

Gulf Coast Ecosystem Restoration Council Fiscal Year 2022 Annual Performance Report

February 2023



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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 Administrator of the Environmental Protection Agency currently serves as the Council’s Chairperson. In cooperation with our restoration partners, the Council has established a benchmark for collaborative work while facilitating efficient and responsible implementation of large-scale restoration projects across the Gulf. The Council recognizes its unique and unprecedented opportunity 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. Further, the Council is 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 RESTORE Act dedicated 80% of all Clean Water Act administrative and civil penalties arising from the *Deepwater Horizon* (DWH) oil spill to the Gulf Coast Restoration Trust Fund (Trust Fund) and established the Council as an independent entity within the Federal government. The Council administers the expenditure of 60% of the funds deposited in the Trust Fund. The majority of the Trust Fund’s receipts are from BP Exploration & Production Inc. (“BP”) over a 15-year period ending in 2031. The Council was formally established in 2012 with the mission of implementing a long-term comprehensive plan for the ecological and economic recovery of the Gulf Coast region. The Council is committed to working with Gulf communities and partners to invest in projects and programs that will ensure the long-term environmental health and economic prosperity of the Gulf Coast region. In FY 2022, the Council awarded more than \$147M through completion of 69 award actions (41 amendments and 23 new awards) to carry out projects and programs under the RESTORE Act, bringing the total amount awarded to \$657.7M: \$271.1M from the Council-Selected Restoration Component, and \$386.7M from the Spill Impact Component.

In FY 2022, the Council approved the [2022 Comprehensive Plan Update: Restoring the Gulf Coast’s Ecosystem and Economy](#) ([2022 Comprehensive Plan Update](#)). This is the second update to the *2013 Initial Comprehensive Plan: Restoring the Gulf Coast’s Ecosystem and Economy* ([2013 Initial Comprehensive Plan](#)). The 2022 Comprehensive Plan Update provides the public with updates to the strategic guidance that the Council established to effectively administer its roles and responsibilities. Additionally, it provides summary information regarding progress the Council has made to date on its goals, objectives, and commitments as outlined in the first update, *2016 Comprehensive Plan Update: Restoring the Gulf Coast’s Ecosystem & Economy* ([2016 Comprehensive Plan Update](#)), including the effectiveness of its use of general planning funds provided in the 2017 Commitment and Planning Support (CPS) FPL in meeting those commitments. The 2022 Comprehensive Plan Update supersedes the 2016 Comprehensive Plan Update.

This report is available on the internet at the [RESTORE Council Website](#).

1. Introduction

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. While hurricanes, 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 Gulf Region.

The Gulf Coast Ecosystem Restoration Council (RESTORE Council or Council) is playing 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.

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 submission of the Annual Performance Plan (APP) for Fiscal Year 2021. Unlike most federal agencies, the Council does not receive funds through the annual federal appropriations process; however, the Council does appear in the Appendix to the President’s Budget.

1.1. Gulf Coast Restoration Trust Fund

The Gulf Coast environment was significantly injured by the 2010 *Deepwater Horizon* oil spill as well as by past and ongoing human actions. Restoring an area as large and complex as the Gulf Coast region is a costly, multi-generational undertaking. Gulf habitats are also continually degraded and lost due to development, infrastructure, sea-level rise, altered riverine processes, ocean acidification, salinity changes and other human-caused factors. Water quality in the coastal and marine environments is degraded by upstream pollution and hydrologic alterations spanning multiple states and involving the watersheds of

large and small rivers alike. Some of the region’s environmental problems, such as wetland loss and hypoxia, span areas the size of some U.S. states. Hurricane frequency and intensity in the Gulf of Mexico is another key factor that must be considered as ecosystem restoration efforts move forward. These system stressors represent serious risks to the cultural, social, and economic benefits derived from the Gulf ecosystem.

Signed into law in July 2012 the [RESTORE Act](#) (33 U.S.C §1321(t) and *note*) enacted as an amendment to the federal *Clean Water Act* (or *Federal Water Pollution Control Act*), created the Gulf Coast Restoration Trust Fund (Trust Fund) in the U.S. Department of the Treasury. The Act established the Council and the Gulf Coast Restoration Trust Fund (Trust Fund); the latter receives 80 percent of the civil and administrative penalties assessed under the Clean Water Act (CWA) resulting from the *Deepwater Horizon* oil spill. The Council is comprised of the Governors of Alabama, Florida, Louisiana, Mississippi, and Texas, the Secretaries of the U.S. Departments of Agriculture, the Interior, the Army, Commerce, and Homeland Security, and the Administrator of the U.S. Environmental Protection Agency. In 2012, the Secretary of Commerce became the Council’s first Chairperson. In March 2016, the Secretary of Agriculture became the Council Chairperson, and in January 2018, the Administrator of the U.S. Environmental Protection Agency became the current Council Chairperson (FY2022).

The Act imposed a one-year timeline for development of the [Initial Comprehensive Plan](#) (Initial Comprehensive Plan) to describe how the Council would restore the ecosystem and the economy of the Gulf Coast region. 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.

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% of these funds to the Treasury Department for deposit into the

Gulf Coast Restoration Trust Fund, totaling \$816M. On November 20, 2015, the federal court for the Eastern District Court of Louisiana ordered Anadarko Petroleum Corp. to pay a \$159.5M civil fine; of this amount, \$128M, 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 ([United States vs. BXP et al.](#)). 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% 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; \$159.5M 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 at approximately \$91M per year through 2031.

Pursuant to the RESTORE Act, the Council is responsible for administering a portion of the funds associated with settlement of civil penalties against parties responsible for the *Deepwater Horizon* oil spill. Specifically, the Council is responsible for administering two funding sources: The Council-Selected Restoration Component and the Spill Impact Component. Both components for which the Council is responsible each receive 30% of the funds allocated under the RESTORE Act (Figure 1).

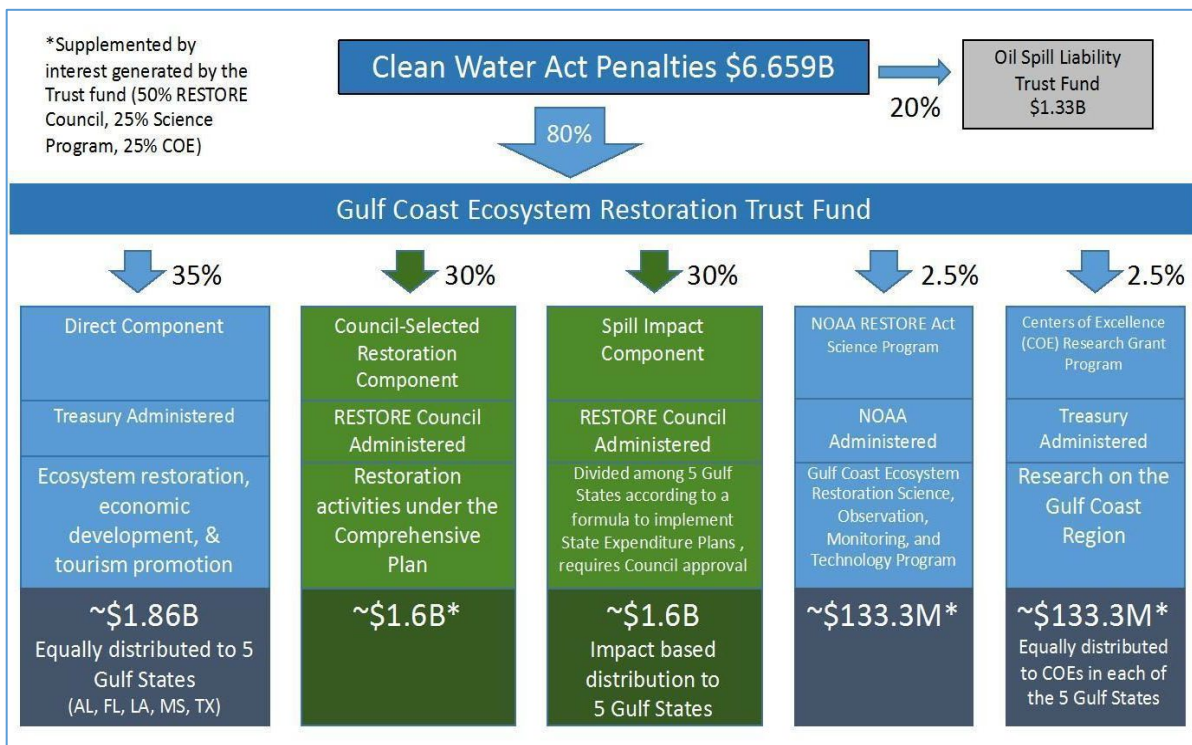


Figure 1. Allocation of the Gulf Coast Restoration Trust Fund based on settlements with BP, Transocean and Anadarko; RESTORE Council oversight components are highlighted in green

1.2. Council-Selected Restoration Component

Under the Council-Selected Restoration Component of the Act the Council administers 30% of the amounts in the Trust Fund. Pursuant to the Act, only Council members (state and federal) are eligible to submit proposals for funding. Council approval of funding requires the affirmative vote of at least three state members and the Chair. The other five federal members do not formally vote on Council funding. The Council uses Funded Priorities Lists (FPLs) that set forth approved projects and programs. The Council develops FPLs through collaboration among its members and with feedback from stakeholders across the Gulf. The Council-Selected Restoration funding decisions are guided by criteria set forth in the RESTORE Act, the Council's *Initial Comprehensive Plan: Restoring the Gulf Coast's Ecosystem and Economy* ([2013 Initial Comprehensive Plan](#)), the *2016 and 2022 Comprehensive Plan Update: Restoring the Gulf Coast's Ecosystem and Economy* ([2016 Comprehensive Plan Update](#) and [2022 Comprehensive Plan Update](#)) and other policies, including the [Council's 2019 Planning Framework](#).

Funds for approved FPL projects are disbursed to Council members via grants to state members and interagency agreements (IAAs) with federal members. As part of the grant and IAA process, all activities for which funding is sought are carefully reviewed to ensure consistency with the approved FPL and compliance with the RESTORE Act and all other applicable requirements, including compliance with all applicable federal environmental laws and the application of best available science criteria (BAS) as required by the Act and further defined by the Council.

RESTORE Act Priority Criteria

In selecting projects and programs under Council-Selected restoration, the RESTORE Act requires that the Council give the highest priority to activities that address one or more of the following criteria:

- **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.

A foundational element of the 2013 Initial Comprehensive Plan was the inclusion of commitments to provide guidance for the Council's path forward. Through the process of reviewing the Council's work, including the process used to develop the [2015 Initial FPL](#), these commitments were refined and amplified in the 2016 Comprehensive Plan Update. In the 2022 Comprehensive Plan Update, the Council describes its progress toward its commitments thus far, and establishes a baseline that the Council will build upon. Further, the Council builds upon these commitments in the 2022 Comprehensive Plan Update by highlighting the importance of efficient, effective, and transparent environmental compliance. While

language regarding environmental compliance was included in the 2016 Comprehensive Plan Update, the Council elevated this to a stand-alone commitment in the 2022 Comprehensive Plan Update.

The Council’s six updated commitments are:

- Taking a regional ecosystem-based approach to restoration;
- Leveraging resources and partnerships;
- Maintaining and enhancing public engagement, inclusion, and transparency;
- Providing efficient, effective, and transparent environmental compliance;
- Applying science-based decision-making; and
- Delivering results and measuring impacts.

Council Funding Strategy

The [RESTORE Act](#) requires the Council to provide a description of the manner in which amounts projected to be made available to the Council from the Trust Fund will be allocated for the succeeding ten years (the “Ten-Year Funding Strategy”). In light of the ongoing litigation with BP and other responsible parties in 2013, the Council did not include a Ten-Year Funding strategy in the [2013 Initial Comprehensive Plan](#) due to the uncertainty regarding the amounts and timing of funds that might ultimately be available. With the final amounts and timing settled in April 2016, the Council was able to provide an initial Ten-Year Funding Strategy in the [2016 Comprehensive Plan Update](#). Recognizing that this strategy will remain relevant for the duration of its work to implement ecosystem restoration, the Council has updated the name of the strategy to the “Council Funding Strategy” (Funding Strategy).

In developing the Funding Strategy, the Council sought to accomplish the following:

- Ensure compliance with the RESTORE Act;
- Provide finer granularity regarding how the Council will address the goals and objectives over the next ten years and beyond;
- Provide increased certainty, predictability, and guidance for project and program planning;
- Maintain flexibility to adapt to new information such as environmental changes, scientific advances, and feedback on the effectiveness of past and ongoing on-the-ground restoration actions; and
- Build on lessons learned in the development of the Initial and subsequent FPLs.

To accomplish these objectives, the Funding Strategy consists of a vision statement, a discussion of the frequency of future FPLs, and enhancements to the Council’s commitments from previous iterations of the Comprehensive Plan. Specific projects and programs are identified in FPLs. In the 2022 Comprehensive Plan Update, the Council reflects on its progress over the past five years in implementing the Funding Strategy, and provides updates based upon lessons learned over this time period.

The Council recognizes that a clear and concise vision statement can help direct and shape future funding decisions. In the 2022 Comprehensive Plan Update, the Council recommitted to its vision statement:

A healthy and productive Gulf ecosystem achieved through collaboration on strategic restoration projects and programs.

The Council continues to believe that its vision statement for the Funding Strategy should include reference to both the desired environmental outcomes and the processes used to accomplish them. In these processes the Council will build upon the tremendous restoration experience, scientific expertise, and other capabilities of its diverse membership of state and federal agencies.

The Council follows a multi-step process to award Council-Selected Restoration Component funds (Figure 2). This process ensures that all applicable laws (e.g., the RESTORE Act, environmental and federal grants management laws, and others) as well as Council policies and procedures are adhered to.

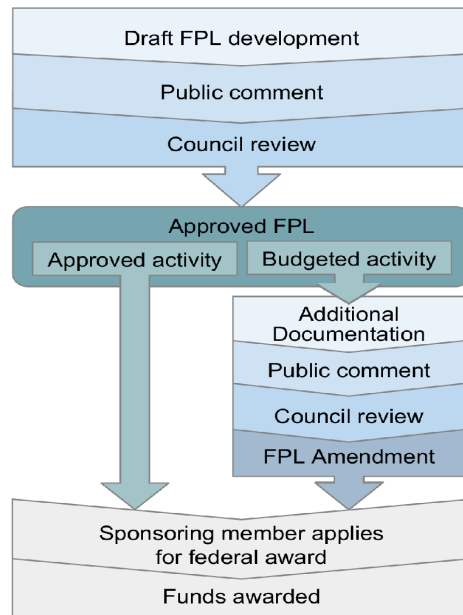


Figure 2. Differences in the process for awarding funds for approved vs budgeted activities in an FPL. The additional steps for budgeted activities include Council review and approval of materials required for an FPL amendment to change a budgeted activity to an approved activity. These materials include all documents necessary for compliance with all applicable environmental laws. In some cases, additional project information (e.g., specific location information, scope of work, final engineering and design plans) may also be required. As part of approving an FPL amendment, the Council provides an opportunity for the public to review and comment on the proposed action.

First, the Council includes activities (projects and programs) within an FPL, assigning each activity to one of two categories:

- **Approved** - Activities for which all applicable environmental laws have been addressed and for which the Council has formally approved funding via a vote.
- **Budgeted** - Activities that the Council considers to be worthy of potential future funding. The Council budgets funds for the given activities, pending future review and approval via a Council vote. Prior to approval, activities in this category must comply with all applicable environmental laws.

Generally, when activities are budgeted, the activity sponsor is required to submit additional documentation (e.g., federal permits, detailed scopes of work) before the Council will consider formal

approval of the activity. The movement of an activity from budgeted to approved occurs via a Council vote to amend the FPL after the required documentation is submitted, the public has commented on the proposed action, and the Council has complied with all applicable environmental laws. A budgeted activity does not in itself constitute a formal Council commitment.

FPL Categories

FPLs include activities in two categories. Category 1 activities are approved for Council-Selected restoration funding. Such approval requires a Council vote as set forth in the RESTORE Act. To be approved in Category 1, a project or program must have documentation demonstrating that all applicable environmental laws have been addressed. For example, a construction project would need documentation demonstrating compliance with the National Environmental Policy Act and other applicable laws.

Category 2 activities are Council priorities for potential future funding, but are not approved for funding. These are projects and/or programs that are not yet in a position to be approved by the Council, but are considered worthy of potential future funding by the Council. As appropriate, the Council will review the activities in Category 2 to determine whether to: (1) move an activity to Category 1 and approve it for funding, (2) remove it from Category 2 and any further consideration, or (3) continue to include it in Category 2. In these reviews, the Council can consider feasibility; environmental compliance; and scientific, technical, policy and/or other related issues. A Council vote and FPL amendment are required to move an activity from Category 2 to Category 1, or to remove an activity from Category 2 and any further consideration.

