



STATE EXPENDITURE PLAN TEXAS AMENDMENT #2 - 2023



Submitted by: Toby Baker, RESTORE Appointee
& Deputy Chief of Staff, Office of the Governor

Texas Commission on Environmental Quality



Toby Baker, Texas
RESTORE Appointee &
Deputy Chief of Staff/Office
of the Governor



January 17, 2024

Ms. Mary Walker, Executive Director
RESTORE Council
500 Poydras Street, Suite #1117
New Orleans, Louisiana 70113

Subject: Texas SEP Amendment #2 (2023)

Dear Ms. Mary Walker,
As Texas Governor Greg Abbott's designee responsible for implementation of the RESTORE Act in Texas, I am submitting Amendment #2 - 2023 to Texas' initial State Expenditure Plan (TxSEP), approved in 2019.

The requirement to submit a TxSEP and my authority to submit it on behalf of the Governor of Texas is authorized under Section 2, 33 U.S.C., section 1321(t)(3)(B)(iii) of the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012 (RESTORE).

I certify that the TxSEP has been prepared in accordance with the requirements outlined in the *Oil Spill Impact Component: State Expenditure Plan Guidelines*, along with the Updated (2022) Comprehensive Plan.

Our point of contact for the TxSEP is:

Jessica Ham, Grants Specialist/RESTORE
Office of Legal Services/Texas Commission on Environmental Quality
jessica.ham@tceq.texas.gov
512.239.0188

I want to express my thanks for the assistance your staff has provided in preparing this document. We appreciate your consideration and are available to respond to any questions.

Respectfully,

A handwritten signature in black ink, appearing to read "Toby Baker".

Toby Baker
Texas RESTORE Appointee & Deputy Chief of Staff, Office of the Governor

**TEXAS STATE EXPENDITURE PLAN
Amendment #2 -2023**

**Submitted Pursuant to the
Spill Impact Component of the
RESTORE Act
33 U.S.C § 1321(t)(3)**

Table of Contents

Introduction of the Oil Spill Impact Component (Bucket 3)	5
Section I: State Certification	7
Section II. Public Participation Statement	8
Section III. Financial Integrity	8
Section IV. Consistency with Goals and Objectives	11
Section V. Proposed Programmatic Areas in SEP.....	11
Appendix A: Nature-Based Tourism	13
Appendix D: Shoreline and Beach Restoration.....	16

Introduction of the Oil Spill Impact Component (Bucket 3)

The RESTORE Act dedicates 80% of any civil and administrative penalties paid under the Clean Water Act by responsible parties in connection with the Deepwater Horizon oil spill to the Gulf Coast Ecosystem Trust Fund for ecosystem restoration, economic recovery, and tourism promotion in the Gulf Coast Region.

The eligible activities for the Oil Spill Impact Component cover both ecological and economic activities. The RESTORE Act defines eligible activities for which the Oil Spill Impact Component funds may be used. The eligible activities, projects and programs as defined in the 31 C.F.R. §34.203 are:

1. Restoration and protection of the natural resources, ecosystem, fisheries, marine and wildlife habitats, beaches, and coastal wetlands of the Gulf Coast Region
2. Mitigation of damage to fish, wildlife, and natural resources
3. Implementation of a federally approved marine, coastal or comprehensive conservation management plan, including fisheries monitoring
4. Workforce development and job creation
5. Improvements to or on state parks located in coastal areas affected by the Deepwater Horizon Oil Spill
6. Infrastructure projects benefitting the economy or ecological resources, including port infrastructure
7. Coastal flood protection and related infrastructure
8. Planning Assistance
9. Administrative costs
10. Promotion of Tourism in the Gulf Coast Region, including promotion of recreational fishing and
11. Promotion of the consumption of seafood harvested from the Gulf Coast Region.

Amendment #2 -2023 to TCEQ's 2020 amendment #1 approved State Expenditure Plan (SEP) is adjusting the amount of funds authorized for two of the four programmatic areas. Under amendment #1 - 2020 the funds available for the Nature Based Tourism (NBT) program was \$7,830,000 and for the Shoreline and Beach Restoration (SBR) program was \$23,680,000. For proposed amendment #2 - 2023 the funds available for the Nature Based Tourism (NBT) program will increase to \$22,830,000 and the amount for the Shoreline and Beach Restoration (SBR) program will be reduced to \$8,680,000.

