



# **RESTORE ACT DIRECT COMPONENT TEXAS MULTIYEAR IMPLEMENTATION PLAN**

**Accepted, December 2017**



Submitted by: Toby Baker, Commissioner  
Texas Commission on Environmental Quality

Bryan W. Shaw, Ph.D., P.E., *Chairman*  
Toby Baker, *Commissioner*  
Jon Niermann, *Commissioner*  
Richard A. Hyde, P.E., *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

October 30, 2017

Laurie McGilvray, Director  
RESTORE Program  
Department of the Treasury  
1500 Pennsylvania Ave., N.W.  
Washington, D.C. 20220

Via email

Dear Ms. McGilvray:

The State of Texas welcomes the opportunity to submit its initial Multi-Year Implementation Plan (MIP). Our attached MIP was developed in accordance with statutory and regulatory requirements governing the RESTORE program established by the federal RESTORE Act.

In submitting our MIP, I would like to convey several significant details. First, the eligible projects/activities list in the matrix is not intended as a ranking that determines the order of when funds will be requested. Rather, after the MIP has been accepted and as Bucket 1 RESTORE funds become available, I, in conjunction with the Office of the Governor and in accordance with all applicable state law governing sub-awards, will decide which federal applications for funding will be submitted. The flexibility to make these decisions is essential to ensure that RESTORE funds are awarded to projects that are most vital at that particular time, can be quickly initiated and reflect the priorities of the state. A certain amount of flexibility in making these determinations is critical in part to address and respond to:

- ever changing challenges;
- weather and other natural disasters that can alter the needs and demands of the coastal area;
- project schedules; and
- timing of when these RESTORE funds become available.

Second, as directed by staff for the Department of Treasury, the start date in the MIP matrix is based on when the total amount of RESTORE funds included in the initial MIP (\$114,165,820) is available. It is important to note that the start date in the MIP does not reflect when federal applications requesting these funds will be submitted, or the actual start date for any of these activities. It is expected that applications will begin to be submitted shortly after Treasury has issued its acceptance of the MIP.

Finally, the state's MIP signifies an investment in projects that have the support of the public, as well as federal, state and local elected officials. It represents the transparent and public efforts that have been taken to ensure that Bucket One of the RESTORE program is implemented in accordance with the best interests of Texas and in full compliance with the law.