Eligible Activities and Definitions

The Council considers proposals from members that address the planning or implementation phases, or both, of projects or programs. The definitions of these phases from the Council's 2022 Comprehensive Plan Update are as follows:

- **Planning** – FPL submissions may include: planning and development of ecosystem restoration projects and programs; cost estimates; feasibility analysis; engineering and design; environmental compliance and permitting; scientific elements, including evaluation and establishment of monitoring requirements and methods to report outcomes and impacts; and public engagement.
- **Implementation** – FPL submissions may include: construction; public outreach and education; and measurement, evaluation, and reporting of outcomes and impacts of restoration activities.

As set forth in the 2016 and 2022 Comprehensive Plan updates, following are the Council's definitions of "activity," "project," and "program." These definitions are applicable to proposals for Council-Selected Restoration Component funding. FPL proposals should indicate whether the proposed activity is a project or a program. If it is the latter, the activity should be consistent with the following definition of program.

- **Activity:** A general term that includes both projects and programs, and may also be used to describe components of a project or program. For example, on the Initial FPL, all the funded projects and programs on the list could be referred to as restoration "activities."
- **Project:** A single ecosystem restoration and/or conservation activity that cannot be separated into stand-alone sub-activities. A project may be "scalable," meaning that its scope, size, and/or cost can be expanded or reduced as needed and appropriate. A project can be separated into a

“planning” or “implementation” phase or can include both. One or more members can conduct a project. For example, a single project might restore marsh in a specific geographic location. Another example of a project might be the planning, engineering, and design required to advance a marsh restoration proposal to a construction-ready status.

- **Program:** A suite of intrinsically-linked restoration and/or conservation activities that must be implemented together in order to achieve the desired outcome. A program should generally be covered by one unified Council environmental compliance review and have a common set of performance measures to effectively assess and measure outcomes. A program’s sub-activities may be related in terms of geography, environmental stressors, resources, restoration and/or protection activities, and more. A program can be separated into a “planning” or “implementation” phase or can include both. One or more members can conduct a program. For example, a single program might be a Gulfwide environmental monitoring effort.

Council’s Funded Priorities Lists (FPL)

The Council has completed three FPLs, including:

2015 Initial Funded Priority List (2015 Initial FPL)

In 2015, the Council approved the [2015 Initial Funded Priority List \(2015 Initial FPL\)](#) for approximately \$156.6M in restoration activities such as hydrologic restoration, land conservation, and planning for large-scale restoration projects. The funding for the 2015 Initial FPL came from the settlement of Clean Water Act civil penalties against Transocean Deepwater Inc. and related entities. When it approved the 2015 Initial FPL, the Council did not know the amount and timing of additional funding that could be obtained from the then-ongoing litigation with British Petroleum (BP). The 2015 Initial FPL was organized around ten watersheds/estuaries across the Gulf to concentrate and leverage available funds to address critical ecosystem needs in high priority locations. The Council’s decisions were informed by stakeholder input and the best available science associated with a variety of factors, including widely-recognized ecological stressors, foundational investment needed to respond to those stressors, building on other funded conservation actions, and socioeconomic and cultural considerations. Activities were selected to provide near-term ecological results while also completing planning and science decision-support tools that may provide for future success.

2017 Commitment and Planning Support FPL (2017 CPS FPL)

A review of the process used to develop the 2015 Initial FPL was conducted that included input from both Council members and the public. Following completion of this review, the Council developed the 2016 Comprehensive Plan Update which further emphasized the Council’s commitments to collaborate among members, potential funding partners, and the public; increase public engagement and transparency; and refine its best available science (BAS) practices.

To advance these commitments, the Council approved a second FPL in January 2018, referred to as the *2017 Commitment and Planning Support FPL* ([2017 CPS FPL](#)). Rather than funding specific restoration projects or programs, the 2017 CPS FPL dedicated funds over a five-year period (2018 through 2023) to help Council members meet 2016 Comprehensive Plan Update commitments and identify potential areas for future FPL proposal development. Council members have used 2017 CPS FPL funds to initiate and enhance collaborations and develop tools for exchanging ecosystem restoration and protection ideas for funding consideration in the next FPL. Council members have held meetings throughout the Gulf to

discuss ecosystem restoration concepts and potential techniques to address environmental challenges and stressors. These activities were critical in the development of FPL 3a and 3b.

Funded Priorities List 3 (2020-2021)

It was through the collaborative process supported by FPL 2 that the Council recognized that developing FPL 3 in two phases would enable the Council to fund projects requiring near-term attention and take advantage of important partnership opportunities to advance large-scale ecosystem restoration, as well as identifying programs that seek watershed-level benefits for Gulf resources, and restoration initiatives that leverage funds with other government programs for greater benefits.

Approved a little more than one year apart, 2020 FPL 3a and 2021 FPL 3b provide funding for priority ecosystem restoration activities throughout the Gulf of Mexico. The activities contained in FPL 3a and 3b reflected lessons learned from the 2015 Initial FPL process and commitments made in the 2016 Comprehensive Plan Update and further emphasized in the 2022 Comprehensive Plan update. This approach to identifying priority restoration activities acknowledges the interconnected nature of coastal and marine ecosystems. It also recognizes the importance of addressing system-wide stressors that reduce ecosystem health. FPLs 3a and b advanced this concept by investing in programmatic approaches to address the ecosystem needs in certain geographic areas.

2020 FPL 3a includes two large-scale ecosystem restoration projects: one in Alabama and the other in Louisiana. 2021 FPL 3b includes an additional 20 activities to address additional ecosystem needs across the Gulf coast region. The Council applied the 2019 Planning Framework, public comment, best available science determinations, and internal administrative procedures to support its funding decisions. 2021 FPL 3b contains many programs intended to address large-scale ecosystem problems that result in water quality impairment, coastal habitat loss and degradation, and coastal resilience challenges through the implementation of specific projects within those programs. For some programs, specific projects were not identified at the time 2021 FPL 3b was finalized. Rather, the FPL describes the priority issues that the programs aim to address in order to meet specified goals and objectives, the Planning Framework approaches that will be utilized, the decision processes that will be or have been followed to identify projects over time, and the metrics that will be used to determine whether the programs are meeting their stated goals and objectives. The Council believes that selecting and implementing projects within these programs will allow for a more systematic approach to addressing ecosystem-level problems within high priority watersheds. The Council also anticipates that by approving funds for these priority programs, additional partners may become interested over time.

1.3. Spill Impact Component

In addition to the Council-Selected Restoration Component, the remaining 30 percent of the Trust Fund under the Council's purview is allocated to the states under the Spill Impact Component, or "Bucket 3," according to a formula established by the Council and implemented through the [RESTORE Act Spill Impact Component Allocation regulation](#) which was published on December 15, 2015. These allocations became effective on April 12, 2016, following entry of the Consent Decree. Using the information set forth in the rule, the allocation of funds among the five states is:

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

Spill Impact Component funds are spent according to individual State Expenditure Plans (SEPs) developed by each state member (in Florida, by the Gulf Consortium) that set forth programs contributing to the overall economic and ecological recovery of the Gulf. In 2016 the Council updated the [Guidelines](#) that describe required SEP elements, the process for submitting SEPs, and the criteria set forth in the Act under which the Council Chair must approve or disapprove SEPs.

Funds for projects in approved SEPs are disbursed to the state Council members (in Florida, to the Gulf Consortium) via grants when the requisite funds become available in the Trust Fund. As with the Council-Selected Restoration Component, all activities for which Spill Impact component funding is sought are carefully reviewed to ensure consistency with the applicable SEP and compliance with the RESTORE Act and all other applicable requirements, including the use of Best Available Science, and compliance with all applicable federal environmental laws.

2. Strategic Goals

Restoring an area as large and complex as the Gulf Coast region is a costly, multi-generational undertaking. Gulf habitats are also continually degraded and lost due to development, infrastructure, sea-level rise, altered riverine processes, ocean acidification, salinity changes and other human-caused factors. Water quality in the coastal and marine environments is degraded by upstream pollution and hydrologic alterations spanning multiple states and involving the watersheds of large and small rivers alike. Stocks of marine and estuarine species are depleted by over-utilization and conflicting resource use. Some of the region’s environmental problems, such as wetland loss and hypoxia, span areas the size of some U.S. states. This degradation represents a serious risk to the cultural, social, and economic benefits derived from the Gulf ecosystem.

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 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. This goal pertains to 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, and ensures that these investments can be considered in the context of comprehensive restoration. This goal does not apply to the Council-Selected Restoration Component.

To achieve all five goals, the Council supports 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.

The Council coordinates restoration activities under the Council-Selected Restoration Component and the Spill Impact Component to further the goals. While the Council does not have direct involvement in the activities undertaken by the States or local governments through the Direct Component, the Council will strive, as appropriate, to coordinate its work with those activities. In addition, the Council actively coordinates with the Gulf Coast Ecosystem Restoration Science Program (administered by the National Oceanic and Atmospheric Administration) and the Centers of Excellence Research Grants Program (administered by the Treasury Department).

3. Strategic Objectives

The Council selects and funds 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.

4. Performance Metrics for Individual Council-Funded Programs and Projects

Over its lifetime, the Council will invest over \$3 billion in Gulf Coast ecosystem and economic restoration activities. These investments will not only advance the Council’s vision of a healthy and productive Gulf ecosystem, but also result in diverse scientific and economic data observations which can be used to demonstrate the benefits of Council investments. The RESTORE Council recognizes the importance of comprehensive planning for the collection and compilation of data that can be compared across projects. Comparable data enables reporting at multiple scales, including project- and program-specific scales, as well as potential future larger-scale assessments across the Gulf. Understanding outcomes and impacts will further help to achieve tangible results and ensure that funds are invested in a meaningful way.

Award Recipients are required to monitor the performance of all projects funded by the Council toward ecosystem restoration. In 2021, the Council updated its [Observational Data Plan \(ODP\) Guidelines](#) to provide guidance to the Council’s grant and IAA recipients on the selection of metrics, parameters, and monitoring methodologies for Council funded activities. The Council has currently identified 61 [performance-level metrics](#) that are organized by the Planning Framework restoration approaches and techniques being implemented by a project or program. These metrics are used to monitor and evaluate the efficacy of projects and programs in meeting the mission goals and objectives of the Council and track annual performance. Based on the Council’s 2019 Submission Guidelines and 2021 ODP Guidelines, metrics selected should be:

- Objective;
- Quantifiable;
- Accompanied by targets (success criteria);
- Consistent across program activities (e.g., water quality benefits);
- Identified in proposals with details provided in application ODPs;
- Able to support the goals and objectives of the program or project.

A full description of metrics and results-to-date are provided under Performance Indicators 3 and 4 of Performance Goal 4 – Operational Excellence.

5. Performance Goals and Indicators for Fiscal Year 2022

The RESTORE Council is using several coordinated and strategic approaches to improve their ability to efficiently and effectively accomplish the goals of the Comprehensive Plan. A collaborative process is being used to help ensure that Council-Selected Restoration Component funded projects and programs complement restoration being accomplished through the Spill Impact Component, as well as other funding streams. The funding available through the Council, as well as the other DWH-related funding sources (including other components of the RESTORE Act, Natural Resource and Damage Assessment (DWH NRDA), and National Fish and Wildlife Foundation Gulf Environmental Benefit Fund (NFWF GEBF) presents an unprecedented opportunity to restore Gulf ecosystem conditions and functions, representing one of the most substantial investments in landscape-level restoration in U.S. history. However, it is critical to note that these funds will not fully address all the ecosystem restoration needs of the Gulf given the multiple stressors impacting the region, ranging from man-made sources like the DWH oil spill disaster, water quality/quantity issues and the annual offshore hypoxic zone, as well as naturally-occurring impacts including hurricanes. Because of these large-scale stressors and ever-changing

There are myriad natural and man-made factors that could potentially affect performance of the projects and programs funding through the Council. Therefore, the Council must consider a wide range of past, ongoing, and emerging environmental threats which could impact performance of awards under the Council-Selected Restoration and Spill Impact components of the RESTORE Act. For example, sea-level rise combined in some areas with ongoing subsidence can pose a significant risk to coastal ecosystems and communities, and to the Council's own coastal restoration investments. Water quality degradation is another environmental issue impacting resilience and sustainability leading to, among many other impacts, one of the world's largest hypoxic regions ("Dead Zone") which forms each year off the Louisiana coast and can reach the size of the State of New Jersey. The Council is committed to using the best available science to consider relative sea-level rise, water quality, and other risks as it makes coastal restoration funding decisions. The Council is also committed to working with a broad range of stakeholders interested in coastal resilience.

There are also inherent risks the Council will consider regarding the efficacy of individual projects and/or programs themselves ranging from impacts to performance (due to unforeseen events like impacts from a hurricane) to changes in cost beyond projected contingency plan levels, which could potentially impact the ability to complete a project or program. There are several strategies that the Council has employed to anticipate and prepare for risk with associated mitigation strategies. The Council has instituted Enterprise Risk Assessment procedures, and annually updates its risk profile to identify strategic, operational, compliance, financial and reporting risks, assessed their likelihood and impact, and determined an overall risk rating with a categorization of critical, high, medium and low. This analysis highlighted seven critical risks (high likelihood and high impact). One of the risks speaks to the potential for overlapping project funding for the same purpose, and the second is project duplication within the Council-Selected Restoration Component, or a project funded by either the Spill Impact Component, or by one of the other Deepwater Horizon funding streams, including NRDA or the NFWF GEBF. The emphasis and funding provided through the CPS FPL to support collaboration among the Council members and the other DWH funding streams specifically addresses this risk.

Mission Performance Goals

The Mission Performance Goals include the core functions and activities of Federal agencies that are reflected in statutory requirements or leadership priorities and which serve to drive their efforts in addressing pressing and relevant national problems, needs, and challenges (OMB A-11, Section 240).

5.1. Performance Goal 1: Promote a Gulf-Wide Comprehensive Approach to Restoration

The Council is moving forward with an integrated and coordinated approach to Gulf Coast restoration. This approach strives to both restore the Gulf Coast region's environment and, at the same time, revitalize the region's economy because the Council recognizes that ecosystem restoration investments may also improve economic prosperity and quality of life. In addition, this approach acknowledges that coordinated action with other partners is important to successfully restore and sustain the health of the Gulf Coast region. This coordination is particularly important because diverse funding sources and decision-making bodies are simultaneously investing in Gulf Coast restoration.

Performance Indicator 1.1:

A comprehensive approach is applied to consideration of restoration efforts through:

- a) *The cooperative examination and analysis of stressors and environmental drivers, as well as outcomes and lessons learned from previously implemented projects (including project monitoring data), scientific and technical developments, changing policy, public input, and other planning considerations by Council members, the NGO community, interested stakeholders and the public.*
- b) *Application of BAS, and adaptive and data management principles maximize the quality, objectivity, and integrity of information used in the selection and execution of RESTORE projects under both the Council-Selected Restoration and State Expenditure Plan components of the RESTORE Act, and clearly documents and communicates risks and uncertainties. In 2022, the Council will employ a variety of activities that promote adaptive management based on an assessment of projects and programs funded to-date, as well an examination of the application of BAS at all stages of project/program development, execution and documentation.*

Ecosystems are subjected to both natural and human alterations that act together as “stressors” and affect natural ecosystem structure and function. The more ecosystems are stressed, the less resilient they may be to even larger, global challenges. With its approval of 2021 FPL 3b, the Council has approved funding for several programs that are intended to address large-scale ecosystem stressors that result in water quality impairment, coastal habitat loss and degradation, and coastal resilience challenges.

The use of a watershed/estuary-based approach for comprehensive ecological restoration was captured as a fundamental component of the 2016 Comprehensive Plan. The Council identified activities for the Initial FPL that would either complement each other or have synergistic effects with other restoration projects. Taking 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 Initial 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 in order to maximize project benefits and track outcomes.

By identifying and focusing on watersheds, the Council was able to make difficult funding decisions in a way that leverages limited restoration resources for maximum effectiveness, while also supporting planning, science and other activities that can set the stage for future success. All activities in the Initial FPL came from the original member submissions. In some cases, the activities are a component or smaller increment of an original submission. Many stakeholders cautioned the Council against distributing the available funds in a way that supports disconnected (although beneficial) restoration projects; the Council was asked not to engage in “random acts of restoration.” The Council shares that perspective and believes that focusing on key watersheds and other foundational activities will ensure that the funds are spent in a way that contributes to comprehensive Gulf restoration.

The Council approved the Comprehensive Plan Update on December 16, 2016. The Comprehensive Plan Update took 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.

As part of the Comprehensive Plan Update, the Council recognized that a clear and concise vision statement can help direct and shape future funding decisions. The Council believes that its vision statement for the Ten-Year Funding Strategy should include reference to both the desired environmental outcome and the process used to get there. Furthermore, the Council will build upon the tremendous restoration experience, science expertise, and other capabilities of its diverse membership of state and federal agencies. The Council’s collective wisdom is greater than the sum of its individual parts.