In proposed amendment #2 - 2023 TCEQ would transfer \$15,000,000 from the SBR program to the NBT program to address increased costs for the NBT projects to complete their approved scope of work and to help support the subrecipient's management and oversight activities of the NBT program. The scope of work for the NBT program would not change and remain as stated in the approved amendment #1 - 2020. Overall, the amount of funds Texas would be authorized under the proposed SEP amendment #2 - 2023 does not change. The proposed amendment is only transferring funds between two of the four approved Texas SEP programs.

Though two approved programs (Removal of Debris and Restoration of Water Quality & Quantity) continue to have zero funding they remain as part of the initially approved SEP to provide flexibility and enhance any opportunity for future funding consideration, in response to changes in need, readiness and priorities.

Designated State Entity

The Texas Office of the Governor (OOG), is the entity designated under the Oil Spill Impact Component of the RESTORE Act to develop the required State Expenditure Plan. The Office of the Governor appointed Toby Baker, Deputy Chief of Staff (OOG), as the State's RESTORE appointee.

Total Amount of State Expenditure Plan (SEP) Funding to Texas

\$121.5 Million, 7.58% of 30% RESTORE Bucket 3 allocation, pursuant to 40 CFR Part 1800, under the Oil Spill Restoration Impact Allocation Component of the RESTORE Act.

This Texas SEP Allocation

\$31,510,000

Time Period for this Texas SEP

March 1, 2019 - January 31, 2026

Section I: State Certification

I hereby certify that the Texas State Expenditure Plan (SEP), amendment #2 - 2023 takes into consideration the Council's 2022 Comprehensive Plan and is consistent with the goals and objectives of the current Comprehensive Plan adopted by the Council in September 2022. All program components and activities included in the SEP, amendment #2 - 2023, are eligible activities as defined by the RESTORE Act and contribute to the overall economic and ecological recovery of the Gulf Coast. As was the focus of the 2019 approved SEP, amendment #2 - 2023 continues to address the effects of Hurricane Harvey, focusing on hurricane recovery, ecological and economic, as well as resiliency-related programs eligible under the Oil Spill Impact Component of the RESTORE Act (Bucket 3). The programmatic areas were developed in consultation with the Office of the Governor (OOG), as well as the Commission to Rebuild Texas (CRT) established by the Governor to oversee the state's response to Hurricane Harvey. Each programmatic area meets the eligibility requirements for the SEP and have demonstrated primary and secondary purposes for projects that may be selected for the programmatic areas and detail how each of the programmatic areas meet the relevant goals and objectives. Projects chosen for each programmatic area were selected based on compliance with these same eligibility criteria, goals, and objectives. The selection of projects to implement the programmatic areas were based on discussions with the CRT and OOG. The Texas programmatic SEP will further a comprehensive, collaborative, ecological and economic recovery for those areas affected by Hurricane Harvey.

I also hereby certify that any issues crossing Gulf State boundaries have been evaluated to ensure that a comprehensive collaborative ecological and economic recovery is furthered by the State Expenditure Plan; that all projects, programs and activities will be based on the Best Available Science (BAS) as defined in the RESTORE Act, as part of the project grant process; that the SEP has incorporated the public participation process and considered all input received from the public comment process; that the SEP meets the requirement of the SEP Guidelines, and that the projects to be selected for the programmatic areas meet the 25% infrastructure limitation.

Signature of Authorized Senior Official

Toby Baker,
Texas RESTORE Appointee
Deputy Chief of State (OOG)

Date

Section II. Public Participation Statement

In accordance with 31 CFR § 34.503(g), the draft Texas State Expenditure Plan (SEP) amendment 2 - 2023 is being posted for a 45-day public comment period on the Texas [RESTORE website](#).

The initial Texas SEP was approved in 2019 and Amendment #1 was amended and approved, in 2020.

In accordance with 31 CFR § 34.503(g), on September 12, 2023, the Texas SEP Amendment #2 (2023) was posted on the RESTORE the Texas Coast website for public comment. The amendment proposes to transfer funds from one approved Bkt 3/SEP program to another Bkt 3/SEP approved program. The amendment would not increase the amount of Bkt 3 funds (\$31,510,000) included in amendment #1.