Sincerely,

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

Toby Baker  
Commissioner

Enclosure

RESTORE ACT Direct Component Multiyear Plan Matrix — Department of the Treasury										OMB Approval No. 1505-0250
Applicant Name:	Toby Baker, Commissioner, Texas Commission on Environmental Quality									
1. MULTIYEAR PLAN VERSION (INITIAL OR AMENDMENT NUMBER):		Initial	2a. DATE OF INITIAL MULTIYEAR PLAN ACCEPTANCE (mm/dd/yyyy):			N/A				
3. CUMULATIVE DIRECT COMPONENT ALLOCATION AVAILABLE FOR DISTRIBUTION TO APPLICANT:			\$85,575,652.71		4. TOTAL ALLOCATIONS PLUS KNOWN FUNDS NOT YET DEPOSITED IN TRUST FUND FOR DIRCT COMPONENT:				\$371,995,127.20	
5. Primary Eligible Activity	6. Activity Title	7. Location	8. Estimated Total Contributions for Proposed Activity(ies) (refer to instructions)				9. Proposed Start Date mm/dd/yyyy	10. Proposed End Date mm/dd/yyyy	11. Status (refer to instructions)	
			8a. Direct Component Contribution	8b. Other RESTORE Act Contribution	8c. Other Third Party Contribution	8d. Total Contribution				
Restoration and protection of the natural resources, ecosystems, fisheries, marine and wildlife habitats, beaches and coastal wetlands of the Gulf Coast Region	1. Lower San Bernard River Eco System 2. Shamrock Island Restoration 3. Salt Bayou Watershed 4. Galveston Beneficial Dredge	1. Brazoria County  2. Nueces County 3. Jefferson County 4. Galveston County	1. \$10,834,441  2. \$1,571,281 3. \$10,068,441 4. \$9,098,441  \$31,572,604	1. \$0  2. \$0 3. \$350,000 4. \$0  \$350,000	1. \$433,000  2. \$1,416,349 3. \$15,000,000 4. \$38,800,000  \$55,649,349	1. \$11,267,441  2. \$2,987,630 3. \$25,418,441 4. \$47,898,441  \$87,571,953	04/01/2019	03/31/2023	Initial MIP	
Mitigation of damage to fish, wildlife and natural resources	1. Texas Reef Initiative 2. Lavaca River Abandoned Oil Wells 3. Port Lavaca Shoreline Clean-Up and Sediment 4. Removal of Unauthorized Oil and Gas Well Stubs and Associated Material	1. Calhoun and Jefferson counties 2. Jackson County  3. Calhoun County  4. Nueces and Galveston counties	1. \$2,376,021 2. \$868,441  3. \$568,441 4.\$7,018,441  \$10,831,344	\$0     \$0	1. \$0 2. \$0  3. \$0  4. \$4,480,000  \$4,480,000	1. \$2,376,021 2. \$868,441  3. \$568,441 4.\$11,498,441  \$15,311,344	04/01/2019	03/31/2023	Initial MIP	
Promotion of the consumption of seafood harvested from the Gulf Coast Region	1. Protecting and Restoring: Shrimp Fishery Recovery and Improvement Program 2. Gulf Shrimp Consumption, Tourism and Marketing Proposal	1. Coastwide   2. Coastwide	1. \$368,441   2. \$2,345,715  \$2,714,156	\$0     \$0	1. \$0   2. \$855,000  \$855,000	1. \$368,441   2. \$3,200,715  \$3,569,156	04/01/2019	03/31/2023	Initial MIP	
Planning assistance	1. Texas Master Plan for Beneficial Use of Dredged Material	1. Coastwide	1. \$1,568,441   \$1,568,441	1. \$0   \$0	1. \$0   \$0	1. \$1,568,441   \$1,568,441	04/01/2019	03/31/2023	Initial MIP	