The Council sought to capture this sentiment as well as other key elements as it developed the following vision statement:

A healthy and productive Gulf ecosystem achieved through collaboration on strategic restoration projects and programs.

Over the seven fiscal years of 2016 through 2022, a total of 155 awards were made (Tables 1 and 2), including: 26 grants and 26 IAAs under FPL 1, 5 grants and 5 IAA’s under FPL 2, 1 grant under 2020 FPL 3a, 5 grants and 3 IAAs under 2021 FPL 3b, and 83 SEP awards.

Table 1. Number of grants to state members by program and fiscal year (2016 to 2022).

Fiscal Year	FPL 1	CPS (FPL2)	2020 FPL 3a	2021 FPL 3b	SEP	Total
2016	1				2	3
2017	13				2	15
2018	6	5			4	15
2019	4				5	9
2020	1				39	40
2021	1			1	16	18

Fiscal Year	FPL 1	CPS (FPL2)	2020 FPL 3a	2021 FPL 3b	SEP	Total
2022			1	5	15	21
Totals	26	5	1	6	83	121

Table 2. Number of IAAs to federal members by program and fiscal year (2016 to 2022)

Fiscal Year	FPL 1	CPS (FPL2)	2021 FPL 3b	Total
2016	1			1
2017	8			8
2018	9	4		13
2019	4	1		5
2020	2			2
2021	2		1	3
2022			2	2
Totals	26	5	3	34

The Council Selected Restoration Component has provided \$271M in funding through FY 2022. The Spill Impact component provides grant funds to the state Council members, with a total of \$392.8M awarded over this seven-year period.

Over the past seven years, a total of 55 percent of all RESTORE Council funding through the Council-Selected and Spill Impact Components are supporting the Restore and Conserve Habitat goal (Figure 3) while 25% of all funding is supporting the Restore Water Quality and Quantity goal.

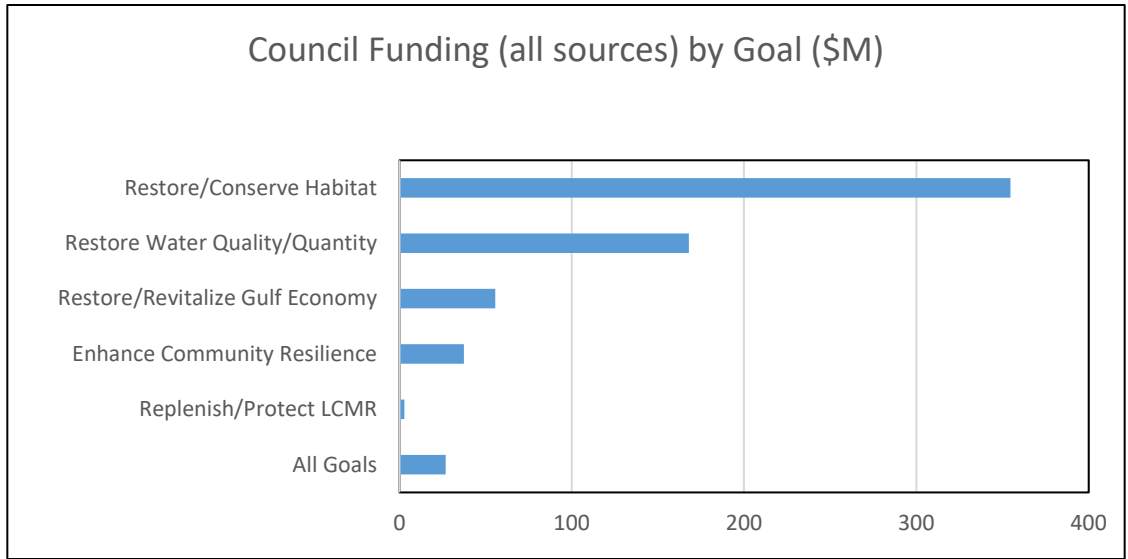


Figure 3. Funding trends for state and federal members (all sources) in support of the Council’s Comprehensive Plan goals

Funding trends by the seven fiscal years for which funding has been awarded to Council members are shown in Figure 4 for all funding sources (Council-Selected and Spill Impact Components) in support of the Council’s goal to Restore and Conserve Habitat, while the Restore Water Quantity and Quality funding trends by year are provided in Figure 5.

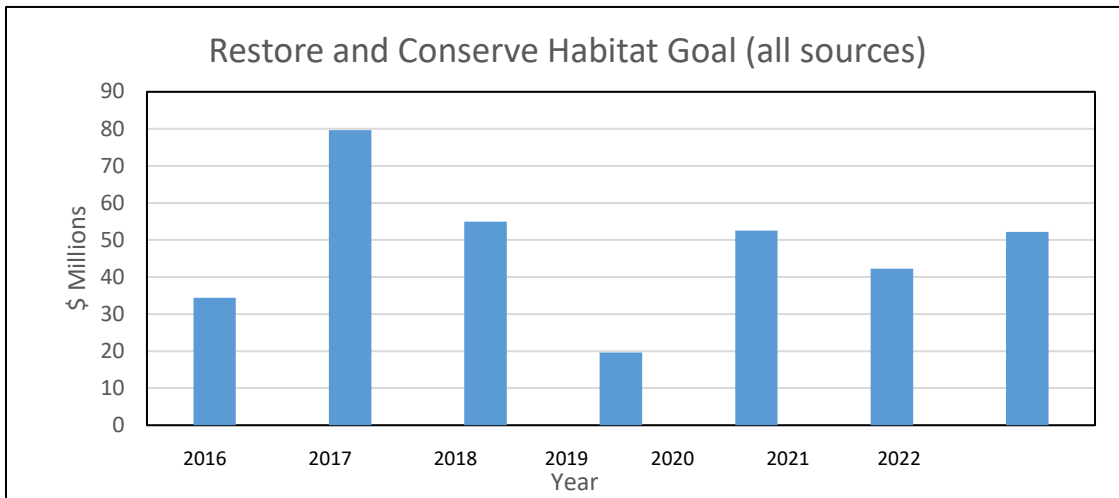


Figure 4. Funding trends for grants and IAAs from Council Selected and Spill Impact Components in support of the Restore and Conserve Habitat goal by fiscal year

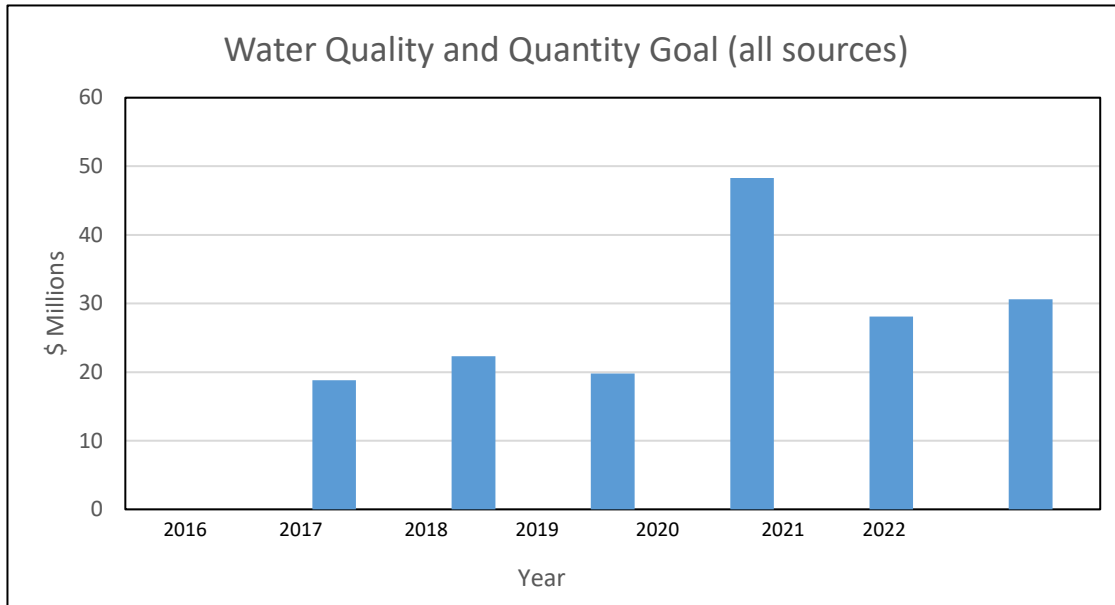


Figure 5. Funding trends for grants and IAA’s from FPL 1 and SEPs in support of the Restore and Conserve Water Quality and Quantity goal by fiscal year

Funding by Watershed

As the Council recognizes that ecosystem restoration investments may also improve prosperity and quality of life, this approach strives to both restore the Gulf Coast region’s environment and simultaneously revitalize the region’s economy. In addition, this approach acknowledges that coordinated action with other partners is crucial to successfully restore and sustain the health of the Gulf Coast region.

Ecosystems are subjected to both natural and human alterations that act together as “stressors” and affect natural ecosystem structure and function. The more ecosystems are stressed, the less resilient they may be to even larger, global challenges such as climate change

The use of a watershed/estuary-based approach for comprehensive ecological restoration was captured as a fundamental component of the 2016 and 2022 Comprehensive Plan Updates. Linking projects to environmental stressors by watershed or estuary is scientifically sound and offers operational advantages which assist in leveraging ecosystem restoration program resources. A focus on watersheds, in concert with foundational Gulfwide activities, is one approach to ensuring that funds are spent in a way that contributes to comprehensive Gulf restoration. With the approach, the Council engages stakeholders and strategically addresses priority goals. The Council makes funding decisions that leverage limited restoration resources for maximum effectiveness, while also supporting planning, science, and other activities that maximize the potential for success.

Geographic areas described in the [2019 Planning Framework](#) are a step toward identifying priority watersheds/estuaries for investment to meet Comprehensive Plan goals and objectives. These geographic areas vary in size from specific watersheds/estuaries to coverage of the entire coastal area of one or more states. To some degree, this range reflects the extent to which individual projects have been identified within the broader programs. In some geographic areas, the planning process may be advanced sufficiently to have identified specific restoration activities within a watershed/estuary. In others, additional planning and review of restoration options may be needed before identifying specific actions. In addition, these geographic areas reflect

the anticipated collaboration — among members, among funding partners, and across states — needed to address broader environmental stressors.

The allocation of funding by Gulf watershed/geographic area is shown in Figure 6. The watersheds/geographic areas that have received the most funding as a total of all funding sources, are the Lower Mississippi River (26.4%), Mobile Bay (\$25.5%), and Mississippi Sound (19.9%).

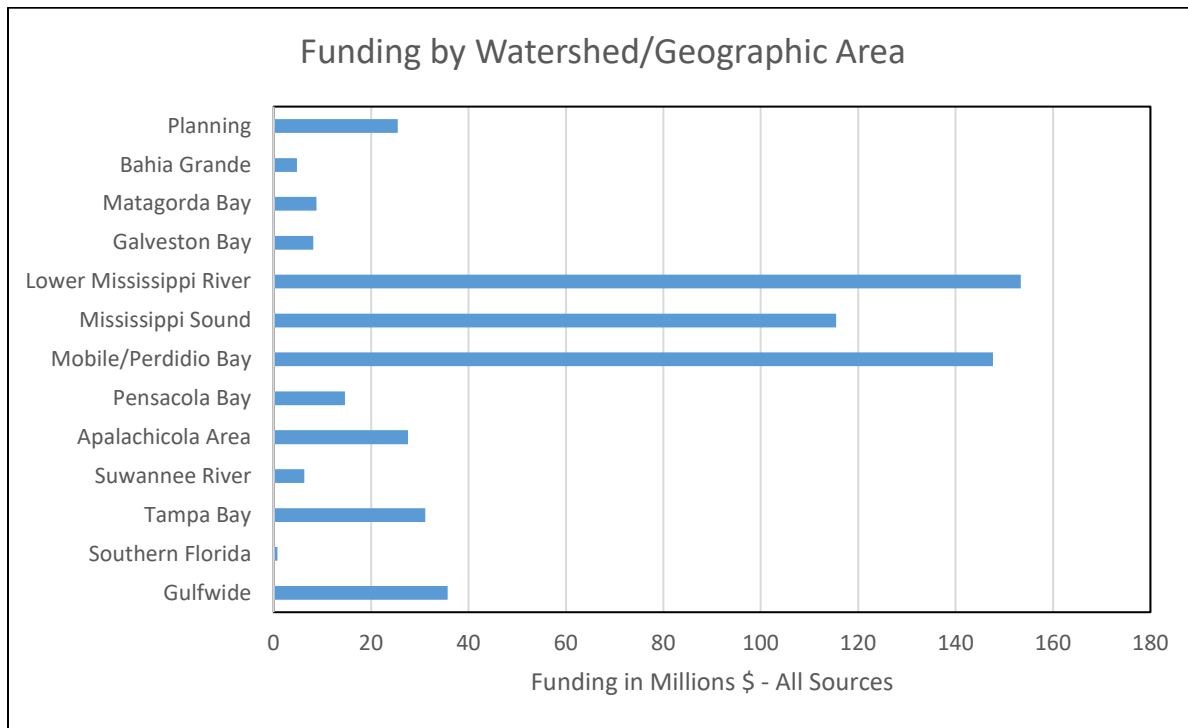


Figure 6. Distribution of funding for state and federal Council members from the Council-Selected Restoration and Spill Impact Components by watershed or geographic area.

Strategic Improvement of Performance

One of the most significant actions the Council has taken to improve performance was the development of the Council’s 2019 Planning Framework which strategically links past and future restoration funding decisions to the overarching goals and objectives outlined in the 2016 Comprehensive Plan Update. The Planning Framework indicates priorities designed to continue building on previous investments, while expanding opportunities to meet all Comprehensive Plan goals and objectives in the future.

The Planning Framework lists priority restoration approaches and techniques (Figure 7) their relationship to the Comprehensive Plan goals and objectives, and associated geographic areas. The purpose of this document was to provide the public and potential funding partners with an indication of the kinds of projects that were anticipated to be developed for FPL 3 funding consideration. As part of the process of developing future FPLs, the Planning Framework will be reviewed and revised as needed to incorporate outcomes and lessons learned from previously implemented projects, scientific and technical developments, changing policy, public input, and other planning considerations.

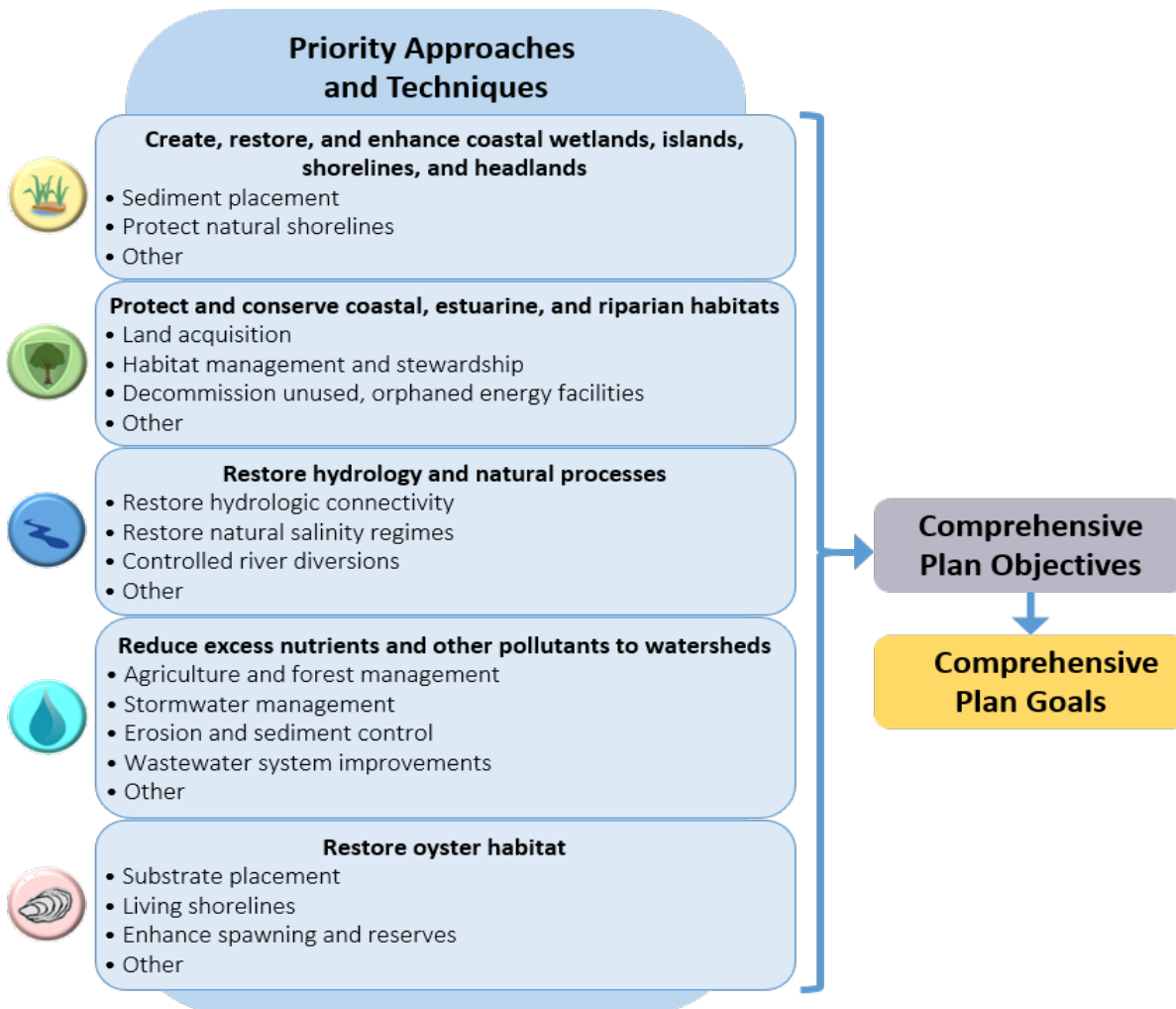


Figure 7. The 2019 Planning Framework priority approaches and techniques can be applied to support the Comprehensive Plan objectives and goals.

