to see if the projects will be implemented in a manner that does not have a negative impact, direct or indirect, on the Gulf Coast ecosystem restoration projects and programs selected for implementation by the Council under the Comprehensive Plan. For clarity, the absence of an economic objective in Section 4.1.3 does not preclude Chairperson approval of an SEP containing economic projects that, along with the other projects in the SEP, are compliant with the requirements and criteria of the RESTORE Act and these Guidelines."

## Strategic Goals

One of the Council's primary responsibilities was to develop an Initial Comprehensive Plan to restore the ecosystem and economy of the Gulf Coast region. The Council approved and published an Initial Comprehensive Plan (Plan) in August 2013 that outlines overarching goals for restoring and protecting the natural resources of the Gulf

(<https://www.restorethegulf.gov/sites/default/files/Final%20Initial%20Comprehensive%20Plan.pdf>).

### Comprehensive Plan Update

The task of restoring the Gulf environment is a multi-generational undertaking. A comprehensive approach to Gulf restoration must include the engagement of a wide and diverse array of stakeholders, including federal, state and local governments, Tribes, private businesses, non-governmental organizations (NGOs) and the general public. By working closely with our restoration partners, the Council believes it can make significant progress towards comprehensive Gulf restoration and provide substantial environmental and economic benefits to current and future generations.

A significant component in assisting the Council achieve ecosystem restoration of the Gulf is through its Comprehensive Plan. The Council updated its 2013 Initial Comprehensive Plan (Initial Plan) during 2016

with the intention to provide strategic guidance that will help the Council more effectively address complex and critical challenges inherent to ecosystem restoration in the Gulf of Mexico by:

- Ensuring consistency with the Priority Criteria referenced in the Act;
- Reinforcing the Council's goals, objectives and commitments;
- Setting forth a Ten-Year Funding Strategy, including a Council vision for ecosystem restoration;
- Increasing collaboration among Council members and partner restoration programs;
- Refining the process for ensuring that the Council's decisions are informed by the best available science; and
- Improving the efficiency, effectiveness and transparency of Council actions.

The importance of an updated Comprehensive Plan is further amplified considering resolution of the civil claims against BP which has clarified the amount and timing of funds available to the Council. On April 4, 2016, the federal court in New Orleans entered a consent decree resolving civil claims against BP arising from the *Deepwater Horizon* oil spill. This historic settlement resolves, among other things, the U.S. government's civil and administrative claims under the Clean Water Act, the governments' claims for natural resources damage under the Oil Pollution Act, and also involves a related settlement of economic damage claims of the Gulf States and local governments. Taken together this resolution of civil claims totals more than \$20 billion and is the largest civil penalty ever paid by any defendant under any environmental statute, and the largest recovery of damages for injuries to natural resources.

Under the consent decree, over a fifteen-year period, BP will pay a Clean Water Act civil penalty of \$5.5 billion (plus interest), \$8.1 billion in natural resource damages (this includes \$1 billion BP already paid for early restoration), up to an additional \$700 million (some of which is in the form of accrued interest) for adaptive management (including planning activities or to adapt, enhance, supplement, or replace existing restoration projects selected by the Trustees) or to address injuries to natural resources that were unknown to the Trustees as of July 2, 2015, and \$600 million for other claims, including claims under the False Claims Act, royalties, and reimbursement of NRDA costs and other expenses due to this incident.

Following an extensive public feedback effort, the Council approved the Comprehensive Plan Update on December 16, 2016 (the document is posted on the Council website: [www.RestoreTheGulf.gov](http://www.RestoreTheGulf.gov)). The Comprehensive Plan Update takes a holistic approach to restoration recognizes the interconnected nature of coastal and marine ecosystems, a fundamental organizational principle of watersheds/estuaries, and the importance of addressing system-wide stressors that reduce ecosystem integrity. The Council's selections for the draft FPL were therefore based on a variety of factors, including the need to respond to widely-recognized ecological stressors, foundational investment needs, substantial public input, support for certain high-value areas, and socioeconomic and cultural considerations. Moving forward, the Council will work to use this holistic approach before, during, and after the proposal development, review, and selection processes in order to maximize project benefits and track outcomes.