RESTORE ACT Direct Component Multiyear Plan Matrix — Department of the Treasury										OMB Approval No. 1505-0250
Applicant Name:		Toby Baker, Commissioner, Texas Commission on Environmental Quality								
1. MULTIYEAR PLAN VERSION (INITIAL OR AMENDMENT NUMBER):		Initial	2a. DATE OF INITIAL MULTIYEAR PLAN ACCEPTANCE (mm/dd/yyyy):			N/A				
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5. Primary Eligible Activity	6. Activity Title	7. Location	8. Estimated Total Contributions for Proposed Activity(ies) (refer to instructions)				9. Proposed Start Date mm/dd/yyyy	10. Proposed End Date mm/dd/yyyy	11. Status (refer to instructions)	
			8a. Direct Component Contribution	8b. Other RESTORE Act Contribution	8c. Other Third Party Contribution	8d. Total Contribution				
Promotion of tourism in the Gulf Coast Region, including promotion of recreational fishing	1. Sea Turtle Education Complex	1. Cameron County	1. \$727,441	1. \$0	1. \$1,879,000	1. \$2,606,441	04/01/2019	03/31/2023	Initial MIP	
	2. E.K. Atwood Park Pavilion Improvements	2. Cameron County	2. \$3,568,441	2. \$0	2. \$3,835,151	2. \$7,403,592				
	3. Padre Balli and Magee Beach Parks	3. Nueces County	3. \$7,568,441	3. \$0	3. \$5,000,000	3. \$12,568,441				
	4. Upper Coast Tourism Marketing & Mobile Wayfinding	4. Chambers, Galveston, Brazoria, Matagorda and Jefferson counties	4. \$417,141	4. \$0	4. \$20,000	4. \$437,141				
	5. Quintana Beach Public Fishing Pier	5. Brazoria County	5. \$1,970,841	5. \$0	5. \$116,304	5. \$2,087,145				
	6. Laguna Madre Boat Ramp & Education, Conservation and Tourism	6. Cameron County	6. \$1,937,731	6. \$0	6. \$533,631	6. \$2,471,362				
	7. Bolivar Peninsula Nature Trail	7. Galveston County	7. \$6,319,444	7. \$0	7. \$1,533,374	7. \$7,852,818				
	8. East End Lagoon Phase I-A	8. Galveston County	8. \$1,479,411	8. \$0	8. \$88,025	8. \$1,567,436				
			\$23,988,891	\$0	\$13,005,485	\$36,994,376				
Coastal flood protection and related infrastructure	1. Town Resaca	1. Cameron County	1. \$4,749,380	1. \$0	1. \$730,000	1. \$5,479,380	04/01/2019	03/31/2023	Initial MIP	
	2. Raymondville Drain Project-Phase 2 Restoration and Flood Control	2. Willacy County	2. \$7,068,441	2. \$0	2. \$23,000,000	2. \$30,068,441				
	3. Texas City Hurricane Protection Levee Repair Phase I	3. Galveston County	3. \$6,597,401	3. \$0	3. \$0	3. \$6,597,401				
	4. Village of Surfside Beach Groin	4. Brazoria County	4. \$6,268,441	4. \$0	4. \$200,000	4. \$6,468,441				
	5. Bay Shore Drive Erosion Mitigation and Shoreline Stabilization	5. Aransas County	5. \$2,468,441	5. \$0	5. \$0	5. \$2,468,441				
			\$27,152,104	\$0	\$23,930,000	\$51,082,104				
Workforce development and job creation	1. Oyster Resource & Recovery	1. Matagorda County	1. \$8,318,441	1. \$0	1. \$0	1. \$8,318,441	04/01/2019	03/31/2023	Initial MIP	
	2. Workforce/Economic Development to Enhance Offshore Energy Systems	2. Harris County	2. \$8,019,839	2. \$0	2. \$0	2. \$8,019,839				
			\$16,338,280	\$0	\$0	\$16,338,280				
	12. ESTIMATED TOTAL FUNDING CONTRIBUTIONS FOR ACTIVITY(IES) (refer to Instructions)		\$114,165,820	\$350,000	\$97,919,834	\$212,435,654	Please note: Grant awards may reflect non-material changes in proposed dates and estimated funding.			
According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 1505-0250. Comments concerning the time required to complete this information collection, including the time to review instructions, search existing data resources, gathering and maintaining the data needed, and completing and reviewing the collection of information, should be directed to the Department of the Treasury, Office of Gulf Coast Restoration, 1500 Pennsylvania Ave., NW, Washington, DC 20220.										



# RESTORE ACT Direct Component Multiyear Plan Narrative

## Department of the Treasury

OMB Approval No. 1505-0250

**Directions: Use this form for the Initial Multiyear Plan and any subsequent amendments to an accepted Multiyear Plan. For amendments, include only new and/or materially modified activities.**

Multiyear Plan Version (Initial or Amendment Number):	Initial
Date of Initial Multiyear Plan Acceptance:	
Date of Last Multiyear Plan Acceptance:	

Eligible Applicant Name:	Toby Baker, Texas Commission on Environmental Quality
Name and Contact Information of the Person to be contacted (POC) on matters concerning this Multiyear Implementation Plan:	
POC Name:	Diane Mazuca
POC Title:	Special Projects Coordinator
POC Email:	diane.mazuca@tceq.texas.gov
POC Phone:	(512) 239-3504

### NARRATIVE DESCRIPTION:

1. A description of each activity, including the need, purpose, objective(s), milestones and location. Include map showing the location of each activity.

This plan includes 26 activities grouped by eligible activities. Activities may also include, but are not limited to, program oversight and management, development, coordination, and execution of the grant award between TCEQ and Treasury and awards between TCEQ and any sub-recipients. Other than the management of all the grant funded activities, the scope of work will be conducted by sub-recipients through a grant contract with the TCEQ.