The Council continues to improve its use of ecosystem science, monitoring, and data management to report on the overall success of restoration. As described in the [CMAWG Annual Workplans](#), the Council uses the CMAWG to serve as a forum for the Council to collectively address monitoring and adaptive management topics relevant to multiple Council member agencies, including encouraging compatibility of monitoring and data management procedures used by all members.

Taking advantage of opportunities to build programmatic and science efficiencies, the ODP Guidelines update was collaboratively developed to foster consistency in data collection and management across Gulfwide monitoring efforts. Recommendations were developed in coordination with Gulf restoration funding partners, including the Natural Resources Damage Assessment (NRDA) trustees and the National Fish and Wildlife Foundation (NFWF), and build off of analyses from the 2015 Initial FPL funded CMAP. By fostering comparability and compatibility among robust datasets, this work will enable broader assessments of outcomes, support improvements to ecosystem models, and help address the uncertainties related to restoration, which in turn will inform adaptive management and Council decision-making related to investments.

As shown in Figure 8, the ODP Guidelines use the [2019 Planning Framework](#) priority approaches and techniques to organize recommendations for metrics and parameters and to demonstrate how they will be employed to support Comprehensive Plan goals and objectives of a funded activity. Utilizing this organization, the Council anticipates that the benefits of its investments will be able to be reported over time, not only at the scale of individual activities but also for particular approaches, techniques, and watersheds.

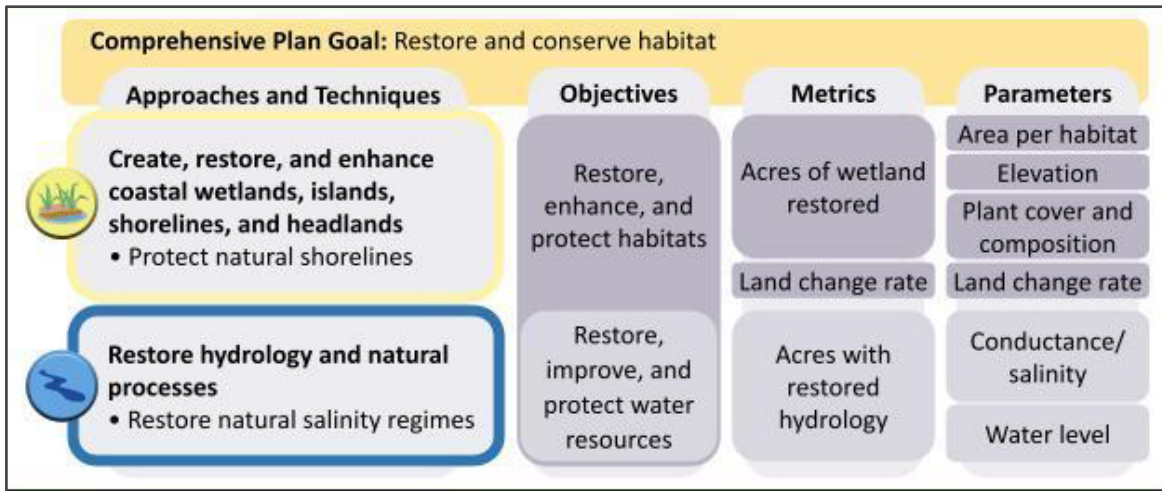


Figure 8: Using an example project, this figure illustrates how selected objectives would be supported by collecting appropriate observational data. In the figure, restoration approaches and techniques are aligned on rows with the objectives they are employed to support, and with metrics for tracking benefits to those objectives. Each metric row aligns with one or more parameters for which data will be collected to enable assessment and reporting

By setting up this kind of logical framework that people can see visually depicted here, the Council has made it easier to conduct informative monitoring of its awards and has set up options for telling a broader story with that data.

Most importantly, metrics must be able to support all of the goals and objectives a project has identified. If a project claims that its objective is to restore habitat, then it has to have some way of tracking the restoration of that habitat. There are of course case-by-case exceptions based on what is feasible for particular projects. Especially with SEP projects, where the members are given more discretion over how funds are to be used, we consider factors that may limit the ability or the need to conduct detailed monitoring.

Another element of the Council’s commitment to measuring and ensuring success is the application of adaptive management strategies (Figure 9). The purpose is to support meeting the Comprehensive Plan goals and objectives, both for individual activities as well as programmatically across watersheds or other geographically defined regions. By considering new information gained from monitoring and scientific advancements in its decision-making processes, the Council intends to fulfill its commitment to utilize adaptive management processes to enhance the benefits of its work.



Figure 9. The Council’s use of programmatic documents and processes and cyclical process for developing and approving Funded Priorities Lists allows for adaptive learning. In the Comprehensive Plan, members formulate and refine awareness of issues. Then, through collaboration, members frame options for addressing the issues. Planning is conducted to determine the priority actions that will be funded. From there, the actions are implemented and monitored to determine how the ecosystem responded. The cycle repeats, incorporating learned information into awareness for future decision-making.

At the programmatic scale, the Council’s structure and cyclical process for developing and approving FPLs allows for an adaptive approach to its Council-Selected Restoration Component funding decisions. For watersheds or other geographically defined areas, the Council utilizes its programmatic documents and processes to generally follow an adaptive process that may best support realization of the Council’s vision for the Gulf Coast region (Figure 9).

At the level of individual activities (both projects and programs), Council members set quantitative targets for each of their Comprehensive Plan objectives and describe any adaptive management strategies they plan to implement to ensure objectives are met. As set out in the activity’s ODP, monitoring data are collected and used to determine whether projects are meeting, or are expected to meet, their targeted objectives. Monitoring data may also be used to signal the need for any corrective actions that may enhance performance, as feasible. Funding recipients also report on how the results of data collection may help to resolve critical uncertainties influencing restoration and management decisions, informing and improving the success of efforts beyond the scope of the activity.

To support adaptive improvements through this process, the Council has also made progress on a related commitment made in the 2016 Comprehensive Plan Update: to continue to work toward utilizing science-based restoration targets for the Gulf ecosystem. Quantitative targets are set for individual activities. At larger

geographic scales, the Council has broadly identified the goals and objectives that could be advanced for different watersheds and geographic regions, based on key environmental stressors described for each area, and the priority restoration techniques that would best support success. This was first laid out in the 2019 Planning Framework, which supported planning and collaboration undertaken to develop 2020-21 FPL 3.

Performance Indicator 1.2:

The Council determination of future funding priorities is informed by consideration of the entirety of restoration activities funded by the RESTORE Act, DWH NRDA, NFWF GEBF, and other restoration efforts in the Gulf of Mexico region as captured in the Council's Planning Framework and 2021 Comprehensive Plan Update.

In FY2022, the Council approved the [2022 Comprehensive Plan Update: Restoring the Gulf Coast's Ecosystem and Economy](#) (2022 Comprehensive Plan Update). This is the second update to the *2013 Initial Comprehensive Plan: Restoring the Gulf Coast's Ecosystem and Economy* ([2013 Initial Comprehensive Plan](#)). Although initially planned to be completed in FY2021, the impact of the pandemic resulted in a delay until FY2022. This 2022 Comprehensive Plan Update provides the public with updates to the strategic guidance that the Council established to effectively administer its roles and responsibilities. In the 2022 Comprehensive Plan Update, the Council describes its progress toward its commitments thus far, and establishes a baseline that the Council will build upon, including consideration and collaboration with other restoration efforts in the Gulf of Mexico, including other RESTORE funding (Buckets 1, 3, 4 and 5) as well as other Deepwater Horizon funding streams (NRDA and GEBF) and new administration initiatives, including the Infrastructure Investment and Jobs Act of 2022.

Consistent with its Comprehensive Plan commitment, the Council recognizes that coordination and collaboration among members and our restoration partners is critical to the success of Gulf restoration. To maximize ecosystem benefits, the Council continues to pursue opportunities to align and leverage activities funded from Council-Selected restoration with investments made by other coastal restoration programs, as well as its own work in the Council-Selected Restoration and Spill Impact components. As implementation of activities continues, the Council will continue to consider the synergistic benefits of its investments with those of other programs, including other components of the RESTORE Act, Natural Resource and Damage Assessment (DWH NRDA), and National Fish and Wildlife Foundation Gulf Environmental Benefit Fund (NFWF GEBF). By working collaboratively among the Council members and with other DWH-related funding sources, as well as working with other federal and state funds, great progress can be made to increase the resiliency of the Gulf of Mexico ecosystem against these stressors. The Council also seeks to optimize ecosystem restoration benefits by advancing large-scale solutions through the synergy of multiple connected projects or a single large project or program. Large-scale projects and programs could be facilitated by collaboration with NRDA, NFWF, and/or other federal funding programs.

In facilitating collaboration among members, their technical staff, and the external scientific and NGO communities through his representation and leadership in such forums as the Council Monitoring and Assessment Workgroup (CMAWG). In particular, his leadership of CMAWG has allowed for the finalization of the Council Observational Data Plan Guidelines update, and acceptance by the Council. This is a major achievement, and sets the Council on an even clearer path toward being able to roll up results across similar restoration initiatives. Furthering that objective, the CMAWG completed its FY 2021-22 workplan that focuses the group's efforts on considering how to assess and describe the Council's activity beyond the project-scale.

Working in coordination with its Gulf restoration funding partners, including the NFWF and the NRDA trustees, the Council has identified a suite of RESTORE Council Project Metrics. These metrics are used as a foundation to

monitor and evaluate the efficacy of funded activities in meeting the Council's goals and objectives and to track annual performance. Using these consistent metrics, the benefits of FPL projects may be synthesized and described within their respective watersheds. Council staff taking leadership of the CMAWG has allowed for the finalization of the Council Observational Data Plan Guidelines update, and acceptance by the Council during FY2021. This is a major achievement, and sets the Council on an even clearer path toward being able to roll up results across similar restoration initiatives. Furthering that objective, the CMAWG completed its FY 2021-22 workplan that focuses the group's efforts on considering how to assess and describe the Council's activity beyond the project-scale.

Performance Indicator 1.3:

Coordination and collaboration among members and other restoration efforts of Gulf restoration maximize the Council's "return on investment" as demonstrated by evaluation of the Commitment and Planning Support awards to achieve the coordination and collaboration commitments of the Comprehensive Plan.

Building on the strong foundation established in the Gulf Coast Ecosystem Restoration Task Force Gulf of Mexico Regional Ecosystem Restoration Strategy and other local, regional, state, and federal plans, the Council is taking an integrated and coordinated approach to Gulf Coast restoration. This approach strives to both restore the Gulf Coast region's environment and, at the same time, revitalize the region's economy because the Council recognizes that ecosystem restoration investments may also improve economic prosperity and quality of life. In addition, this approach acknowledges that coordinated action with other partners is crucial to successfully restore and sustain the health of the Gulf Coast region.

The RESTORE Council is using a collaborative process to help ensure that Council-Selected Restoration Component funded projects and programs complement restoration being accomplished through other funding streams. The funding available through the Council, as well as the other DWH-related funding sources (including other components of the RESTORE Act, Natural Resource and Damage Assessment (DWH NRDA), and National Fish and Wildlife Foundation Gulf Environmental Benefit Fund (NFWF GEBF)) presents an unprecedented opportunity to restore Gulf ecosystem conditions and functions, representing one of the most substantial investments in landscape-level restoration in U.S. history. However, these funds will not fully address all the ecosystem restoration needs of the Gulf given the multiple stressors impacting the region, ranging from man-made sources like the DWH oil spill disaster, water quality/quantity issues and the annual offshore hypoxic zone, as well as naturally-occurring impacts including hurricanes. Because of these large-scale stressors and ever-changing conditions of these coastal environments, it is infeasible to restore the Gulf to conditions that were present at a specific time in the past. By working collaboratively among the Council members and with other DWH-related funding sources, as well as working with other federal, state, and philanthropic funds, great strides can be achieved to increase the resiliency of the Gulf of Mexico ecosystem against these stressors.

The Council recognized that meeting its Comprehensive Plan commitments requires resources to support the personnel, travel, and logistics necessary for more effective collaboration and planning. In 2017, the Council approved funding to support this planning and collaboration. A major challenge to Gulf-wide ecosystem restoration is coordinating efforts within each state, among Council members, among stakeholders, and across the Gulf restoration efforts. This funding was approved in a second FPL titled "Funded Priorities List: [Comprehensive Plan Commitment and Planning Support](#)" (FPL 2). Prior to FPL 2, there was no designated funding to support Council member efforts to plan and coordinate restoration activities under Council-Selected restoration. Council members had to rely upon general, tax-generated or appropriated funds to support such work. The FPL 2 funding provides the necessary resources for Council members to stimulate and encourage the

coordination and collaboration necessary to achieve the commitments of the Comprehensive Plan. Specifically, the CPS FPL funding will provide funds necessary for members to:

- Strengthen ecosystem restoration proposals for future FPL(s) under the Council-Selected Restoration Component;
- Enhance the efficiency of future FPL development processes; and
- Facilitate long-term planning and leveraging efforts across funding streams.

Under FPL 2, each of the eleven Council members may apply for up to \$500,000 per year for up to three years and up to \$300,000 per year for two years thereafter. This equals up to \$23.1 million, or 1.44% of the total funds available (not including interest) in Council-Selected restoration.

The 2022 Comprehensive Plan update provided a review of the effectiveness of the CPS FPL, concluding that the Council's use of a small portion (\$20.8M of 663.9M funding to date) of its total Council-Selected Restoration Component funds to advance its Comprehensive Plan commitments has successfully met the intended purpose.

Some highlights of the collaborative activities and the outcomes of those activities include:

- FPL-focused stakeholder engagement: Some members used funds to meet with stakeholders in their region to discuss priorities and solicit restoration ideas. This included creation of supporting materials such as graphics, questionnaires and surveys, informational handouts, and other visual aids for use in presenting ideas about projects that may be considered for funding in future FPLs. Several states used 2017 CPS FPL funds to conduct meetings, referred to as "summits," where the public was presented with updates on *Deepwater Horizon* restoration efforts through current restoration projects and the announcement of new projects for future funding. Another communication tool being used by members is the maintenance of state-based coastal restoration websites. In addition to the Council's website (www.restorethegulf.gov), these state websites are resources for the public to gather information on restoration in their area of interest as well as implementation of the [RESTORE Act](#).
- Intra-Council collaboration
 - *Member-to-member meetings*: At different points during the 2020-21 FPL 3 development process, members gathered in small groups to brainstorm on restoration ideas and priorities across the Gulf, and to determine whether there might be any funding partnering opportunities that could be leveraged to create stronger proposals. Some members also established state-based work groups to provide technical assistance, and developed partnerships between states and federal entities to assist with environmental compliance activities.
 - *Pre-proposal Council meetings*: During Year 2 of the CPS awards, members dedicated several two-day Council meetings to discuss FPL project and program ideas as a full group, in order to gauge interest and strengthen the quality of the concepts prior to developing proposals.
 - *Internal Best Available Science (BAS) Review Panel*: This panel was convened after completion of external BAS reviews of FPL 3 proposals by external experts. It leveraged technical expertise across the member agencies in reviewing and responding to these reviews. Responsive to both public comments and Comprehensive Plan commitments, the BAS review process for FPL 3 was enhanced with the inclusion of the internal BAS panel review, which enabled collaborative discussions of project interactions, synergies, benefits, and risks.
 - *Environmental compliance efficiencies*: In order to strengthen the quality and general feasibility of proposals, members used funds to conduct pre-consultation environmental compliance coordination. Through this collaborative process, members determined that existing documentation held by a federal member could be used to meet National Environmental Policy Act (NEPA)

requirements on some 2021 FPL 3b programs. This expedited funding approvals for certain projects and programs, and avoided both potential process and documentation duplication.

- *Leveraging Member Agency expertise:* Members used funds to support their staffs' time to engage in multiple standing internal workgroups related to public engagement, monitoring, and environmental compliance.