During the public comment period, which ended October 27, 2023, TCEQ received thirteen comments on the proposed amendment. Eight comments were supportive of the transfer of funds from the approved Shoreline & Beach Restoration program to the Nature Based Tourism program. There were two comments expressing opposition to the transfer. Three of the comments addressed other issues and did not specifically address the proposed transfer of funds. Given that amendment #2 does not alter the focus of amendment #1, to address the devastating and long-term effects of Hurricane Harvey, these comments were considered not applicable.

In reviewing the comments received, it was determined that no substantive changes were needed to amendment #2, as it was initially proposed and posted for public comment.

Programs and projects that are or will be funded under the Texas SEP continue to be based on consultation with the Office of the Governor (OOG), as well as the Commission to Rebuild Texas (CRT) established by the Governor to oversee the state's response to Hurricane Harvey.

Section III. Financial Integrity

Toby Baker, Texas Governor's appointee to the RESTORE Council, and the TCEQ are committed to maintaining the highest level of fiscal accountability and transparency to assure the public and Congress that funds have been managed appropriately to further the purposes of the RESTORE Act. TCEQ has systems, policies and processes in place for each aspect of fiscal management.

In addition, in June 2023 TCEQ submitted to the U.S. Treasury Department the required 2023 Operational Self-Assessment (OSA). The OSA includes all financial management information required as part of the RESTORE Bucket 3, section 3 of the SEP application and was prepared in accordance with the U.S. Treasury's RESTORE Act guidance requiring that all eligible entities under the Direct Component and the Centers of Excellence Research Grants Program complete an OSA prior to receiving funding and once a year thereafter. The OSA focuses on operational internal control areas and will be used, in part, to assist determining an appropriate compliance monitoring protocol. The OSA requires responses and documentation to show how the agency manages finances, subrecipient management and monitoring, audits, operational and general administrative management and property management.

Internal controls including written policies, procedures, processes, systems and reporting, exist within TCEQ and meet the Standards for Internal Control in the Federal Government (GAO-14- 704G) issued by the U.S. Government Accountability Office ("Green Book"), the

RESTORE Council's Financial Assistance Standard Terms and Conditions, and Title 2 Code of Federal Regulations (CFR) Part 200 Uniform Administrative Requirement, Cost Principles and Audit Requirements for Federal Awards. Examples of compliance are detailed below.

Control Environment and Activities

Internal financial controls included in the TCEQ Operating Policies and Procedures detail compliance procedures and employee roles for Procurement and Contracts, Employee Ethics, Guides for Administrative Procedures and General Procedures.

TCEQ staff are encouraged to take TCEQ Grants Management training towards a certification to assist in understanding all of the agency grant- related processes. TCEQ uses an electronic financial system called the Budget, Accounting and Monitoring System (BAMS) where all financial information is entered and housed on invoicing and payments including a check and audit review for every invoice and supporting documentation submitted for payment. On September 1, 2023, TCEQ will transition from utilizing BAMS to the statewide Centralized Accounting and Payroll/Personnel System (CAPPS) for all financial transactions.

TCEQ also uses an electronic grants management system for routing proposals, applications, amendments, submitting applications, documenting work plans and approving budgets for submission to RESTORE Council staff.

TCEQ incorporates the RESTORE Standard Terms and Conditions into all subrecipient contracts to ensure compliance with 2 CFR 200 and adds additional requirements as necessary or as a result of the risk assessment determinations conducted on each project subrecipient. In addition, Conflict of Interest documentation is included as necessary in subrecipient grant contracts to require the reporting of any actual, apparent, or potential conflicts of interest to assure the agency that there is not a conflict of interest and provide details on what would constitute a conflict.

To prevent conflicts of interest as required by the SEP Guidelines and the Treasury regulations, the TCEQ adheres to the process established in its "Policy to Safeguard Against Conflicts of Interest" document. The agency's "Policy to Safeguard Against Conflicts of Interest" document is incorporated herein by reference. A copy of that document is available from TCEQ upon request. The following is included in the document: "All persons involved in the preparation of RESTORE materials for the State, or in the review and selection of RESTORE awardees, or in the management of grants and contracts funded by or related to RESTORE, must act in the public interest. All such persons should endeavor to pursue a course of conduct that does not raise suspicion among the public. Therefore, they shall avoid acts that are improper or give the appearance of impropriety."