Please see "Detailed Response" for the remainder of the information on each activity.

2. How the applicant made the multiyear plan available for 45 days for public review and comment, in a manner calculated to obtain broad-based participation from individuals, businesses, Indian tribes, and non-profit organizations, such as through public meetings, presentations in languages other than English, and postings on the Internet. The applicant will need to submit documentation (e.g., a copy of public notices) to demonstrate that it made its multiyear plan available to the public for at least 45 days. In addition, describe how each activity in the multiyear plan was approved after consideration of all meaningful input from the public and submit documentation (e.g., a letter from the applicant's leadership approving submission of the multiyear plan to Treasury or a resolution approving the applicant's multiyear plan).

The public review and comment process is described in the "Detailed Response".

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 1505-0250. Comments concerning the time required to complete this Information collection, including the time to review instructions, search existing data resources, gathering and maintaining the data needed, and completing and reviewing the collection of information, should be directed to the Department of the Treasury, Office of Gulf Coast Restoration, 1500 Pennsylvania Ave., NW, Washington, DC 20220.

3. How each activity included in the applicant's multiyear plan narrative meets all the requirements under the RESTORE Act, including a description of how each activity is eligible for funding based on the geographic location of each activity and how each activity qualifies for at least one of the eligible activities under the RESTORE Act.

Please see the "Detailed Response" for information on how each activity meets criteria of the requirements in the RESTORE Act.

4. Criteria the applicant will use to measure the success of the activities included in the multiyear plan narrative in helping to restore and protect the Gulf Coast Region impacted by the Deepwater Horizon oil spill.

Please see the "Detailed Response" for how the success of each activity will be measured.

5. How the activities included in the multiyear plan narrative were prioritized and list the criteria used to establish the priorities.

An overview of the "Priorities Document" and use of the Request for Grant Applications (RFGA) process is described in the "Detailed Response".

6. If applicable, describe the amount and current status of funding from other sources (e.g., other RESTORE Act contribution, other third party contribution) and provide a description of the specific portion of the project to be funded by the RESTORE Act Direct Component.

The amount and status of funding from sources other than the Direct Component is listed in the "Detailed Response" for each activity, as applicable.



## DETAILED RESPONSE

### RESTORE ACT Direct Component Multiyear Plan Narrative

#### Department of the Treasury

Multiyear Plan Version (Initial or Amendment Number): Initial

Date of Initial Multiyear Plan Acceptance:

Date of Last Multiyear Plan Acceptance:

Eligible Applicant Name: Texas Commission on Environmental Quality

Name and Contact Information of the Person to be contacted (POC) on matters concerning this Multiyear Implementation Plan:

POC Name: Diane Mazuca

POC Title: Special Projects Coordinator

POC Email: [diane.mazuca@tceq.texas.gov](mailto:diane.mazuca@tceq.texas.gov)

POC Phone: (512) 239-3504

#### NARRATIVE DESCRIPTION:

1. A description of each activity, including the need, purpose, objective(s), milestones and location. Include map showing the location of each activity.
3. How each activity included in the applicant's multiyear plan narrative meets all the requirements under the RESTORE Act, including a description of how each activity is eligible for funding based on the geographic location of each activity and how each activity qualifies for at least one of the eligible activities under the RESTORE Act.
4. Criteria the applicant will use to measure the success of the activities included in the multiyear plan narrative in helping to restore and protect the Gulf Coast Region impacted by the Deepwater Horizon oil spill.
6. If applicable, describe the amount and current status of funding from other sources (e.g., other RESTORE Act contribution, other third-party contribution) and provide a description of the specific portion of the project to be funded by the RESTORE Act Direct Component.

#### RESTORATION AND PROTECTION

The Lower San Bernard River Eco System in Brazoria County proposes to restore the historical flow of the San Bernard River to the Gulf of Mexico by dredging the mouth of the San Bernard River that is currently silted in. The objective is to restore and protect the natural resources by allowing the historical flow. This will benefit the threatened and endangered species habitat, essential fish habitat, as well as improve the overall environmental and economic health of the Texas coastal estuary system.