To provide the overarching framework for an integrated and coordinated approach for region-wide Gulf Coast restoration and help guide the collective actions at the local, state, tribal and federal levels, the Council has adopted five Strategic Goals as follows in the 2013 Comprehensive Plan, recommitting to them (with the addition of Water Quantity to Strategic Goal 2) in the 2016 Comprehensive Plan Update:

- **Strategic Goal 1:** Restore and Conserve Habitat – Restore and conserve the health, diversity, and resilience of key coastal, estuarine, and marine habitats;
- **Strategic Goal 2:** Restore Water Quality and Quantity – Restore and protect water quality of the Gulf Coast region’s fresh, estuarine, and marine waters;
- **Strategic Goal 3:** Replenish and Protect Living Coastal and Marine Resources – Restore and protect healthy, diverse, and sustainable living coastal and marine resources;
- **Strategic Goal 4:** Enhance Community Resilience – Build upon and sustain communities with capacity to adapt to short- and long-term changes;
- **Strategic Goal 5:** Restore and Revitalize the Gulf Economy – Enhance the sustainability and resiliency of the Gulf economy. The fifth goal focuses on reviving and supporting a sustainable Gulf economy to ensure that those expenditures by the Gulf Coast States authorized in the RESTORE Act under the Direct Component (administered by the Department of the Treasury) and the Spill Impact Component can be considered in the context of comprehensive restoration.

To achieve all five goals, the Council will support ecosystem restoration that can enhance local communities by giving people desirable places to live, work, and play, while creating opportunities for new and existing businesses of all sizes, especially those dependent on natural resources. In addition, the Council will support ecosystem restoration that builds local workforce capacity.

## Strategic Objectives

The Council will select and fund projects and programs that restore and protect the natural resources, ecosystems, water quality, fisheries, marine and wildlife habitats, beaches, and coastal wetlands of the Gulf Coast region. Projects and programs not within the scope of these Strategic Objectives for ecosystem restoration will not be funded under the Council-Selected Restoration Component. The Strategic Objectives are not listed in any particular order, and the Council does not anticipate that restoration efforts funded under the Council-Selected Restoration Component will be equally distributed among these objectives. Further, restoration projects and programs are likely to achieve multiple objectives simultaneously.

- **Strategic Objective 1:** Restore, Enhance, and Protect Habitats – Restore, enhance, and protect

the extent, functionality, resiliency, and sustainability of coastal, freshwater, estuarine, wildlife, and marine habitats. These include barrier islands, beaches, dunes, coastal wetlands, coastal forests, pine savannahs, coastal prairies, submerged aquatic vegetation, oyster reefs, and shallow and deep water corals.

- **Strategic Objective 2:** Restore, Improve, and Protect Water Resources – Restore, improve, and protect the Gulf Coast region’s fresh, estuarine, and marine water resources by reducing or treating nutrient and pollutant loading; and improving the management of freshwater flows, discharges to and withdrawals from critical systems.
- **Strategic Objective 3:** Protect and Restore Living Coastal and Marine Resources – Restore and protect healthy, diverse, and sustainable living coastal and marine resources including finfish, shellfish, birds, mammals, reptiles, coral, and deep benthic communities.
- **Strategic Objective 4:** Restore and Enhance Natural Processes and Shorelines – Restore and enhance ecosystem resilience, sustainability, and natural defenses through the restoration of natural coastal, estuarine, and riverine processes, and/or the restoration of natural shorelines.
- **Strategic Objective 5:** Promote Community Resilience – Build and sustain Gulf Coast communities’ capacity to adapt to short- and long-term natural and man-made hazards, particularly increased flood risks associated with sea-level rise and environmental stressors. Promote ecosystem restoration that enhances community resilience through the re-establishment of non-structural, natural buffers against storms and flooding.
- **Strategic Objective 6:** Promote Natural Resource Stewardship and Environmental Education – Promote and enhance natural resource stewardship efforts that include formal and informal educational opportunities, professional development and training, communication, and actions for all ages.
- **Strategic Objective 7:** Objective Improve Science-Based Decision-Making Processes – Improve science-based decision-making processes used by the Council.
- **Management Focused Strategic Objective:** Organizational Excellence – Council staff will provide exceptional service to Council members, partner state and federal agencies, and public, private, and other stakeholders to support the Council’s efforts to achieve integrated and coordinated efforts for region-wide Gulf Coast restoration.



## Performance Metrics for Individual Council-Funded Programs and Projects

The Council has currently identified 53 performance-level metrics for grants to states and Interagency Agreements (IAA) with the federal members funded through the Council-Funded Component (“Bucket 2”), and for grants funded under the Spill Impact Component (“Bucket 3”) of the RESTORE Act. These metrics will be used to monitor and evaluate the efficacy of projects and programs in meeting mission goals and objectives of the Council and track annual performance. For each of the performance metrics, the associated Strategic Objective supported by that metric is provided, along with the supporting activity/outcomes, metric description, and the overarching concomitant approach to support ecosystem restoration.