In addition to the above referenced document, TCEQ is governed by the following related Texas State Statutes: Texas Government Code, Chapter 553 [Public Disclosure]; Chapter 572 [Personal Financial Disclosure, Standards of Conduct and Conflict of Interest] including sections 572.01 and 572.051; Chapter 2113 [Use of Appropriated Money]; Chapter 2155 [Purchasing; General Rules and Procedures]; and Chapter 2261 [State Contracting Standards and Oversight], including section 2261.252.

Risk Assessment

Risk Assessments are conducted on subrecipients for each project. These assessments identify, analyze, and determine monitoring levels needed to achieve the state's goals and objectives for RESTORE Act projects. Identified risks and likelihood of occurrence are considered. Identification of workforce compliance, review of financial reports, grant performance history, State of Texas standing with the Texas Comptroller of Public Accounts, 2 CFR 200 requirements, and training certifications in 2 CFR 200 are evaluated. Yearly financial status reports are required. Reports are reviewed by an agency Grant Committee to

determine relevance of findings if any, are incorporated to ensure compliance. Reports of grant compliance are submitted to the Texas Comptroller of Public Accounts office for inclusion into a state database for reference to others.

The TCEQ established process includes determining probable risks associated with any potential subrecipient receiving a grant award under the RESTORE program. TCEQ's process related to monitoring and managing subrecipients is consistent with the requirements in 2 CFR 200.

Prior to submitting a federal application, TCEQ RESTORE program staff completes a Risk Assessment form to determine any risks associated with a potential subrecipient. This completed form is submitted to the TCEQ's Procurement and Contracts section of the Financial Administration Division at the Office of Administrative Services.

The TCEQ RESTORE program staff also completes an Initial Risk Determination form for each potential subrecipient to determine if the potential subrecipient is low risk. Based on the completion of this form, and the gathering of information from the subrecipient's grant history and the Grant Committee review of financial statements, if the RESTORE program staff determines that the potential subrecipient is low risk, the risk assessment is concluded.

However, if the RESTORE program staff determines that the potential subrecipient is not low risk, the following actions can be made in consultation with a TCEQ Procurement and Contracts section and agency Contract Attorneys:

- An award should not be made;
- No further action needed;
- Request more information; or
- Determine that specific items will need to be addressed in the contract between TCEQ and the subrecipient. Some of the items could include additional monitoring and reporting requirements, increased frequency of meetings between the subrecipient and the RESTORE program staff, and an increase in the number of site visits.

All information compiled from the Risk Assessment process is maintained in the appropriate RESTORE program files.

Communication and Information

CAPPS will allow for the adequate processes and procedures to ensure that the agency has relevant, valid, and auditable information as well as appropriate levels of communication. In addition, Procedure Manuals have been developed and are a living document for the TCEQ RESTORE Program to ensure clear direction and procedures from the beginning to the end of a program and/or project.

Monitoring

Monitoring is part of the TCEQ RESTORE Procedure Manuals and is included in the subrecipient contracts. TCEQ Monitoring for RESTORE includes monthly or quarterly progress reports, monthly financial reports with or without invoices, weekly communication with subrecipients, and weekly communication within the RESTORE Program staff to provide updates and discuss potential issues as they may arise. Financial and performance reports are also provided on an annual basis to the RESTORE Council. Any deviation or issues, both positive and negative are reported the RESTORE Council staff as they occur.

Section IV. Consistency with Goals and Objectives

The Texas SEP is consistent with the eligibility requirements in the federal RESTORE Act. SEP Amendment #2 (2023) does not change the Goals and Objectives as stated in SEP Amendment #1 (2020). The RESTORE Act outlines programs and projects eligible to receive Oil Spill Impact Component (Bucket 3) grant funds. To that end, Texas had developed four programmatic areas for this SEP. The programmatic areas comply with the eligibility requirements in the Oil Spill Component of the RESTORE Act (33 U.S.C., section 1321(t)(1)(B)(i)(III)) and the Council's Comprehensive Plan, revised in September 2022. These programmatic areas are consistent with the following goals and objectives:

Goals

- Goal 2: Restore Water Quality
- Goal 3: Replenish and Protect Living Coastal and Marine Resources
- Goal 4: Enhance Community Resilience
- Goal 5: Restore and Revitalize the Gulf Economy

Objectives

- Objective 2: Restore, Improve and Protect Water Resources
- Objective 4: Restore and Enhance Natural Processes and Shoreline
- Objective 5: Promote Community Resilience
- Objective 6: Promote Natural Stewardship and Environmental Education

The four programmatic areas meet the eligibility requirements for the SEP by demonstrating primary and secondary purposes for activities that may be selected for the programmatic areas and detailing how the programmatic areas meet the relevant goals and objectives for each. Activities selected for each programmatic area were selected based on compliance with these same eligibility criteria, goals and objectives.