## DETAILED RESPONSE

### Milestones

- Final design & bid documents
- Construction
- Project oversight

Meets Criteria: This activity is located in the coastal zone and is eligible under the restoration and protection criteria. The activity will restore the historical flow to the river and improve regional drainage and water quality. The dredged material will also mitigate coastal erosion.

### Performance Measures

- Improved water quality in the Lower San Bernard River
- Addressed erosion through the beneficial use of dredge material in the beach area
- Benefited to threatened and endangered species and essential fish habitat

Leveraging is anticipated to be distributed across the total cost of the activity. Final determinations on the allocation of these and Direct Component funds will be included in the federal application and will follow compliance with the eligible activity.

- \$433,000: Brazoria County

Shamrock Island Restoration Phase II, located in Nueces County, is a 150-acre island critically important to colonial nesting waterfowl site in Corpus Christi Bay. The island is being reduced in size and function due to shoreline erosion from damaging waves. This erosion further exacerbates the loss of habitat-building sand sources. The objective in Phase II, the final phase, is to provide fill to the north beach site and install a living shoreline to further reduce wave energy and to protect the natural resources and wildlife habitats on the island.

### Milestones

- Approved permit
- Installation of additional fill material and reef balls or gabion baskets at the north breach site
- Project oversight

Meets Criteria: This activity is in the coastal zone and is eligible under the restoration and protection criteria. This activity is critically important as support to colonial nesting waterfowl site, as well as protecting the site from further erosion.

### Performance Measures

- Reduced erosion on the western side of Shamrock Island
- Closed north and south breach sites
- Protected natural resources and wildlife habitat on the island

Leveraging is anticipated to be distributed across the total cost of the activity. Final determinations on the allocation of these and Direct Component funds will be included in the federal application and will comply with the eligible activity.

- \$1,416,349: Texas General Land Office, Shell Oil Company, Coastal Bend Bays and Estuaries Program





## DETAILED RESPONSE

Salt Bayou Watershed, located in Jefferson County, will construct clay berms to create, protect and restore beach/dune, salty prairie, intermediate marsh and submerged aquatic vegetation, as well as limit salt water intrusion into the Texas Chenier Coastal Plain. The objective is to create berms to protect the natural resources, wildlife habitat, beaches, wetlands and the ecosystem in the area.

### Milestones

- Engineering and design
- Procure construction contractor
- Complete construction
- Project oversight

Meets Criteria: This activity is within the coastal zone and is eligible under the restoration and protection criteria. The activity will restore the area and protect the critical natural resource areas from erosion and salt water intrusion.

### Performance Measures

- Miles of restored beach ridge
- Acres of marsh protected from frequent sea water inundation
- Acres of beach/dune habitat restored/enhanced/created

Leveraging is anticipated to be distributed across the total cost of the activity. Final determinations on the allocation of these and Direct Component funds will be included in the federal application and will comply with the eligible activity.

- \$15,350,000: RESTORE Act Council Selected Restoration Component (Bucket 2), National Fish and Wildlife Foundation, Jefferson County, U.S. Fish and Wildlife Service, Texas Parks and Wildlife Foundation, Golden Pass, Sempra Energy and Ducks Unlimited.

Galveston Beneficial Dredge, located in Galveston County, proposes to minimize erosion caused by city storm drains that discharge onto Seawall beaches. The objective is to dredge sand from the ship channel and place it on the beach along Galveston's Seawall, allowing the material to replenish the island's beaches and protect the coast. This activity will restore and protect the natural resources and beaches.

### Milestones

- Environmental compliance
- Engineering and design
- Construction
- Planning activities
- Project oversight

Meets Criteria: This activity is in the coastal zone and is eligible under the restoration and protection criteria. The activity will restore public beaches and protect the coastal erosion and loss of sand.