- **Habitat Conservation:** Activities, projects and/or programs that protect critical freshwater, estuarine and near-shore coastal habitats that are fully functional (i.e., remain unaffected by storms, oil spill, or other man-made or natural disruptions)(e.g., land acquisition; conservation easements);
- **Habitat Restoration:** Activities, projects, and/or programs that rebuild the critical habitats that have been lost through either man-made or natural impacts (e.g., living shorelines, beneficial use);
- **Habitat Management:** Activities, projects and/or programs which focus on long-term sustainability using a variety of techniques intended to increase tidal exchange, freshwater availability, and water quality all needed to improve habitat function and longevity (e.g., restoration of freshwater flow by removal of blockages);
- **Capacity, Outreach, Incentives:** Activities, projects and/or programs which provide educational and engagement opportunities for stakeholders that live, work or recreate in the Gulf of Mexico region to enable a better understanding of the Council member’s ecosystem restoration efforts;
- **Planning, Research, Monitoring:** Activities, projects and/ or programs which are forward-looking to investigate the feasibility and best practices for an ecosystem restoration effort (e.g., planning and/or research to determine the efficacy for a sediment diversion), or setting up monitoring protocols to ensure accuracy to support data sharing and adaptive management;
- **Economic Benefits:** Activities, projects and/or programs which are designed to determine the financial or other economic indicators of the value of ecosystem restoration efforts to local, city, county, state and national stakeholders.

## Performance Goals and Indicators for Fiscal Years 2017 and 2018

### 1. Promote a Gulf-Wide Comprehensive Approach to Restoration.

#### Performance Indicators:

- a. Promote gulf-wide restoration efforts on a watershed-estuary scale rather than random acts of restoration through examination of stressors and environmental drivers with Council members, the NGO community, interested stakeholders and public during fiscal years 2017 and 2018. The Council will consider the extent to which projects will substantially improve the restoration or conservation of key watersheds without regard to political boundaries, or that provide foundational support for future efforts towards gulf-wide restoration.
- b. Promote coordination and collaboration among members and other restoration efforts of Gulf restoration to maximize the Council's "return on investment."
  - i. This will be accomplished by strengthened partnerships, identifying leveraging expertise and opportunities toward encouraging projects that comprise a holistic approach to ecosystem-wide restoration through development of a Council Collaboration Strategy by the end of fiscal year 2017.
  - ii. Facilitate coordination, collaboration, and connection of Gulf Restoration Activities - coordination and collaboration among members and our restoration partners, critical to the success of Gulf restoration, through regular meetings with the state and Gulf wide Technical Implementation Groups of the Natural Resource Damage Assessment, and Gulf Environmental Benefit Fund to find inter-program efficiencies through fiscal year 2018.
  - iii. Facilitate dialogue among Gulf restoration partners by identifying potential gaps that limit our collective ability to achieve large-scale restoration and by serving as the connector between funding sources through regional and state collaboration meetings sponsored by the Council during fiscal years 2017 and 2018.
- c. Support highly professional Technical Monitoring of Council program and projects by developing a grant/IAA programmatic performance strategy by the end of fiscal year 2018.

### 2. Council-Selected Restoration Performance Excellence: Effective and efficient implementation and administration of the Council-Selected Restoration Program to achieve the goals of the Act.

#### Performance Indicators:

- a. Draft improved Grant and Interagency Agreement Submission Guidelines to facilitate the development of effective and coordinated proposals by evaluating the efficacy of concepts, lessons learned and best practices for potential inclusion in the next FPL development process.

- b. Update and improve the process for applying best available science to FPL proposals by the end of fiscal year 2017 to ensure Council decisions are informed by the best scientific information available which will include updating the review process questions, continuing the use of external science reviewers, and exploring the use of one or more science review panels.
  - c. Advance efficiency of the Environmental Compliance processes to support Council actions.
    - i. In support of evaluating the efficacy of moving Category 2 projects under the Initial FPL to Category 1. Evaluate and propose effective processes for the determination of environmental compliance of Category 2 projects for funding consideration by the Council.
    - ii. Participate in interagency regulatory efficiency team to collaborate with partners, share efficiency tools/practices, and enhance efficiency and effectiveness of Council environmental compliance. Identify, develop and/or adopt tools and approaches to enhance efficiency and effectiveness of Council environmental compliance.
  - d. Programmatic Review of Grant and Interagency Agreements. The programmatic component of the Council staff will review all grant and Interagency Agreement applications for funding under the Initial FPL meeting timelines established by the RESTORE Act, Council Guidelines and the Notice of Funds Availability. This will include review of submissions for best available science and environmental compliance with NEPA and other environmental federal regulations.
  - e. Compliance Review of Grant and Interagency Agreements. The grants and compliance component of the Council staff will review all grant and Interagency Agreement applications for funding under the Initial FPL meeting timelines established by the RESTORE Act, Council Guidelines and the Notice of Funds Availability. The review will ensure compliance with all administrative and regulatory requirements under the RESTORE Act, Part 200, the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, and other federal regulatory requirements.
- 3. Spill Impact Performance Excellence:** Effective and efficient implementation and administration of the Spill Impact Program to achieve the goals of the Act.