Combating all of the ecological threats in the Gulf is a complex challenge that greatly exceeds existing and expected restoration funding. The Council is committed to maximizing the effectiveness of funds within its purview while also continuing to identify and leverage new sources of funding to support current and future restoration work. In addition to the Council's existing restoration partners discussed in this 2022 Comprehensive Plan Update, there are other parties that have a growing interest in participating in ecosystem restoration. For example, private-sector and nonprofit entities are exploring new and innovative ways to bring capital to restoration activities. Given its own limitations relative to the size and scope of the Gulf restoration challenge, the Council welcomes potential partners and is interested in exploring ways such endeavors can potentially help the Council to advance its mission. One recent example is the \$1.2 trillion infrastructure bill signed in 2021, which includes funds to address coastal infrastructure needs. The Council is committed to open dialogue and future collaboration with such partners in this emerging arena.

5.2. Performance Goal 2: Council-Selected Restoration Performance Excellence

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. In FY 2022, the Council approved the [2022 Comprehensive Plan Update: Restoring the Gulf Coast's Ecosystem and Economy \(2022 Comprehensive Plan Update\)](#). This is the second update to the [2013 Initial Comprehensive Plan: Restoring the Gulf Coast's Ecosystem and Economy \(2013 Initial Comprehensive Plan\)](#). The 2022 Comprehensive Plan Update provides the public with updates to the strategic guidance that the Council established to effectively administer its roles and responsibilities. Additionally, it provides summary information regarding progress the Council has made to date on its goals, objectives, and commitments as outlined in the first update, [2016 Comprehensive Plan Update: Restoring the Gulf Coast's Ecosystem & Economy \(2016 Comprehensive Plan Update\)](#), including the effectiveness of its use of general planning funds provided in the 2017 Commitment and Planning Support (CPS) FPL in meeting those commitments. The 2022 Comprehensive Plan Update supersedes the 2016 Comprehensive Plan Update.

Effective and efficient implementation and administration of the Council-Selected Restoration Program to achieve the goals of the Act through the following Performance Indicators:

Performance Indicator 2.1:

The Council's Planning Framework is updated that highlights ecosystem restoration strategies in preparation for development of Funded Priority List 4.

One of the most significant actions the Council has taken to improve performance was the development of the Council's 2019 Planning Framework which strategically links past and future restoration funding decisions to the overarching goals and objectives outlined in the 2016 Comprehensive Plan Update, as well as the 2022 Comprehensive Plan Update. The Planning Framework indicates priorities designed to continue building on previous investments, while expanding opportunities to meet all Comprehensive Plan goals and objectives in the

future. In FY2022, the Council decided to delay the initiation of the FPL 4 process until FY24 (January 2024) and along with that decision, a delay in updating the Planning Framework.

The Planning Framework provides a value tool in helping describing how projects and programs selected for funding under the Council-Selected Restoration component relate to the Council’s Goals and Objectives, Figure 10 shows how the Comprehensive Plan goals and objectives of an activity are supported and tracked. The primary goal supported by the activity is shown at the top; any secondary goals are not depicted. All other information is organized into rows to provide a simplified depiction of how each column relates to the Planning Framework approaches. Each approach box (second column) lists the corresponding techniques that will be implemented, and aligns with the stressors it will be used to address (first column), the objective(s) it will support (third column), and metrics that may be used to track its benefits to the supported objective(s) (fourth column). For activities with one or more secondary objectives, an approach may support both the primary objective (uppermost row) and a secondary objective, as shown for ‘Approach 2’. Objectives that are placed below the row(s) aligned to approaches, as shown for ‘Secondary objective II’, are supported by all of the approaches to be implemented by the activity. Additional metrics may be proposed which do not align with selected approaches and/or objectives (bottom row).

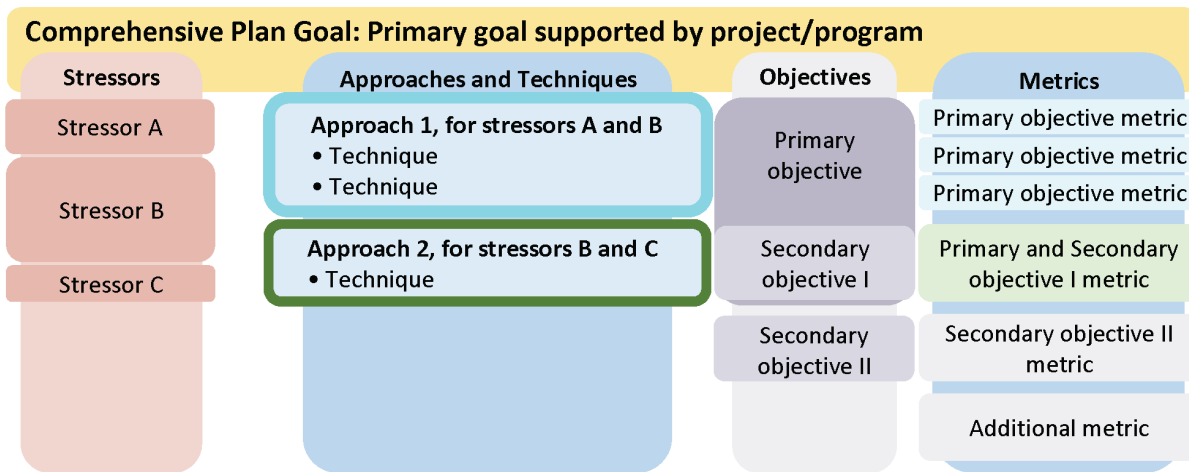


Figure 10. Stylized Planning Framework illustrating how the Comprehensive Plan goals and objectives of an activity will be supported and tracked.

Performance Indicator 2.2:

Efficiency of the Environmental Compliance processes to support Council actions is advanced through:

- a) *Effective processes for the determination of environmental compliance of Category 2 projects for funding consideration by the Council are developed to support the evaluation of the efficacy of moving Category 2 projects to Category 1.*
- b) *The efficiency and effectiveness of Council environmental compliance is enhanced by the Council participation in the interagency regulatory efficiency team and the sharing of efficiency tools and practices.*

A foundational element of the 2013 Initial Comprehensive Plan was the inclusion of commitments to provide guidance for the Council's path forward. Through the process of reviewing the Council's work, including the process used to develop the [2015 Initial FPL](#), these commitments were refined and amplified in the 2016 Comprehensive Plan Update. In the 2022 Comprehensive Plan Update, the Council describes its progress toward its commitments thus far, and establishes a baseline that the Council will build upon. Further, the Council builds upon these commitments in this 2022 Comprehensive Plan Update by highlighting the importance of efficient, effective, and transparent environmental compliance. While language regarding environmental compliance was included in the 2016 Comprehensive Plan Update, the Council is now elevating this to a stand-alone commitment.

The Council's six updated commitments are:

- Taking a regional ecosystem-based approach to restoration;
- Leveraging resources and partnerships;
- Maintaining and enhancing public engagement, inclusion, and transparency;
- Providing efficient, effective, and transparent environmental compliance;
- Applying science-based decision-making; and
- Delivering results and measuring impacts.

The RESTORE Council is an active member of the Gulf Coast Interagency Environmental Restoration Working Group (GCIERWG), which was formed to help achieve more effective and efficient environmental reviews of Gulf ecosystem restoration projects. Improved environmental reviews should result in more timely restoration implementation. Formed in recognition of the critical need for early and consistent interagency coordination and prioritization of restoration work, the GCIERWG coordinates through.

As noted under Performance Indicator 1.3, the 2022 Comprehensive Plan update provided a review of the effectiveness of the CPS FL which included several evaluations related to environmental compliance through Intra-Council Collaboration.

All associated environmental compliance documentation may be found on the [RESTORE Council's website](#).

Performance Indicator 2.3:

Programmatic Staff Management of Grant and Interagency Agreements:

- a) The programmatic component of the Council staff reviews of grant and Interagency Agreement applications for funding under FPL 3a and b meet the 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.*
- b) Post-award management and oversight ensures that grants funded under the Initial FPL and FPL 1 and 3a and 3b are on schedule to achieve intended results; **and***

Performance Indicator 2.4:

Compliance Staff Management of Grant and Interagency Agreements.

- a) *The grants and compliance component of the Council staff review of grant and Interagency Agreement applications for funding under FPL 3 a and b meet timelines established by the RESTORE Act, Council Guidelines and the Notice of Funds Availability.*
- b) *Post-award management and oversight is carried out for all grants and Interagency Agreements. Pre- and post-award reviews 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, support mitigation of applicable critical risks in the Council Risk Profile and Improper Payments and Elimination and Recovery Act (IPERA), and meet other federal regulatory requirements.*

All grant and IAA applications undergo a rigorous review by grant and program staff for compliance with two CFR 200, environmental laws, other statutory requirements, and best available science. All issues identified are collaborative resolved with the applicant using a team approach. In FY 2022, the Council awarded more than \$147M through completion of 69 award actions including 23 new awards and 41 amendments (32 non-monetary and 9 monetary) bringing the total amount awarded to \$657.7M: \$271.1M from the Council-Selected Restoration Component.

The Council compliance/oversight program is built upon understanding and assessing risk. Annual compliance/oversight plan was developed and successfully implemented in coordination with the Programs team. Almost 200 financial reports were reviewed in FY2022. A 100% review of Gulf Consortium payments was completed, comprising over 20 reviews of payment documentation with each of these completed within 30 days of submission. On-site financial compliance reviews were conducted with the Gulf Consortium and Louisiana. In addition, desk reviews of payment documentation were conducted for four grants and three IAAs.

To mitigate risk and improve the efficient application of limited monitoring resources, the Council staff developed and implemented the Grants Monitoring Risk Analysis and Screening Tool in FY2020 to evaluate the potential need for additional oversight for each Council award. This tool articulates a number of risk factors that could affect the Council's assistance awards and assigns weights to these risk factors based on likelihood and impact. The tool pulls in available data from the Council's grant system for each award and collects the assessment of Council grant specialists. The Tool provides an overall weighted risk score for each award that facilitates targeted selection of awards for advanced monitoring. In accordance with the RESTORE Council's Technical Oversight Procedures (revised April 2020) Council Grant and Program staff developed a monitoring plan and schedule for FY2022. Using the Grant Monitoring Risk Analysis and Screening Tool, a natural cluster of awards and agreements with an overall weighted risk score of 4.1 or above was identified, which were then reviewed for additional factors such as, but not limited to, whether they were at the end of the period of performance, whether they had received advanced monitoring in the previous year, any issues that had been identified for the award or the recipient, and other considerations.

Award oversight and monitoring must be responsive to evolving program needs, manageable in scope, cognizant of risk factors and strategic in order to be successful and efficient while being in sync with changing project schedules. These oversight interactions serve as collaborative opportunities for staff to provide technical assistance to Council members during implementation and for members to share challenges, lessons learned and their successes along the way as they are encountered during both restoration planning and implementation.

During FY 2022, one project from 2020 FPL 3a (Table 3) and seven projects from 2021 FPL 3b were funded (Table 4).

Table 3. List of 2020 FPL 3a awards made during FY 2022.

Council Member	FPL 3a Projects Approved during FY 2022	Award Amount (\$ M)
Alabama	Perdido River Land Conservation & Habitat Enhancements	\$10.15

Table 4. List of FPL 3b 2021 awards made during FY 2022

Council Member	FPL 3b Projects Approved during FY 2022	Award Amount (\$ M)
Florida	Florida Strategic Gulf Coast Land Acquisition Program (Planning & Implementation)	\$14.0
Florida	Florida Water Quality Improvement Program (Planning)	\$6.75
Florida	Florida Gulf Coast Resiliency Program (Planning)	\$5.6
Florida	Florida Gulf Coast Tributaries Hydrologic Restoration Program (Planning)	\$3.44
Texas	Texas Land Acquisition Program for Coastal Conservation (Planning and Implementation)	\$24.3
DOI	Develop Ecological Flow Decision-Support for Mobile River & Perdido River Basins	\$3.4
DOI	Wind-Tidal Flat Restoration Pilot (Planning & Implementation)	\$0.32
FY 2022 Total		\$57.81

The activities contained in FPL 3a and 3b reflected lessons learned from the 2015 Initial FPL process and commitments made in the [2016 Comprehensive Plan Update](#), most notably, enhanced collaboration and strategic planning to achieve large-scale ecosystem benefits. FPL 1 contains activities described as “foundational” in that they will contribute to comprehensive Gulf restoration by complementing other projects in order to produce environmental benefits greater than the sum of the individual activities. This approach to identifying priority restoration activities acknowledges the interconnected nature of coastal and marine ecosystems. It also recognizes the importance of addressing system-wide stressors that reduce ecosystem health. FPLs 3a and b advanced this concept by investing in programmatic approaches to address the ecosystem needs in certain geographic areas.

Although the Planning Framework was not developed until 2019, categorization by each of the Comprehensive Plan Objectives for the projects and programs funded under the Council-Selected Restoration Component

through FY 2022 (FPLs 1, 2 and 3a and b) provides an overview of the Council’s funding priorities to date. Over 92 percent of funds approved or budgeted (Figure 9) went to support the following three objectives: Restore, enhance and protect habitats (42.7%, \$284.7M); Restore, improve and protect water resources (28.4%, \$189.2M); and Restore and enhance natural processes and shorelines (21.4%, \$142.3M). The remaining 7.5 percent of selected programs and projects are being used to promote community resilience (\$14M), improve science-based decision-making (\$12.5M), and promote natural resource stewardship and environmental education (\$2M).

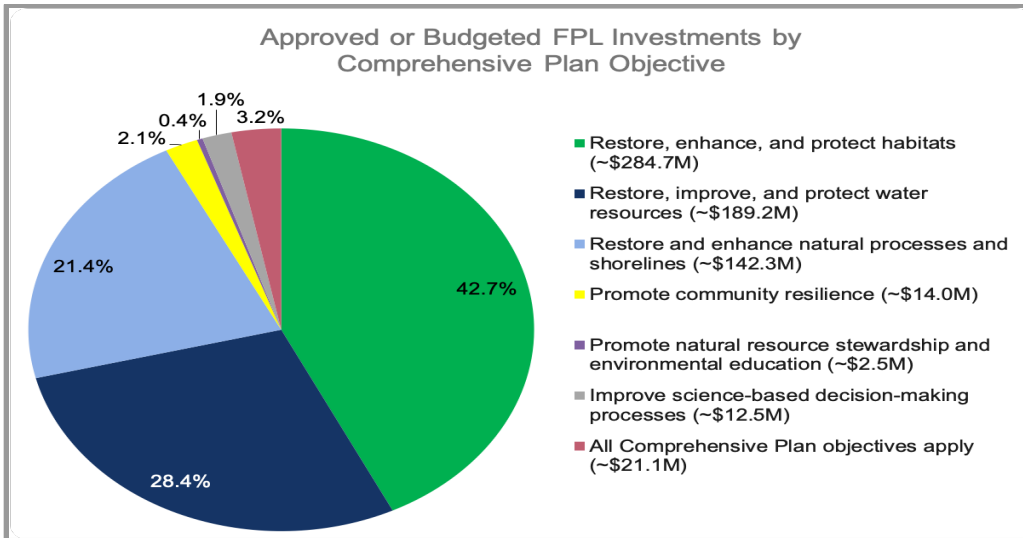


Figure 11. 2015 Initial FPL, 2017 CPS FPL, 2020 FPL 3a, and 2021 FPL 3b funds by Comprehensive Plan Objective. Note: The “Improve science-based decision-making processes approach” is sometimes used to support other primary objectives. For example, in the 2015 Initial FPL, some monitoring activities were funded to primarily benefit the “Restore, enhance, and protect habitats” objective.

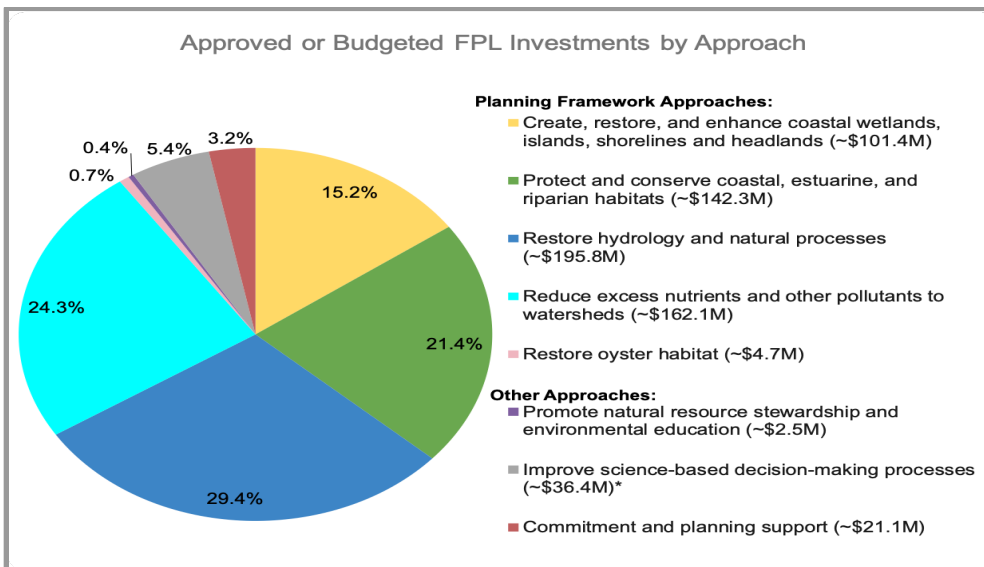


Figure 12. 2015 Initial FPL, 2017 CPS FPL, 2020 FPL 3a, and 2021 FPL 3b funds by primary approach. Note: The “Improve science-based decision-making processes approach” is sometimes used to support other primary

objectives. For example, in the 2015 Initial FPL, some monitoring activities were funded to primarily benefit the “Restore, enhance, and protect habitats” objective.