Section V. Proposed Programmatic Areas in SEP

The appendices provide program details.

- Appendix A: Nature-Based Tourism
- Appendix D: Shoreline and Beach Restoration

V.

Texas State Expenditure Plan								
Applicant Name:		Toby Baker, Deputy Chief of Staff, Office of the Governor, RESTORE Appointee						
	Program Title	Amendment #2 Estimated Cost	Amendment #1 Estimated Cost	Infrastructure (yes/no)	Start Date	End Date	Primary Eligible Activity [number(s) 1-11; see section 4.1.1 of Submittal Guidelines]	Informed by Best Available Science (yes/no)
A	Nature-Based Tourism	\$22,830,000	\$7,830,000	No	09/01/18	01/31/26	10	Yes
B	Removal of Debris and/or Associated Sediment from Creeks Bayous and Other Waterways	\$0	\$0	No	09/01/18	02/28/24	2	Yes
C	Water Quality and Quantity	\$0	\$0	No	09/01/18	02/28/24	1	Yes
D	Shoreline and Beach Restoration	\$8,680,000	\$23,680,000	No	09/01/18	02/28/26	1	Yes
ESTIMATED TOTAL FUNDING CONTRIBUTIONS FOR PROGRAMS		\$31,510,000						

Appendix A: Nature-Based Tourism

Program: Nature-Based Tourism

Description/Summary

This proposed program will support the promotion of tourism in the Gulf Coast region. Working with Governor Abbott's Commission to Rebuild Texas (CRT), the program will identify projects that will provide nature-based tourism and restoration benefits to the local community while providing environmental and ecosystem education and recreation that will encourage action toward a healthier coast.

Activities within this program will focus on providing nature-based tourism educational exhibits, repairing public facilities and conducting debris clean-up to rebuild nature-based tourism. Projects selected under this program may include the restoration of piers, docks, bird viewing towers, eco-tourism, as well as the development of public marinas, boat ramps and park amenities. These projects will benefit both the environment and economy by protecting natural resources in the affected areas, resulting in a positive impact to nature-based tourism.

Need

Hurricane recovery has become a priority as a response to the devastating impacts of Hurricane Harvey which hit the Texas coast on August 25, 2017. As nature-based tourism is one of the largest economic drivers for Texas coastal communities, the rebuilding of tourism is imperative to improving the economy while benefiting the environment. Parks have been severely, and in many cases, completely demolished. Access for recreational fishing has been limited due to destruction of piers, public access points, boat ramps and floating and fixed docks. Where historically birders travel every year to visit the habitat and viewing places have been destroyed. Critical habitat land, birding towers, kiosks, boat ramps, nature trails, pavilions and recreational amenities that usually support the economy of coastal towns are no longer thriving and the need for a robust tourist economy is essential to these coastal communities.

Purpose/Objective

The purpose and objective of this program is to identify and address nature-based tourism needs in the areas where hurricane impacts have negatively affected this once thriving industry. There is a significant need to repair or replace nature-based tourism areas to restore and revitalize the economy and to protect natural resources along the coast.

Location

The selected programs and projects will be conducted in counties that are eligible to receive RESTORE funds and are included in the Hurricane Harvey federal Disaster Declaration for Texas. The counties eligible to receive funds for this program include: Aransas, Brazoria, Calhoun, Chambers, Galveston, Harris, Jackson, Jefferson, Matagorda, Nueces, Orange, Refugio, San Patricio and Victoria.

Additional Information/Eligible Applicants

The following entities are eligible:

- State Agencies
- Political Subdivisions: City, County, or Navigation Districts
- Public Institutions of Higher Education

Focus

The Nature-Based Tourism programmatic area, and the projects that will be implemented under this program, will focus on the overall economy of the Texas coast. This program will provide funds for projects that will promote tourism, thereby benefiting the overall economy. This program and the implemented projects will address environmental and ecological considerations.