### Performance Measures

- Increased linear footage of the restored beach
- Decreased erosion



## DETAILED RESPONSE

Leveraging is anticipated to be distributed across the total cost of the activity. Final determinations on the allocation of these and Direct Component funds will be included in the federal application and will comply with the eligible activity.

- \$38,800,000: Local/State contribution; and U.S. Corps of Engineers

### MITIGATION

Texas Reef Initiative, located in Jefferson and Calhoun counties proposes to deploy two additional modules to reef sites (Pass Cavallo, near Port O'Connor and outside of Sabine Pass) for a total of 100 additional acres of new reef habitat. The objective is to improve Texas's tremendously productive marine habitats by constructing reefs to mitigate impacts to fish and wildlife from the structures that were removed.

#### Milestones

- Construction
- Project oversight

Meets Criteria: This activity is in the coastal zone and is eligible under the mitigation of damage to fish, wildlife and natural resources criteria. The newly constructed reefs will restore habitat in areas where structures have been removed and allow for better recreational fishing opportunities will increase tourism.

#### Performance Measures

- Constructed acres of reef habitat

#### Leveraging

- \$0

Lavaca River Abandoned Oil Wells in Jackson County proposes to remove two abandoned oil well heads located in the Lavaca River and along its banks immediately adjacent to sensitive environmental marsh lands. This action will remove dangerous navigation obstructions and mitigate environmental damage from the abandoned oil well heads. The objective is to mitigate the damage and improve marine habitat and provide restoration to natural resources in the area.

#### Milestones

- Approved permits
- Sub-award to Texas Railroad Commission
- Bidding
- Select contractor
- Conduct well plugging and abandonment procedures
- Project oversight

Meets Criteria: This activity is located in the coastal zone and is eligible under the mitigation of damage to fish, wildlife and natural resources criteria. The proposed removals will protect ecosystems, fisheries, marine and wildlife habitats, while lessening an impact on these resources.



## DETAILED RESPONSE

### Performance Measures

- Removed abandoned oil & wells
- Improved affected area to a more natural state
- Addressed threat to public safety

### Leveraging

- \$0

City of Port Lavaca Shoreline Clean up, Debris and Submerged Structures Removal and Sediment Investigations, located in Calhoun County, proposes to mitigate the damage from debris to restore shorelines and bay bottom. The objective is to remove abandoned debris such as old sunken barges and boats, maritime equipment, broken pipelines, navigation markers, and industrial equipment. The removals will provide clean resources for marine habitat and improved water quality of the bay.

### Milestones

- Bidding
- Permits
- Plans and specs
- Debris removal
- Project oversight

Meets Criteria: This activity is in the coastal zone and is eligible under the mitigation of damage to fish, wildlife and natural resources criteria. These activities will enhance the natural resources in the area.

### Performance Measures

- Bay shorelines improved to a natural state
- Amount of debris removed

### Leveraging

- \$0

In Nueces and Galveston counties, Unauthorized Oil & Gas Well Stubs & Associated Material will be removed from Galveston Bay, Bolivar and Corpus Christi Bay. The objective of this action is to eliminate the pollution and navigational threat to critical habitat and mitigate the damages that have negatively impacted the marine environment.

### Milestones

- Site inspection and environmental compliance/review
- Engineering design, scope of work and bid preparation
- Construction award
- Construction and mobilization
- Project oversight

Meets Criteria: This activity is located in the coastal zone and is eligible under the mitigation criteria. It will protect ecosystems, fisheries, marine and wildlife habitats, by lessening an impact on these resources.



## DETAILED RESPONSE

### Performance Measures

- Removal of abandoned oil & wells
- Improved affected area to a more natural state
- Addressed threat to public safety

Leveraging is anticipated to be distributed across the total cost of the activity. Final determinations on the allocation of these and Direct Component funds will be included in the federal application and will comply with the eligible activity.