The Planning Framework also provides a mechanism to view the primary approaches to ecosystem restoration of the Gulf being utilized by the members through the Council-Selected Restoration Component FPLs (Figure 12). To date (FY 2022), there are four primary approaches being utilized that account for over 90 percent of the funds approved or budgeted, including: Restore hydrology and natural processes (29.4%, \$195.8M); Reduce excess nutrients and other pollutants to watersheds (24.3%, \$162.1M); Protect and conserve coastal, estuarine, and riparian habitats (21.4%, \$142.3M); and Create, restore and enhance coastal wetlands, islands, shorelines, and headlands (\$15.2%, \$101.4M).

All grant and IAA applications undergo a rigorous review by grant and program staff for compliance with two CFR 200, environmental laws, other statutory requirements, and best available science. All issues identified are collaborative resolved with the applicant using a team approach. A total of 23 awards, 41 amendments were processed (32 non-monetary and 9 monetary).

The Council compliance/oversight program is built upon understanding and assessing risk. Annual compliance/oversight plan was developed and successfully implemented in coordination with the Programs team. Almost 200 financial reports were reviewed in FY2022. A 100% review of Gulf Consortium payments was completed, comprising over 20 reviews of payment documentation with each of these completed within 30 days of submission. On-site financial compliance reviews were conducted with the Gulf Consortium and Louisiana. In addition, desk reviews of payment documentation were conducted for four grants and three IAAs.

To mitigate risk and improve the efficient application of limited monitoring resources, the Council staff developed and implemented the Grants Monitoring Risk Analysis and Screening Tool in FY2020 to evaluate the potential need for additional oversight for each Council award. This tool articulates a number of risk factors that could affect the Council’s assistance awards and assigns weights to these risk factors based on likelihood and impact. The tool pulls in available data from the Council’s grant system for each award and collects the assessment of Council grant specialists. The Tool provides an overall weighted risk score for each award that facilitates targeted selection of awards for advanced monitoring. In accordance with the RESTORE Council’s Technical Oversight Procedures (revised April 2020) Council Grant and Program staff developed a monitoring plan and schedule for FY2022. Using the Grant Monitoring Risk Analysis and Screening Tool, a natural cluster of awards and agreements with an overall weighted risk score of 4.1 or above was identified, which were then reviewed for additional factors such as, but not limited to, whether they were at the end of the period of performance, whether they had received advanced monitoring in the previous year, any issues that had been identified for the award or the recipient, and other considerations.

Award oversight and monitoring must be responsive to evolving program needs, manageable in scope, cognizant of risk factors and strategic in order to be successful and efficient while being in sync with changing project schedules. These oversight interactions serve as collaborative opportunities for staff to provide technical assistance to Council members during implementation and for members to share challenges, lessons learned and their successes along the way as they are encountered during both restoration planning and implementation.

The RESTORE Act directs the Council to undertake projects and programs, using best available science, to restore and protect natural resources, ecosystems, fisheries, habitats and the economy of the Gulf coast region according to a regional approach. For projects and programs included in the Comprehensive Plan, the RESTORE

Act and implementing Treasury regulations direct the Council to assign primary authority and responsibility for oversight and implementation to a Gulf Coast State or Federal agency represented on the Council.

Investment of Program staff resources in Technical Oversight and Assistance (TOA) activities, in partnership with Grants staff and Council members, assists the Council in meeting the six principal Comprehensive Plan commitments. Conducting TOA post award informs evaluation of performance at both the project level and overall long-term programmatic levels supporting reporting requirements of the Council. The goal of the Program staff involvement in TOA is to meet award monitoring requirements for both the Council-Selected Component and the Oil Spill Impact Component to provide the best possible support to the RESTORE Council members as they implement restoration projects, and to assist with adaptive management of the RESTORE Program to inform future Gulf restoration actions through leveraged technical expertise, science, and partnerships. The following provides a list of TOA activities during FY2022:

- o US Department of Agriculture (USDA) Replacement of Substandard Facilities at the ADEM Coastal Office and Mobile Field Office implementation project. Onsite Visit 4/22/22 in Alabama was for a ribbon cutting ceremony.
- o USDA Natural Resources and Conservation Service (NRCS), Robinson Preserve Wetlands Restoration implementation project. Onsite visit 4/22/22.
- o Florida Department of Environmental Protection (FL DEP), Palm River Restoration Project Phase II, East McKay Bay (implementation). Virtual onsite visit 4/7/22.
- o Department of Commerce, NOAA, Gulf of Mexico Coast Conservation Corps (Gulf Corps) Program project. Onsite visit 9/20/22 was attendance at Gulf Corps “orientation” at the Beckwith Camp in Fairhope, where GulfCorps members shared their work experience.
- o Coastal Protection and Restoration Authority of Louisiana (CPRA), West Grand Terre Beach Nourishment and Stabilization planning project. Onsite visit 4/7/22 was to observe tangible work completed up to that point.
- o CPRA, Paradis Canal Gate implementation project. Onsite visit 7/7/22 was to observe nearly substantial completion of construction of the canal gate.
- o Florida Consortium, Choctawhatchee Bay Estuary Program, Virtual visit 8/5/2022 to discuss the returned performance report and the remaining questions about leveraging and coordination with additional projects in the Choctawhatchee Bay watershed.
- o Mississippi Department of Environmental Quality, Mississippi Sound Estuarine Program. Virtual meeting on February 18, 2022 to discuss progress.
- o Alabama Department of Conservation and Natural Resources, Lillian Park Beach Habitat and Shoreline Protection. Virtual meeting on January 21, 2022 to review milestone progress.
- o Alabama Port Authority, Upper Mobile Beneficial Use Project. Virtual meeting on March 9, 2022 to discuss progress on project milestones.

The [RESTORE Council Grants Management System Portal](#) went live on October 7, 2021. It is not an application in itself, but rather is a landing page with a series of links and an overview of guidance on grants processes. The Council utilizes a two system “unified solution” to Grants Management. The two components of this unified solution are (1) GrantSolutions and (2) PIPER. These two systems are used in tandem for grant and interagency agreement applications, and to perform grant or agreement administrative tasks. The portal page was added to streamline recipient access to guidance and links related to the dual system for grants management. Because this portal does not collect or house records, it does not relate to the Council’s Records Management program.

Metadata Records Library and Information Network (MERLIN) is the RESTORE Council's online metadata records application. MERLIN was launched on March 28, 2019. MERLIN was developed to help award recipients to prepare and submit International Organization for Standardization (ISO) 19115 metadata records that describe

observational data collected as part of RESTORE Council funded activities. The RESTORE Council approved the adoption of the ISO 19115 metadata standard (and the associated series of standards) for Council-funded activities in 2017. The adoption of the ISO standard supports consistency in documenting ecosystem data collected on Council-funded projects, allows for the development of MERLIN to support Council member agencies and their staff, and supports the discoverability of ecosystem data across Council agencies. MERLIN is a tool that facilitates the publication of records that are in a standardized, machine-readable data format, which can be harvested for inclusion in the Data.gov catalog.

The Council's Records Management Program identifies both the MERLIN metadata records and the MERLIN software as agency records and provides NARA-approved disposition schedules for each within the agency's file plans. Copies of published MERLIN metadata records are uploaded to PIPER and become part of an award file, to be retained until they are disposed of per General Record Schedule (GRS) 1.2. Published MERLIN metadata records are transferred to Data.gov.

5.3. Performance Goal 3: Spill Impact Component Performance Excellence

Performance Indicator 3.1:

Programmatic Staff Management of Grants.

1. *The programmatic component of the Council staff review of grant and Interagency Agreement applications for funding under the SEP processes meet timelines established by Council Standard Operating Procedures. This includes review of submissions for best available science and environmental compliance with NEPA and other environmental federal regulations.*
2. *Post-award management and oversight ensures that grants and agreements are on schedule to achieve intended results; **and***

Performance Indicator 3.2:

Compliance Staff Management of Grants.

1. *The grants and compliance component of the Council staff review of grant applications for funding under each state's SEP, meet timelines established by the RESTORE Act, Council Guidelines and the Notice of Funds Availability.*
2. *Post-award management and oversight will be carried out for all grants and Interagency Agreements.*
3. *Pre- and post-award reviews 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, support mitigation of applicable critical risks in the Council Risk Profile and IPERIA, and meet other federal regulatory requirements.*

In addition to the Council-Selected Restoration Component funding, the remaining 30 percent of the Trust Fund under the Council's purview is allocated to the States under the Spill Impact Component, according to a formula established by the Council and implemented through a [regulation](#). These funds are spent according to individual State Expenditure Plans (SEPs) that contribute to the overall economic and ecological recovery of the Gulf. The SEPs must adhere to four basic criteria set forth in the RESTORE Act and are subject to approval by the Council in accordance with those criteria. On December 15, 2015, the Council published the Spill Impact Component regulation, which set forth allocation for each State. These allocations became effective on April 12, 2016, following entry of the Consent Decree.

Over the seven-year period of FY 2016 to FY 2022, a total of \$392.8M has been awarded through the Spill Impact Component. During FY 2022, 15 grants totaling \$79.1M were awarded to Alabama (Table 6; 6 projects; \$30.9M), Florida Gulf Consortium (Table 7; 8 projects, \$24.6M), and Texas (Table 8; 1 program; \$23.7M).

Table 6. State Expenditure Plan funds and list of projects in Alabama approved during FY 2022.

SEP Projects Approved during FY 2022	Award Amount (\$ M)
SEP #10: Bayou La Batre Collection System/Lift Station Upgrades	\$13.2
SEP #29 - Planning Grant to Amend State Expenditure Plan 2021	\$0.27
SEP #24: Storm Water Management Improvements for Toulmin Springs Branch and Gum Tree Branch	\$1.22
SEP #26: Little Lagoon Restoration Project	\$6.18
SEP #4: Auburn University Gulf Coast Engineering Research Station	\$9.27
SEP #3: Expansion of the Orange Beach Wildlife Rehabilitation and Education Center	\$0.72
FY 2022 Total	\$30.86

Table 7. State Expenditure Plan funds and list of projects for the Florida Consortium approved during FY 2022.

SEP Projects Approved during FY 2022	Award Amount (\$ M)
13-1: NW Quadrant Sewer Force Main Project – Construction	\$6.0
18-6: Gulf Shellfish Institute: Applied Research for Shellfish Aquaculture	\$0.35
10-2: Hodges Park Rehabilitation	\$1.08
2-1: Santa Rosa Sound Water Quality Improvement Program – Monitoring	\$0.86
8-1: Wakulla Springshed Water Quality Protection Program - Otter Creek WWTF Construction	\$7.72
3-4: Shoal River Headwaters Protection Program-Phase I Construction	\$1.43
15-1: Port Richey Watershed Stormwater Management Project-Construction	\$5.09
18:1-Manatee River Oyster Restoration	\$2.04
FY 2022 Total	\$24.57

Table 8. State Expenditure Plan funds and project in Texas approved during FY 2022.

SEP Projects Approved during FY 2022	Award Amount (\$ M)
FY22 RESTORE Shoreline & Beach Restoration (BKT 3)	\$23.68

The Spill Impact Component funding through FY 2022 can also be parsed by the Council’s Objectives to identify primary funding priorities (Figure 13). Projects that support the Councils objectives to Restore, enhance and protect habitats (31.3%, \$120.7M) and Restore, improve and protect water resources (28.7%, \$110.5M) account for 60 percent of the SEP funding to date. A total of 31.8 percent of the remaining SEP projects support the following Council objectives: Promote community resilience (15.8%, \$60.8M); Improve science-based decision-making (9.2%, \$35.6M); and economic-related projects (6.8%, \$26.1M).

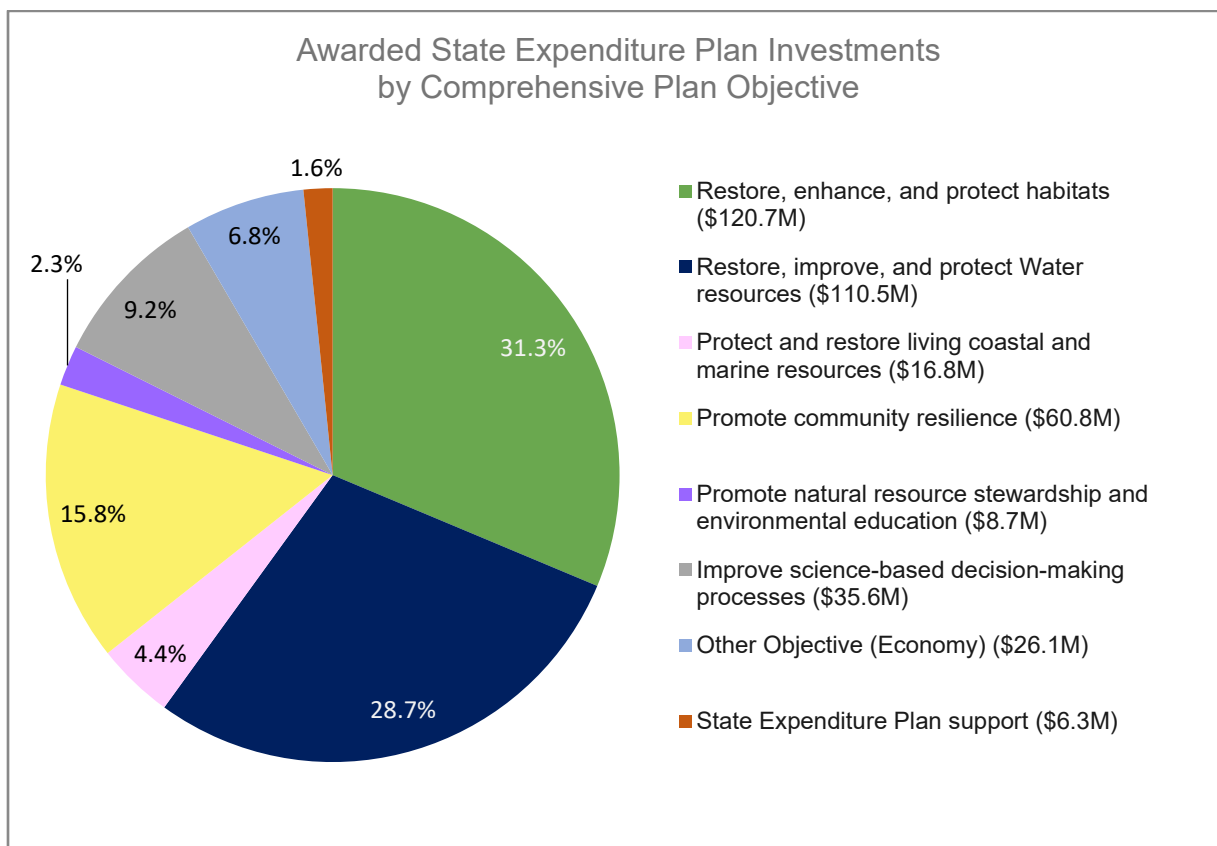


Figure 13. State Expenditure Plans awarded funds by Comprehensive Plan objectives. This figure includes funds awarded to all 5 states as of September, 2022. Note: Unlike for the Council-Selected Restoration Component figures, this figure shows only funds that have actually been awarded to states through grants. State Expenditure Plans may be regularly amended to add, change, or remove projects in order to adapt to changing needs within each state over the lifetime of the program. Therefore, funds for activities approved in SEPs, but not yet awarded to states, are not shown.

Stewardship Goals

The Stewardship Goals respond to the responsibilities of Federal agencies to provide appropriate safeguards in executing mission and service-related activities effectively and efficiently, including minimizing instances of waste, fraud, and abuse (OMB A-11, Section 240).

5.4. Performance Goal 4: Operational Excellence

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 is maintained.

Performance Indicator 4.1:

Effective oversight of Grant and Interagency Agreement post-award cash disbursement processes supports the prevention of improper payments

All grants to state Council members and Interagency Agreements with federal Council members underwent thorough post-award cash disbursement processes for the awards completed during FY2022. All grants and IAAs were reviewed for compliance with all award terms and conditions.