RESTORE Act Eligibility

The primary eligible activity for the proposed activities is Promotion of Tourism in the Gulf Coast region, including recreational fishing. Texas will work with Governor Abbott's CRT to identify projects that address this eligible activity. This program and all projects identified for implementation will address nature-based tourism needs and comply with the eligibility requirements in the Oil Spill Component of the RESTORE Act 33 U.S.C., section 1321(t)(3)(B) and the Council's Comprehensive Plan.

Comprehensive Plan Goals and Objectives

This program aligns with the Comprehensive Plan's Goal #5 to Restore and Revitalize the Gulf Economy. The program supports the Objective #6 to Promote Natural Stewardship and Environmental Education.

Major Milestones

- A. Based on approved State Expenditure Plan (SEP), develop, and submit federal application to the RESTORE Council for programmatic area.
- B. Receive grant award from the Council.
- C. Working with CRT, identify projects to be funded through the programmatic area grant award.
- D. Select projects in consultation with the Office of the Governor (OOG).
- E. Develop and submit work plans for identified projects within programmatic area grant.
- F. Receive project approval from RESTORE Council.
- G. Develop grant contracts with project recipients that include activities such as reporting and monitoring requirements, as well as deliverables and timelines.
- H. TCEQ management and oversight of all projects work plans, including compliance with all federal and state grant requirements and evaluation of the programmatic area to measure and convey the success and outcomes at a programmatic level in helping to restore and protect the Gulf Coast region.
- I. Project-related information will be posted on the Texas RESTORE web site.

Success Criteria/Metrics/Outcome

Additional anticipated success criteria and outcomes will be based on the specifics appropriate to each implemented project and general success criteria and outcomes include:

Outcome: Enhanced public access to natural resources for recreational use.

Anticipated Project Success Criteria: The number of recreational access areas restored or developed

Outcome: Increase in visitors to the local community

Anticipated Project Success Criteria: Increase in hotel/motel occupancy

Outcome: Increase in environmental awareness in the community

Anticipated Project Success Criteria: Number of people reached through environmental activities or publications

Monitoring and Evaluation

All implemented projects will be monitored by the success criteria described in this appendix for their effectiveness in improving the economy through the rehabilitation, repair and/or replacement of nature-based tourism areas. Future work plans for individual projects will include the mechanisms subrecipients will employ to monitor individual project outcomes.

Best Available Science

Outstanding fishing, birding, and waterfowl hunting opportunities, as well as family outings to the beach, make the coast the second most popular tourist destination in Texas, keeping the economy strong and creating jobs for both coastal residents and inland workers. Tourists visiting the Texas coast in 2014 spent \$19.7 billion traveling in this region, over \$10.4 million at hotels and motels alone. The Texas coast hosts hundreds of miles of nature tourism opportunities. Through conservation management and nature tourism, coastal communities gain economically while protecting their valued coastal resources. An excellent example of nature tourism, or avitourism, is the Great Texas Coastal Birding Trail, the largest nature trail in the nation, with over 300 birding sites available along the Texas Coast.¹

In a study done in 2013, more than 3,000 fish species have been identified on the Texas coastline. Tourists spend more than \$7.5 billion annually for beaches, bird watching, and fishing². Wildlife tourism generates over \$19 billion in annual spending in the Gulf coast. Recreational fishing counts for the largest share with wildlife watching and hunting following respectively. Texas alone generates over \$5 billion in wildlife tourism.³

Associated best available science will be used to develop each of the project workplans and will be implemented throughout the life of individual projects.

Budget and Funding

Estimated cost of the program activities and amount to be requested from the Oil Spill Impact Component:

Estimated Funds: \$22,830,000

The amount of funds to be allocated for each project will be detailed in the budget in the work plan for that project and submitted to the RESTORE Council for approval. Of the amount of available funds, approximately 10% will be for planning activities and 90% for implementation.

Leveraged Resources

Leverage resources will be dependent on the individual projects; however, TCEQ will take advantage of any and all opportunities to leverage the RESTORE grant funds. Any leveraged funds available for a project will be identified in that project's work plan.

Funds Used as Non-Federal Match

Funds used as a non-federal match will be dependent on the individual implemented projects and will be included in that project's work plan. In all opportunities, TCEQ will look to leverage restoration funding available through other federal funds, as well as grant funds available as a result of the Deepwater Horizon Oil Spill.