- \$4,480,000: Texas General Land Office Surface Damage Fund

## SEAFOOD CONSUMPTION

Coastwide outreach and specific programming regarding the public perception of the safe consumption of Texas Gulf shrimp for the purpose of Shrimp Fishery Recovery & Improvement. Efforts and objectives include: expanding the recently developed "Direct to the Consumer" marketing campaign via social media; enhancing existing collaboration with Texas Department of Agriculture (TDA) and other affiliated organizations through participation in marketing events; enhancing education and marketing of locally produced shrimp; developing an educational and marketing shrimp program; and developing a resilience training program for members of the shrimp industry. Efforts are aimed at promoting the consumption of seafood harvested from the Gulf Coast Region.

### Milestones

- Expand marketing campaign on social media
- Develop training program for marketers
- Participate in related coastal events
- Project oversight

Meets Criteria: This activity is located in the coastal zone and is eligible under the promotion of the consumption of seafood criteria. This activity will promote seafood consumption through educational and marketing activities.

### Performance Measures

- Participate in a number of marketing events
- Trained a percentage of industry members

### Leveraging

- \$0

Texas Gulf Shrimp Consumption, Tourism and Marketing Proposal, located coastwide, proposes to develop marketing and tourism strategies that will educate consumers about Texas Gulf shrimp and coastal tourism. The objective is to develop strategies that will promote the consumption of seafood harvested from the Gulf Coast Region.

### Milestones

- Request for proposals
- Marketing strategy





## DETAILED RESPONSE

- Website
- Increase education and tourism efforts
- Conduct benchmark studies
- Project oversight

Meets Criteria: This activity is in the coastal zone and is eligible under the promotion of the consumption of seafood criteria. This activity will promote seafood consumption through the development and implementation of shrimp marketing strategies.

### Performance Measures

- Increased opportunities in the direct sales of Gulf shrimp
- Increased opportunities in the awareness of the shrimp industry in Texas

Leveraging is anticipated to be distributed across the total cost of the activity. Final determinations on the allocation of these and Direct Component funds will be included in the federal application and will be in compliance with the eligible activity.

- \$855,000: Texas Department of Agriculture

## PLANNING

Texas Master Plan for Beneficial Use of Dredged Material, located coast wide, creates a Master Plan for the Beneficial Use of Dredged Material (BU) along the entire Texas Coast and is eligible under the planning assistance for natural resource restoration and protection criteria. Recurrent dredging is required to develop and maintain ship channels that support the Texas economy. The objective is to create a plan that will identify placement area locations where the dredge materials can be deposited.

### Milestones

- Establish beneficial use groups and complete four meetings
- Completion of 60% design and cost estimates and permit applications for eight sites
- Completion of Master Plan and Implementation Guides (one for each of the four coastal regions)
- Project oversight

Meets Criteria: This activity is in the coastal zone and is eligible under the planning assistance for natural resource restoration and protection criteria. The activity will establish a Master Plan for beneficial dredged material.

### Performance Measures

- Completed Master Plan to facilitate the implementation of BUDM projects on the Texas coast
- Completed four regional Implementation Guides
- Completed 60% engineering and design and permitting packages for eight sites

### Leveraging

- \$0



## DETAILED RESPONSE

### TOURISM

A state-of-the-art Sea Turtle Education Complex, including a veterinary clinic, will be constructed in Cameron County. The complex will be the premier sea turtle destination for Texas and create more public support for Kemp's ridley conservation and other Gulf of Mexico sea turtle species. The objective is to construct a facility to increase and promote tourism and to assist in the rehabilitation of sea turtles.

#### Milestones

- Completion of architectural plans for vet clinic
- Bidding and selecting contractor
- Construction
- Project oversight

Meets Criteria: This activity is located in the coastal zone and is eligible under the promotion of tourism and mitigation of damage to fish and wildlife criteria. The Complex will draw tourists to its facility, as well as support conservation of endangered sea turtles and rehabilitate injured turtles.