Additional relevant information on financial award tracking and oversight is provided as part of Performance Indicator 2 under Performance Goal 4 – Operational Excellence.

Performance Indicator 4.2:

Grant and IAA drawdowns are compliant with award terms and conditions, and consistent with the progress achieved and milestones met.

The Council is funded in its entirety by the RESTORE Trust Fund and it serves as an expenditure fund to the Trust Fund. It does not receive appropriated funds, and all funding is Category B, mandatory funding. The Council's financial statements reflect the amount of the funds available to and used by the Council. Table 8 shows the Council's trust fund apportionments received in fiscal years 2013-2021. An apportionment is an Office of Management and Budget approved plan on how to spend resources provided by a mandatory appropriation, an annual or supplemental appropriation act, or a continuing resolution, as well as other sources of funding such as a Trust Fund. An apportionment contains the amounts available for obligation and expenditure. It also specifies and limits what obligations and expenditures can be made during specified timeframes. Table 8 shows the Council's trust fund apportionments received in fiscal years 2018 - 2022.

Table 8. Trust Fund Apportionments Received Summary.

Trust Fund Balance (After Sequestration)	Council Selected Administrative Funds (6011)	Council Selected Projects and Programs Funds (6012)	TOTAL COMPREHENSIVE PLAN	SPILL IMPACT (6013)
TRUST FUND DEPOSITS	\$24,704,504	\$798,778,950	\$823,483,454	\$778,686,577
Apportionment FY13 -FY18	6,398,400	202,321,137	208,719,537	99,500,001
Apportionment FY19	1,445,181	10,034,211	11,479,392	94,310,000
Apportionment FY20	1,109,447	34,277,021	35,386,468	185,726,644
Apportionment FY21	1,734,224	146,361,378	148,095,602	73,623,810
Apportionment FY22	1,081,530	6,505,857	7,587,387	274,396,619
Total Apportioned	11,768,782	399,499,604	411,268,386	727,557,074
Balance Available in Trust Fund	\$12,935,722	\$399,279,346	\$412,215,068	\$51,129,503

Apportionment is an Office of Management and Budget-approved plan on how to spend resources provided by a mandatory appropriation, an annual or supplemental appropriation act, or a continuing resolution as well as other sources of funding such as a Trust Fund. An apportionment contains the amounts available for obligation and expenditure. It also specifies and limits what obligations can be done and what expenditures can be made during specified timeframes, for programs, projects, and activities, or any combination of these.

Five-Year Operational Costs Summary

To best serve the communities of the Gulf Coast region, the Council strives to implement the Comprehensive Plan and accomplish the requirements of the RESTORE Act in an effective and efficient manner, at the minimum cost possible in order to maximize the funds available for restoration projects and programs. The Council has managed its fiscal resources through a strategy of incremental growth corresponding to the development of the Council-Selected Restoration Component and Spill Impact Component programs.

Table 9 identifies each fiscal year’s new apportionment for operations, recoveries from prior year obligations, current year and total revenue, funded obligations incurred, the total cost of operations, and carryforward from the prior and current year. Council approval is required for use of carryforward funds if an expense exceeds a certain threshold but has not been included in the approved annual operating budget. In FY 2022, \$1,737,290 in carryforward funds were used to fund interagency agreements for the annual financial audit, procurement, accounting, budget and payroll services, translation services, and GrantSolutions dashboards. In addition, carry-forward funds in the amount of \$161,710 remaining from the \$1.2 million reserved for the Unified Solution (GrantSolutions and PIPER) to replace the Council’s previous electronic grants management system (the Restoration Assistance and Awards Management System) were carried into fiscal year 2022.

Table 9. Year Revenue and Operational Cost History (dollars in millions)

Council Operational Cost History	Carry-forward from PY	New apportionment	Recoveries from PY obligations	Current year trust fund revenue	Total revenue	Funded obligations incurred	Total Cost of Operations	Carry-forward
FY16 -18*	\$4.24	\$15.68	\$0.39	\$20.31	\$20.49	\$14.39	\$14.57	\$5.92
FY19	\$2.60	\$5.79	\$0.01	\$8.41	\$8.43	\$6.62	\$6.78	\$2.23
FY20	\$2.23	\$6.38	\$0.33	\$8.94	\$8.95	\$7.95	\$6.99	\$2.23
FY21	\$2.23	\$7.64	\$0.02	\$9.89	\$8.73	\$7.14	\$7.71	\$1.74
FY22	\$1.74	\$7.55	\$0.08	\$9.36	\$9.33	\$5.94	\$5.94	\$3.81

*Denotes average costs for this time period

In fiscal year 2023 carryforward is planned to be used for Axiom, Admin contract support, and PIPER maintenance. Excess fiscal year 2022 carry- forward funds will be applied to fiscal year 2023 operational requirements in lieu of requesting new funding from the Trust Fund.

Five Year Operational Cost Trends

Operations costs for the Council (Table 10) have consistently increased each year with three primary cost drivers, salaries and benefits costs, travel, and contracts, and agreements for services, including costs associated with the automated grant system. However, the Council follows an incremental approach to financial management and requests funds for only immediate operational needs.

Table 10. Council's operating expenses (obligations) incurred for fiscal year 2018 – 2022 by cost category

Fiscal Year	Salaries and Benefits	Contract and IAAs	Travel	Equipment/ Grant System	Supplies, Printing and Misc.	Rent, Communications Utilities
2018	\$2.998	\$2.184	\$0.210	\$0.022	\$0.028	\$0.006
2019	\$3.513	\$2.783	\$0.280	\$0.019	\$0.015	\$0.011
2020	\$4.188	\$3.415	\$0.119	\$0.204	\$0.007	\$0.012
2021	\$4.049	\$2.866	\$0.025	\$0.131	\$0.006	\$0.061
2022	\$4.277	\$3.044	\$0.082	\$0.190	\$0.024	\$0.058

The Council increases staff commensurate with the maturation of operations. For FY 2022, the number of full-time equivalents (FTE), and Council staff positions increased to 23 FTE. Higher operating expenses in fiscal year 2022 were the result of a 6% increase in salaries and benefits. Travel increased by 228% in FY 2022. This significant increase is the result of travel restrictions for staff being lifted in the aftermath of the Coronavirus

epidemic. In prior years, the COVID-19 pandemic resulted in travel restrictions for the health and safety of the staff.

Contracts and IAA expenses increased by 6% to \$3.044M in FY 2022, largely due to increased personnel and contractor support costs and the transition and implementation of the GrantSolutions system and grant program helpdesk support. Other contractual increases included the biannually funded Senior Environmental Employment Program (SEE) support agreement, and a system upgrade and migration for Web-Based Time and Attendance (WebTA). In FY 2022, expenses were slightly higher (2%) for contracted services associated with administrative, facilities, and information technology. The increase in expenses for IT, printing, and shipping equipment and supplies is due to Council remotely working from home. The Council's equipment costs substantially increase in fiscal year 2022 is primarily attributable.

Administrative Expenses

The RESTORE Act specifies that of the Council-Selected Restoration Component amounts received by the Council, not more than 3% of the funds may be used for administrative expenses, including staff. This is further detailed in the Treasury regulation implementing the Act at 31 CFR §34.204(b), "Limitations on administrative costs and administrative expenses" (as amended September 28, 2016), which provides that "Of the amounts received by the Council under the Comprehensive Plan [Council-Selected Restoration] Component, not more than three percent may be used for administrative expenses. The three percent limit is applied to the amounts it receives under the Comprehensive Plan [Council-Selected Restoration] Component before the termination of the Trust Fund. Amounts used for administrative expenses may not at any time exceed three percent of the total of the amounts received by the Council and the amounts in the Trust Fund that are allocated to, but not yet received by the Council under § 34.103."

The Council worked with OMB to segregate administrative expense funds through the apportionment process. The Treasury regulation implementing the Act at 34 CFR § 34.2 provides the definition of administrative expenses that guides the Council in properly classifying certain expenses as administrative and the remaining categories of expenses as programmatic.

The Council oversees projects and programs during the post-award period. Since the Council will cease operations upon the expenditure of all funds available from the Trust Fund, a long-term forecast for its administrative and operational expenses is developed based on the projected closeout date of all awards. Based on the Consent Decree payment schedule and the projected closeout timeframe for awards, Council operations have been projected through 2042 to ensure that operational costs are managed in a fiscally prudent manner throughout the life of the program. This analysis projects that the cumulative administrative expense will be approximately \$49.2M which is less than the \$49.4M that will be available for such expenses from the aggregate current and future deposits into the Trust Fund (not including accrued interest).

Table 11 shows the funds deposited as of September 30, 2022, for the Council-Selected Restoration component, and the amount of funds available for administrative expenses. The amount apportioned for administrative expenses is well below the amount of administrative funds available in the Trust Fund and is equal to 3% of the total funds apportioned for the Council-Selected Restoration Component. Of the \$828.7M, including interest, deposited into the Trust Fund for the Comprehensive Plan component, \$823.5M was made available. Due to sequestration, \$5.1 million was withheld in FY 2022 but was included in the current deposit amount. Of the \$24.7M available for administrative expenses, \$12.9M remains in the trust fund. Overall, 49% of the available administrative funds have been apportioned which equates to 1.5% of the total available trust funds.

Table 11. Status of 3% Administrative Expense Funds (as of 09/30/2022)

Amount Available	\$828,672,420
Minus Sequestration for 2022	\$5,188,966
Total Amount Available	\$823,483,454
Administrative Expense Funds Available (Total Amount Available x 3%)	\$24,704,504
Minus Total Administrative Funds Apportioned through 2022	\$11,768,782
Balance of Administrative Funds Remaining in the Trust Fund	\$12,935,722

Performance Indicator 4.3:

Applications include relevant and adequate justification for the selection of particular metrics and an adequate proposal for scientific monitoring; and

Performance Indicator 4.4:

Reported Progress toward metrics provides a useful gauge of the success of the project or program. Reports include a description of the methodology for quantifying results for each metric and monitoring the achievement of the metrics.

Over its lifetime, the Council will invest over \$3 billion in Gulf Coast ecosystem and economic restoration activities. These investments will not only advance the Council’s vision of a healthy and productive Gulf ecosystem, but also result in diverse scientific and economic data observations which can be used to demonstrate the benefits of Council investments. The RESTORE Council recognizes the importance of comprehensive planning for the collection and compilation of data that can be compared across projects. Comparable data enables reporting at multiple scales, including project- and program-specific scales, as well as potential future larger-scale assessments across the Gulf. Understanding outcomes and impacts will further help to achieve tangible results and ensure that funds are invested in a meaningful way.

Award Recipients are required to monitor the performance of all projects funded by the Council toward ecosystem restoration. In 2021, the Council updated its [Observational Data Plan \(ODP\) Guidelines](#) to provide guidance to the Council’s grant and IAA recipients on the selection of metrics, parameters, and monitoring methodologies for Council funded activities. The Council has currently identified 61 [performance-level metrics](#) that are organized by the Planning Framework restoration approaches and techniques being implemented by a project or program. These metrics are used to monitor and evaluate the efficacy of projects and programs in meeting the mission goals and objectives of the Council and track annual performance. Based on the Council’s 2019 Submission Guidelines and 2021 ODP Guidelines, metrics selected should be:

- Objective;
- Quantifiable;
- Accompanied by targets (success criteria);
- Consistent across program activities (e.g., water quality benefits);
- Identified in proposals with details provided in application observational data plans; and
- Able to support the goals and objectives of the program or project.

The FPL and SEP projects funded during fiscal years 2016, through 2022 are already achieving results (Table 12). The metric measurements are provided by the Council’s Goals and subset by Objective. To date, Council funds have been used to acquire 8,920 acres of land and restore 2,003 acres of wetlands and 6,410 acres of non-wetland areas, primarily in support of the Council’s goal to Restore and Conserve Habitat. It should be noted that most land acquisition and improved management practices also have direct connection to improving water quality and quantity. Council funds under the Council-Selected Restoration and Spill Impact Components are being used to restore land, marine habitat, and wetlands (8,636 acres) and remove invasive species (1,617 acres) which support the Council’s goal to Restore and Conserve Habitat. Funds invested through the Council-Selected Restoration and Spill Impact Components are also providing support for research and planning, monitoring activities, outreach and education, and providing economic benefits in support of the Council’s goal to Restore and Revitalize the Gulf Economy.

Table 12. Performance-level metrics results from projects funded under the Comprehensive Plan Component and Spill-Impact Component Funding. The information in the table summarizes the accomplishments reported by FPL and SEP activities awarded to date. For each metric measure, the associated primary Comprehensive Plan goal, objective, and Planning Framework Restoration Technique are provided.

Goal: Restore and Conserve Habitat

Objective: Restore, Enhance and Protect Habitat – Technique: Land Acquisition

Metric Measure	Total
Acres acquired in fee	8,920
Miles of shoreline acquired	14.5

Objective: Restore, Enhance and Protect Habitat – Technique: Habitat Management and Stewardship

Metric Measure	Total
Agricultural best management practices (BMPs) - Acres under contracts/agreements	38,302
Removal of invasives - Acres restored	1,617
Habitat restoration (non-wetland) - Acres restored	6,410
Wetland restoration - Acres restored	2,003
Habitat restoration - Acres SAV restored	223

Objective: Restore, Enhance and Protect Habitat – Technique: Substrate placement

Metric Measure	Total
Habitat restoration - Oysters habitat	317

Goal: Restore Water Quality and Quantity

Objective: Restore, Improve and Protect Water Resources – Technique: Agriculture and forest management

Metric Measure	Total
Erosion Control – acres restored to reduce surface and/or stream channel erosion	435

Goal: All

Objective: All – Technique: Planning

Metric Measure	Total
Number of management plans developed	11

Objective: Improve Science-based Decision-Making Processes – Technique: Improve Science-based Decision-Making Processes

Metric Measure	Total
Number of studies used to inform management	47
Number of decision-support tools developed	5

Objective: Improve Science-based Decision-Making Processes – Technique: Increase monitoring capacities

Metric Measure	Total
Number of streams/sites being monitored	447
Acres being monitored	13,437*

Objective: Promote Natural Resource Stewardship and Environmental Education – Technique: Promote Natural Resource Stewardship and Environmental Education

Metric Measure	Total
Number of people enrolled to implement best management practices	356
Number of users engaged online	7,580
Number of participants that successfully completed training	466

Outreach through promoting natural resource stewardship and environmental education is an important component of the Council’s efforts as shown by almost 8M people being reached by outreach, training, or technical assistance activities, while 7,580 users are engaged with online activities. While much of this work is ongoing, at the end of FY 2022, Council funded activities also resulted in the improvement of management practices on at least 38,302 acres through Best Management Practices (BMPs). The Council is also improving science-based decision-making processes by supporting the completion of 47 studies to inform management

and monitoring for 13,437 acres in 447 sites across the Gulf. *Of particular note regarding the number of acres being monitored, Council funds are being used to leverage other monitoring, assessment and data management programs including Louisiana’s 14.6M-acre Adaptive Management Program areas under the overarching umbrella of the System-Wide Assessment and Monitoring Program (SWAMP).

The Council continues to improve its use of ecosystem science, monitoring, and data management to report on the overall success of restoration. As described in the [CMAWG Annual Workplans](#), the Council uses the CMAWG to serve as a forum for the Council to collectively address monitoring and adaptive management topics relevant to multiple Council member agencies, including encouraging compatibility of monitoring and data management procedures used by all members.

Taking advantage of opportunities to build programmatic and science efficiencies, the ODP Guidelines update was collaboratively developed to foster consistency in data collection and management across Gulfwide monitoring efforts. Recommendations were developed in coordination with Gulf restoration funding partners, including the Natural Resources Damage Assessment (NRDA) trustees and the National Fish and Wildlife Foundation (NFWF), and build off of analyses from the 2015 Initial FPL-funded Council Monitoring and Assessment Program. By fostering comparability and compatibility among robust datasets, this work will enable broader assessments of outcomes, support improvements to ecosystem models, and help address the uncertainties related to restoration, which in turn will inform adaptive management and Council decision-making related to investments.

5.5 Performance Goal 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 Indicator 5.1:

Requisite Reports Submitted in Timely Manner

During fiscal year 2021, the Council submitted the following reports in a timely manner, and where appropriate, posted the reports on the Council’s website (www.restorethegulf.gov):

- Annual Performance Plan for FY2024;
- Council’s Annual Financial Report (AFR) for FY2021
- Annual Performance Report for FY2021
- Annual Report to Congress for 2021

Performance Indicator 5.2:

OIG Audit Findings and Recommendations Addressed in a Timely Manner - All Council operations required by the RESTORE Act are monitored and audited by the Department of Treasury OIG, and audit recommendations are promptly implemented

Three Treasury Office of Inspector General (TOIG) audits were completed during FY 2022 with no findings related to financial management in accordance with accounting principles; no deficiencies in internal control over financial reporting considered material weaknesses; and no instances of reportable noncompliance with

laws, regulations, contracts, and grant agreements tested. Similarly, the Council's information security program and practices were found to be effective, and there were no findings under the Payment Integrity Information Act audit. The IPERA Review found that the Council was compliant with all of the applicable requirements set forth in PART IV-A.3 of Appendix C to OMB Circular No. A-123, Requirements for Payment Integrity Improvement (OMB M-18-20) and the Charge Card Assessment found that the overall risk of illegal, improper, or erroneous purchases and payments in the Council's charge card program was low and in the convenience check program was also very low.