¹ Texas General Land Office. (2016) Shoring up the Future for the Texas Coast Report.

² Gulf Intracoastal Waterway. (2013) Texas Freight Advisory Committee.

³ Stokes, Shawn, Marcy Lowe. (2013) Wildlife Tourism and the Gulf Coast Economy., The Environmental Defense Fund.

Appendix D: Shoreline and Beach Restoration

Program: Shoreline and Beach Restoration

Description/Summary

The primary eligible activity this program supports is restoration and protection of natural resources, ecosystems, fisheries, marine and wildlife habitats, beaches and coastal wetlands of the Gulf Coast Region. Projects within this program will focus on erosion, habitat restoration and economic vitality.

This program links to the Restore and Conserve Habitat goal included in the Gulf Coast Ecosystem Restoration Council's Comprehensive Plan ("Plan"). Projects would restore and conserve habitats and support healthy ecosystems through activities such as the restoration of dunes, beaches, marine habitats, living shorelines, shoreline stabilization, breakwaters and the enhancement of wetlands.

The Plan's goal to Restore and Revitalize the Gulf Economy will also be addressed. Projects will support tourism and economic interests and could include activities such as the restoration and conservation of marine habitats for recreational fishing or seafood industry purposes, restoration and enhancement of beaches and dunes, shoreline stabilization for erosion protection, revetment repairs, marsh protection and restoration, beach re-nourishment, habitat restoration and the protection and enhancement of wetlands to enhance the sustainability and resiliency of the Gulf economy.

Need

Hurricane recovery has become a priority due to the devastating impacts of Hurricane Harvey, which hit the Texas coast on August 25, 2017. The average erosion rate along the Texas coast is 4.1 feet per year and this loss was exacerbated by the recent hurricane. Additionally, dunes and other natural barriers that protect both structures (e.g., homes and industry) and sensitive ecological areas from seawater inundation were also damaged or destroyed in the hurricane.

Purpose/Objective

The purpose and objective of this program is to identify and address areas where beach and shoreline restoration can help support healthy ecosystems as well as economic interests.

Location

The selected programs and projects will be conducted in counties that are eligible to receive RESTORE funds and are included in the Hurricane Harvey federal Disaster Declaration for Texas. The counties eligible to receive funds for this program include: Aransas, Brazoria, Calhoun, Chambers, Galveston, Harris, Jackson, Jefferson, Matagorda, Nueces, Orange, Refugio, San Patricio, and Victoria.

Additional Information/Eligible Applicants

The following entities are eligible:

- State Agencies
- Political Subdivisions: City, County, or Navigation Districts
- Public Institutions of Higher Education

Focus

The Shoreline and Beach Restoration programmatic area, and the associated projects implemented under this program, contributes to both the ecological and economic recovery of the Gulf Coast. Texas has hundreds of miles of coastline on the Gulf with significant population and industry. Restoration of beaches and shoreline can increase the health of

those ecosystems, promote tourism, and provide important barriers to protect established development.

RESTORE Act Eligibility

The primary eligible activity for this proposed program under the Spill Impact Component of the RESTORE Act is restoration and protection of the natural resources, ecosystems, fisheries, marine and wildlife habitats, beaches, and coastal wetlands of the Gulf Coast region.

TCEQ will work with Governor Abbott's Commission to Rebuild Texas (CRT), to identify projects that address these eligible activities. This program and all projects identified for implementation will address needs associated with shoreline and beach restoration and comply with the eligibility requirements in the Spill Impact Component of the RESTORE Act 33 U.S.C., Section 1321(t)(3)(B) and the Council's Comprehensive Plan.

Comprehensive Plan Goals and Objectives

This program aligns with the following goals of the Comprehensive Plan:

Goal 3: Replenish and Protect Living Coastal and Marine Resources Goal 4: Enhance Community Resilience

Additionally, the program supports the following objectives of the Comprehensive Plan:

Objective 4: Restore and Enhance Natural Processes and Shorelines

Objective 5: Promote Community Resilience

Major Milestones

- A. Based on approved State Expenditure Plan (SEP), develop, and submit federal application to the RESTORE Council for programmatic area.
- B. Receive grant award from the Council.
- C. Working with CRT, identify projects to be funded through the programmatic area grant award.
- D. Select projects in consultation with the Office of the Governor (OOG).
- E. Develop and submit work plans for identified projects within programmatic area grant.
- F. Receive project approval from RESTORE Council.
- G. Develop grant contracts with project recipients that include activities such as reporting and monitoring requirements, as well as deliverables and timelines.
- H. TCEQ management and oversight of all projects work plans, including compliance with all federal and state grant requirements and evaluation of the programmatic area to measure and convey the success and outcomes at a programmatic level in helping to restore and protect the Gulf Coast region.
- I. Project-related information will be posted on the Texas RESTORE web site.