**Performance Indicators:**

- a. Timely review (e.g., 60-day review for SEPs) of State Expenditure Plans while ensuring public comment was duly considered and other Council Member input is addressed.
- b. Programmatic Staff Review of Grant and Interagency Agreements. The programmatic component of the Council staff will review all grant and Interagency Agreement applications for funding under the SEP processes, meeting timelines established by

Council Standard Operating Procedures. This will include review of submissions for best available science and environmental compliance with NEPA and other environmental federal regulations.

- c. **Compliance Staff Review of Grant and Interagency Agreements.** The grants and compliance component of the Council staff will review all grant and Interagency Agreement applications for funding under each state's SEP, meeting timelines established by the RESTORE Act, Council Guidelines and the Notice of Funds Availability. The review will ensure compliance with all administrative and regulatory requirements under the RESTORE Act, 2 C.F.R. Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, and other federal regulatory requirements.
4. **Operational Excellence:** Maintain an administrative infrastructure that supports team work, collaboration, synergy between functional areas and overall operational excellence to provide excellent services, programs and outcomes to the Gulf Coast region.

**Performance Indicators:**

- a. **Effective Oversight of Grant and Interagency Agreement Post-Award Cash Disbursement Processes.** Grant and IAA drawdowns will be reviewed for compliance with award terms and conditions, and assessed for consistency with the progress achieved and milestones met.
  - b. **Oversight of Objective and Quantifiable Metrics in Each Grant and IAA.** These metrics will gauge the success of the project or program and a description of the methodology for quantifying results for each metric and monitoring the achievement of the metrics. The application will be reviewed to confirm the justification of why the metrics were selected and to assess the proposed scientific monitoring for adequacy, and relevancy to the proposed project or program.
  - c. **Ensure all Applicant/Recipient Guidance Materials are updated.** The Council will publish comprehensive guidance to inform potential applicants of the statutory and administrative requirements for proposals, SEPs, grant applications and IAA applications.
  - d. **Ensure all RAAMS System Guidance and Technical Resources are current.** The Council will update the RAAMS User Guide and other supporting technical resources.
5. **Management Excellence:** Council staff will provide exceptional service to the Council members and their accompanying state and federal agencies, as well to the many stakeholders associated with restoration of the Gulf of Mexico ecosystem by meeting programmatic, administrative and customer service objectives.

**Performance Indicators:**

- a. Requisite Reports Submitted in Timely Manner.
  - i. Timely submission of Annual Performance Plan;
  - ii. Timely completion of the Council's Annual Financial Report (AFR) by November 16, 2017.
  - iii. Timely completion of the 2016 Draft Annual Performance Report (APR) by February 2017.
  - iv. Timely submission of the Council's Annual Report to Congress as required by the RESTORE Act by December 31, 2017.
- b. OIG Audit Findings and Recommendations Addressed in a Timely Manner
  - i. All Council operations required by the RESTORE Act are monitored and audited by the Department of Treasury OIG and audit recommendations promptly implemented.
- c. Organizational Risk Assessed and Risk Mitigation Factors Employed.
  - i. Fully implement the organizational risk assessment recommendations by the end of calendar year 2017 by meeting all OMB Circular A-123 requirements and developing and documenting tactical level risk mitigation activities.
  - ii. Continually review update administrative and financial policies and procedures.
  - iii. Continue to develop and integrate Enterprise Risk Management practices into the Agencies day to day decision-making and management practices. This will enhance the Agencies ability to minimize risk resulting in more effective and efficient fiscal and administrative operations. The goal is to better align the Agencies resources to ensure compliance with applicable laws, regulations, and controls
- d. 360 review of the Council's grant program and automated system RAAMS
  - i. Recommendations from the 360 Review result in more efficient processes and procedures thus reducing the time to apply for and award grants and IAAs.