The following is a summary of TOIG audits closed during FY 2022 along with a brief summary of findings:

Closed TOIG Audits during FY 2022:

- Management and Performance Challenges for FY 2022 (OIG-CA-22-001) was completed October 8, 2021, noting three challenges: Loss of key leadership from the retirement of the CFO and Executive Director; Federal Statutory and Regulatory Compliance; and Grant and Interagency Agreement Monitoring. The actions resulting from this audit were supporting documentation from RAAMS was uploaded into GrantSolutions for individual awards by the end of FY 2022 along with information compiled on the Agency's Google Drive.
- Information Technology: The Gulf Coast Ecosystem Restoration Council Federal Information Security Modernization Act of 2014 Evaluation Report for Fiscal Year 2022 was completed on August 2022 (OIG-CA-22-018) and found the Council's information security program and practices were effective.
- Payment Integrity Information Act (PIIA) Audit (OIG-22-034) was completed on June 7, 2022, with two findings, including: The Council did not provide payment integrity data to OMB during the annual data call in accordance with OMB A-123 Appendix C and OMB A-136; and The Council did not include Improper Payments in its improper payment risk assessment methodology. In response, the Council stated it will use the findings of the audit report to improve its reporting and compliance with PIAA, and continue to work diligently to comply with the requirements of the law, to adhere to OMB's guidance and to prevent, reduce and recover improper payments in the Council's programs.
- Financial Statement Audit (OIG-CA-23-008) was completed November 16, 2022, and found the financial statements were fairly presented, in all material respects, in accordance with accounting principles generally accepted in the United States of America. Further, no deficiencies in internal control over financial reporting that are considered material weaknesses; and no instances of reportable noncompliance with laws, regulations, contracts, and grant agreements tested.

In addition to the TOIG audits, the Council is also subject to audit and/or testing reviews from other agencies which include the following:

- RC Annual Purchase Card Audit was completed with no findings.

Enterprise Risk Management (ERM)

The Council complies with the requirements of OMB Circular A-123 Management's Responsibility for Enterprise Risk Management (ERM) and Internal Controls, as well as Improper Payments and Elimination and Recovery Act (IPERA), the Uniform Guidance (2 CFR Part 200 - Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards), the President's Management Agenda, etc., as well as internally generated ERM requirements. The Council has established an ERM governance structure that begins with the Council with specific oversight responsibility assigned to the Audit Committee. The Executive Director is delegated

responsibility for implementation and oversight of the ERM program and in turn, has assigned program development and execution responsibilities to the CFO/Director of Administration. The Executive Director has designated the Director of Administration as the agency Chief Risk Officer who is supported directly by a risk management specialist. Risk management and internal controls are managed by staff within finance, budget, IT and the grants and compliance, and internal controls are integrated into all elements of the organization.

The Council has implemented an integrated internal control framework to govern its operations, reporting and compliance and is currently developing its risk mitigation strategies, metrics, performance indicators, monitoring, analytics, communication, and remediation.

In the FY2022 Risk Profile update, the main focus for Enterprise Risk Management (ERM) was the top seven critical risks. Each risk was reviewed and it was determined that effective controls were in place. The Council continues to closely monitor the top seven risks and implement mitigation activities with the continued refinement and development of the Council Post-Award Grant/IAA Monitoring process and continued internal controls testing. The Council's "17 Principles of Internal Control Checklist" was updated in FY21. This annual checklist update is critical to demonstrate how the Council meets the requirements outlined in the Government Accountability Office (GAO) Green Book and Office of Management and Budget (OMB) Circular A123).

Performance Indicator 5.3:

Records are management in accordance with NARA guidelines

Initial development of the GCERC Records Management Program required that policies and procedures were created to include a GCERC Records Management Handbook (RM Handbook) and the GCERC Records Management Standard Operating Policy and Procedures manual (RM SOPP). These materials were developed, submitted to, and approved by GCERC Management; as well as, the National Archives and Records Administration (NARA). GCERC Records Management has drafted and coordinated with the GCERC CIO and NARA a records destruction process that upon finalization will be implemented and the process included in the GCERC RM SOPP and the RM Handbook.

To ensure the understanding of concepts and requirements related to records management, training courses were written and provided to GCERC employees at all hand meetings and records management team meetings. These courses included: Basic Records Management; What is a File Plan; and What is a Records Schedule. In addition, two required annual Records Management online training modules were developed and presented to GCERC staff.

Records retention efforts continued in FY 2022, including implementation of file plans mapping agency records to the General Records Schedule for all functional areas. This effort was accomplished utilizing a team from all functional areas, and a MOU with NARA to ensure compliance with Federal Regulations. The Council has a NARA Records Management Officer Certification as required under 36 CFR 1220 and 44 U.S.C. 2094 and now have an Internal Records Management Team.

Performance Indicator 5.4:

Workforce

- a) *Decisions regarding human resources and HR requirements support the transition from an entrepreneurial start-up operation to a steady-state operational mode.*
- b) *Workforce initiatives support the 21st Century Cross-Agency Priority Goal and its Sub-goals:*
 - a. *Enabling simple and strategic hiring practices,*

- b. Improving employee performance management and engagement, and*
- c. Reskilling and redeploying human capital resources.*

During FY2022, the following workforce-related tasks were completed: Advertisement and hiring of GS 15 Senior Policy Advisory (January 2022); Complete advertising for GS 13 grant specialist; and completed advertising for a GS-14 Senior Advisor (replacing the vacated Science Advisor). A fundamental strategy utilized by the agency to keep staffing at a minimum, including many administrative needs such as human resources support, are outsourced through Memorandum of Understanding (MOU). Due to loss of critical human resource support a new Audit MOU with the Department of Interior enable the Council to continue to hire personnel. Further, in FY2022 an new time and attendance system was implanted which required timely training and follow up to ensure all staff records were accurately transferred. A total of 81 HR-related actions were managed and executed during FY2022, including production of JAAs, PDs, and detaching 3 personnel.

Council management staff maintain a work environment that upholds civil rights standards and ensures that all staff are valued for all their contributions and demonstrating concern for an individual's talents and capabilities, while maintaining a work-life balance. To assist all staff compliance with federal regulations the following trainings were provided during FY2022:

- Two-day in-person meeting and training for all Council staff on April 19 to 21, 2022 with a focus on Relationship and Trust Building;
- Occupational Safety & Health Administration;
- Freedom of Information Act;
- Drug Free Work Place;
- NO FEAR ACT and EEO;
- Ethics Training;
- Time, Attendance and Leave; and
- Telework Fundamentals.

Training opportunities were provided to Council staff through a joint effort with the Small Agency Training program. All training during FY2022 was virtual in nature. The following training opportunities were made available to Council staff:

- Building and Leading High-Performance Teams;
- Leadership skills for Non-managers and aspiring Supervisors;
- Unconscious Bias; Facilitation Skills for Virtual Trainer;
- Conflict Management: Dealing with Disruptive Behaviors; and
- Facilitating Critical Conversations.

Performance Indicator 5.5:

Organizational Risk Assessed and Risk Mitigation Factors Employed

- a) Organizational risk assessment recommendations meet all OMB Circular A-123 requirements; documentation of tactical level risk mitigation activities is completed.*
- b) Administrative and financial policies and procedures are continually reviewed and updated as.*
- c) Enterprise Risk Management practices are more fully integrated into the Agency's day to day decision-making and management practices.*

- d) *Completion of project and program site visits serve as useful tools to provide technical assistance to our recipients while simultaneously mitigating critical risks on the Council's risk profile.*

Grant Recipients Organizational Self-Assessment (OSA) Review

A desk review of the primary grant recipients updated Organizational Self-Assessment's (OSA) was conducted by the Enterprise Risk Management Analyst using the Council's Risk Assessment Tool. In addition to the internal risk assessment tool, external documents such as "Single" Audits, Annual Financial Statement Audits, and/or Consolidated or Comprehensive Annual Financial Reports (CAFR's), State Financial Statements Audits, Office of Inspector General (OIG), General Accounting Office (GAO) Reports or State Auditor Reports, as applicable, were reviewed. Any audit findings, responses to those findings, and corrective action plans will be reviewed and assessed whether they are relevant to the Council grant programs. Based on that review, area(s) of concern will be addressed.

A recipient risk assessment may consider several other factors (which may be in the OSA), including but not limited to:

- Evidence of effective financial and administrative internal control systems to administer grant funds;
- Award complexity and size of award amount with larger award receiving more frequent and detailed monitoring;
- Prior experience administering federal grant awards with added emphasis if an award involves a subrecipient; and
- Checking Excluded Parties List, Do Not Pay, and being aware of any potential conflict of interest.

Using the Council's Risk Assessment Tool, a risk rating is given to each primary grant recipient. If the risk assessment indicates a high potential for financial or organizational risk then a proposed risk mitigation strategy will be developed. Regardless of the risk rating, technical assistance will be provided by the appropriate Council member to help ensure compliance and mitigate risk

IT Management

The Council's IT services and equipment complied with all federal regulations as highlighted in the successful outcome its information security program and practices under the *Federal Information Security Modernization Act of 2014* (FISMA). This includes the Council's information systems security program and practices were assessed as effective for the period July 1, 2021 through March 31, 2022. All federal requirements regarding laptops and cell phones (FISMA, M-21-31 and Executive Order on Improving the Nation's Cyber Security) are being fully addressed. The Council Information Assurance program met Federal Mandates. This included developing and issuing information assurance policy and new requirements were drafted by DHS and OMB. It was determined through the FY22 FISMA audit that the Council's Information Assurance program was effective and met requirements. With increased attention by the federal government on IT security, the Council ensured that IT-based regulations services were being constantly monitored for new IT initiatives to determine how they can impact the Council. This included working with the Programs team in developing data collection and storage solutions for the eODP forms. A critical component of the Council's Records Management System is the integration of internal IT expertise which provided implementation of a new records system to include providing the code base to facility records inventory and records classification.

Post Grant Award Recipient Monitoring

GCERC has the responsibility to monitor activities of a recipient on an ongoing basis throughout the life of an award. Activities are designed to help ensure that funds are being used for authorized, eligible and allowable purposes, that performance/results goals are met, and projects/recipients follow all RESTORE and other applicable federal requirements. Grants Solutions is an electronic grants management system that is used for

the entire life cycle of an award from application to close-out and monitoring. FY21 is the first full year the Council will use Grants Solutions after the transition from RAAMS in FY 20. Grants Solutions and PIPER will be the primary systems of record going forward. Post award reports for financial and program performance, financial desk reviews, site visits, completion of special award conditions and grant award amendments will be utilized to help ensure compliance.

As part of the grants post-award monitoring, staff complete semi-annual financial and progress report reviews and utilize the GCERC Risk Rating Tool to evaluate award-specific risk. In addition, Grants Management Specialists perform project financial drawdown reviews for compliance through site visits and/or desk reviews. The ERM Analyst may randomly select financial draws directly from recipients for review when determined necessary.

To mitigate risk and improve the efficient application of our limited monitoring resources, the Council staff developed and implemented the Grants Monitoring Risk Analysis and Screening Tool in FY20 to evaluate the potential need for additional oversight for each Council award. This tool articulates a number of risk factors that could affect the Council's assistance awards and assigns weights to these risk factors based on likelihood and impact. The tool pulls in available data from the Council's grants and financial systems for each award and collects the assessment of Council grant specialists. The tool provides an overall weighted risk score for each award that facilitates targeted selection of awards for advanced monitoring. For FY23 the Grants Team found a natural cluster of awards and agreements with an overall weighted risk score above 4.5. The team then reviewed these higher risk awards and agreements for additional factors such as, but not limited to, whether they were at the end of the period of performance, whether they had received advanced monitoring in the previous year, any issues that had been identified for the award or the recipient in FY22, and other considerations. The team finalized its list for advanced monitoring based on this analysis (see Table 1).

Award oversight and monitoring must be responsive to evolving program needs, manageable in scope, cognizant of risk factors and strategic in order to be successful and efficient while being in sync with changing project schedules. These oversight interactions serve as collaborative opportunities for staff to provide technical assistance to Council members during implementation and for members to share challenges, lessons learned and their successes along the way as they are encountered during both restoration planning and implementation. Council staff have compiled and routinely update a list of funded awards under the Buckets 2 and 3, which is maintained in a database referred to as the [Master Tracker](#). A tab within the Master Tracker, labeled as Technical Oversight, also serves as another matrix tool to assist staff in forecasting annual needs and opportunities for technical oversight activities. The Technical Oversight tab within the Master Tracker provides a quick overview across projects, identifies the primary Program and Grant staff responsible for oversight for each award, captures relevant dates, and includes consideration factors which can help staff evaluate the need, timing, and method of oversight. The Technical Oversight matrix tab is a living document that is updated as awards are made and as projects progress. Staff retain best professional judgment and discretion to adjust the timing and methods employed for oversight and technical assistance during the year in response to changing project needs, performance, evolving opportunities, and workload.

Beginning in FY22, staff implemented two significant changes to on-going oversight activities.

1. Annual Financial Reporting: A one-year trial period of annual financial reporting was implemented in FY22 with financial reports scheduled to coincide with annual performance reporting for the vast majority of awards. Staff retain discretion to require financial reporting at a more frequent interval for individual awards and consider factors such as the risk rating of the recipient, identified risks associated with subrecipient(s), and project-specific risks in determining the appropriate frequency of reporting. The financial reporting schedule for each award is maintained in GrantSolutions, and schedules are

updated within the notice of grant award document if an amendment to an award is completed. The Executive Director has approved the use of annual financial reporting for FY23 and later years.

2. Mid-year Check-ins. In conjunction with annual financial and performance reporting, Council staff will conduct at least one mid-year check-in call or visit with the recipient for each award to discuss performance progress, expenditures and any potential issues or delays. The mid-year check-ins involve direct communication between recipients and Grants and Programs staff and are expected to result in more meaningful conversations regarding performance of the project or program. The mid-year check-in for an individual award is normally scheduled 6 to 9 months after the submission of the last annual financial and performance reports. However, staff have discretion in scheduling the mid-year check-ins for individual awards. Therefore, these check-in contacts may occur at any time during the annual reporting period. Notes from check-in contacts are recorded in the grant file in GrantSolutions.

Service Goals

The Service Goals speak to the activities that reflect the interaction(s) between individual citizens or businesses and Federal agencies in providing a direct service on behalf of the Federal Government, and which is core to the mission of the agency (OMB A-11, Section 240).

Performance Goal 6: Public Engagement Through Inclusion and Transparency

The Council staff will provide public engagement opportunities that reflect the richness and diversity of the Gulf Coast communities to ensure ongoing public participation in the Council's restoration efforts.

Performance Indicator 6.1:

Strategic engagement with all stakeholders, including the underserved/under-represented Gulf Coast communities through proactive engagement of stakeholders and providing accurately translated materials and interpretation services at public meetings.

In FY 2022, the Council approved the [2022 Comprehensive Plan Update: Restoring the Gulf Coast's Ecosystem and Economy \(2022 Comprehensive Plan Update\)](#) as noted in the Preface, Council-Selected Component Discussion, and Mission Performance Goal 1.2. To better inform the public regarding the nature of the work of the Council and the 2022 Comprehensive Plan, a [Story Map](#) was created on the Council website that provided contextual background on restoring the Gulf of Mexico, background on the Council, a summary of the Comprehensive Plan Update, and interactive maps showing Council projects by restoration approach and by coastal area.

Broad and inclusive public input helps ensure that the Council selects the most effective ecosystem restoration projects and programs. The Council seeks to conduct public engagement activities that reach and serve an array of communities, including under-represented communities and stakeholders across the Gulf. To do this the Council must address varied challenges, including those associated with language barriers and the ability of stakeholders to participate in public meetings. To that end, the Council is committed to the following actions:

- Providing Spanish translations of major Council documents in addition to the ongoing 2 Vietnamese translations. The Council will consider translating any other Council document into Spanish, Vietnamese and/or other languages upon request.

- Providing enhanced virtual access for recorded public webinars on the Council’s website. To facilitate access by non-English speakers, the Council will provide Vietnamese and Spanish subtitles for recorded webinars and translated documents for public meetings. Building on the current Council practice of Vietnamese translations and webinars, this action will be expanded to include Spanish translations in 2022.
- Developing and updating a list of publications and media outlets that serve or otherwise reach underserved communities. The list may be used, for example, to inform such communities of public comment opportunities offered by the Council and its members. The list was compiled in 2021 and will be updated periodically thereafter.