Success Criteria/Metrics/Outcome

Additional anticipated success criteria and outcomes will be based on the specifics appropriate to each implemented project, but general success criteria and outcomes include: Outcome: Project scope is completed in timely manner.

Anticipated Project Success Criteria: All project milestones are met by required dates including final conclusion of the project.

Outcome: Project scope is completed within budget.

Anticipated Project Success Criteria: The overall expended dollar amount for the project is at or below the budgeted amount while sub-category expenditures are no more than 15% over budgeted amount for that item.

An example of a possible outcome and associated success criteria depending on the particular project is:

Outcome: Shoreline and beaches are restored through habitat restoration and protection.

Anticipated Project Success Criteria/Metric:

- Acres of habitat restored or protected
- Miles of living shoreline installed
- Miles of coastal habitat shoreline restored

Project specific success criteria will be developed as projects under this program are identified.

Monitoring and Evaluation

All implemented projects will be monitored by the success criteria described in this appendix for their effectiveness as well as any specific project appropriate success criteria to ensure results are clearly understood and evaluated. Future work plans for individual projects will include the mechanisms subrecipients will employ to monitor individual project outcomes.

Best Available Science

The average erosion rate for the 367 miles of Texas coast is 4.1 feet per year and sixty-four percent of the Texas coast is eroding at an average rate of about 6 feet per year, with some locations losing more than 30 feet per year.⁴ FEMA estimates that every dollar spent on erosion control and mitigation to preserve wetlands and other natural ecosystems, will provide a return on average of four dollars in cost-savings for the future.⁵ Critical shoreline erosion, habitat loss and environmental degradation problems are also occurring along the GIWW and other navigation channels along the Texas coast.⁶ In addition to the regular environmental and man-made pressures on existing coastal ecosystems and natural structures that protect the coast (e.g., dunes), Hurricane Harvey caused additional and often extensive damage to these same ecosystems and natural structures. In addition to other successful approaches to mitigate such damage, the use and effectiveness of green infrastructure methods to reduce coastal impacts has been well documented.⁷

Associated best available science will be used to develop each of the project work plans and will be implemented throughout the life of individual projects.

Budget and Funding

Estimated cost of the program activities and amount to be requested from the Oil Spill Impact Component:

Estimated Funds: \$8,680,000

The amount of funds to be allocated for each project will be detailed in the budget in the work plan for that project and submitted to the RESTORE Council for approval. Of the amount of available funds, approximately 10% will be for planning activities and 90% for implementation.

Leveraged Resources

Leverage resources will be dependent on the individual projects; however, TCEQ will take advantage of any and all opportunities to leverage the RESTORE grant funds. Any leveraged funds available for a project will be identified in that project's work plan.

⁴ The General Land Office. "Coastal Erosion." Accessed on June 8, 2018. <http://www.glo.texas.gov/coast/coastal-management/coastal-erosion/index.html>

⁵ The General Land Office. "Coastal Erosion." Accessed on June 8, 2018. <http://www.glo.texas.gov/coast/coastal-management/coastal-erosion/index.html>

⁶ The General Land Office. "Texas Coastal Resiliency Master Plan." Accessed on October 11, 2018 <http://www.glo.texas.gov/coastal-grants/projects/files/Master-Plan.pdf>

⁷ NOAA - Office of Coastal Management. "Green Infrastructure Effectiveness Database." Accessed on June 8, 2018. <https://coast.noaa.gov/digitalcoast/training/gi-database.html>

Funds Used as Non-Federal Match

Funds used as a non-federal match will be dependent on the individual implemented projects and will be included in that project's work plan. In all opportunities, TCEQ will look to leverage restoration funding available through other federal funds, as well as grant funds available as a result of the Deepwater Horizon Oil Spill.