#### Performance Measures

- Increased attendance at Sea Turtle, Inc. complex
- Increased workforce at complex
- Recovered of endangered sea turtle populations
- Completed construction

Leveraging is anticipated to be distributed across the total cost of the activity. Final determinations on the allocation of these and Direct Component funds will be included in the federal application and will comply with the eligible activity.

- \$1,879,000: Hunt Foundation; Meadows Foundation; Sea Turtle, Inc. Capital Campaign; and City of South Padre Island, Economic Development Corporation

E.K. Atwood Park Pavilion, located in Cameron County at Beach Access No. 5, caters to approximately 500,000 guests per year, out of which, 100,000 use the pavilion. Renovations to the park will create additional parking, improve the facilities and update the pavilion and amenities. The objective is to improve the park to promote and serve the tourism in the area.

#### Milestones

- Planning
- Permitting
- Land acquisition
- Construction of park improvements
- Project oversight

Meets Criteria: This activity is in the coastal zone and is eligible under the tourism criteria. The park expansion and improvements will permit an increase in tourists using the facility.

#### Performance Measures

- Increased visitor numbers



## DETAILED RESPONSE

- Completed construction

Leveraging is anticipated to be distributed across the total cost of the activity. Final determinations on the allocation of these and Direct Component funds will be included in the federal application and will comply with the eligible activity.

- \$3,835,151: Cameron County Parks System

Padre Balli & Magee Beach Parks activities in Nueces County will enhance opportunities for public access and enjoyment of the barrier island natural resources and overall nature tourism to the region. Enhancements include: conservation & restoration of freshwater wetland habitat; multi-use campsites; beach access dune walkovers (board walks); restroom and shower facilities; and a 19-mile hike/bike trail.

### Milestones

- Environmental compliance
- Engineering & design
- Construction
- Project oversight

Meets Criteria: This activity is located in the coastal zone and is eligible under the tourism criteria. Through enhancements to the facility the activity will address the restoration of beaches and coastal wetlands and provide for recreational activities, including fishing which will increase tourism.

### Performance Measures

- Enhanced habitats through wetlands restoration
- Increased accessibility & use of park facilities
- Completed construction

Leveraging is anticipated to be distributed across the total cost of the activity. Final determinations on the allocation of these and Direct Component funds will be included in the federal application and will comply with the eligible activity.

- \$5,000,000: Nueces County Coastal Parks Department; and Certificates of Obligation (municipal bonds)

Upper Coast Tourism Marketing & Mobile Wayfinding proposes to develop and deploy a strategic brand and marketing plan for select tourist destinations in Chambers, Galveston, Brazoria, Matagorda and Jefferson counties. The objectives include a mobile web app that will serve as a guide to potential visitors by developing and deploying activity-specific GPS-based location, wayfinding information and event schedules. The "web app" format will allow for performance measures based on web-based analytics. Digital marketing is important in the tourism marketplace. This project will use that modality to promote tourism in the Texas upper coast.

### Milestones

- Complete marketing research & discovery report
- Complete visual preliminary design presentation of marketing plan & campaign
- Rollout marketing plan implementation



## DETAILED RESPONSE

- Launch mobile app
- Maintain and update mobile app
- Produce annual reports on app's usage
- Project oversight

Meets Criteria: This activity is located in the coastal zone and is eligible under the promotion of tourism criteria. It will provide relevant tourism-related information through a mobile app.

### Performance Measures

- Increased public awareness of the value and attractiveness of the Upper Texas Coast tourist venues
- Increased usage of the mobile web app

Leveraging is anticipated to be distributed across the total cost of the activity. Final determinations on the allocation of these and Direct Component funds will be included in the federal application and will comply with the eligible activity.

- \$20,000: Lone Star Coastal Alliance

Quintana Beach Public Fishing Pier Restoration, located in Brazoria County, proposes to increase tourism through the objectives such as restoring the public fishing pier making it more ADA compliant and more accessible to visitors, students, fisherman, and birdwatchers and enhancing recreational, educational and environmental stewardship/resiliency activities. The restoration will extend the pier 200 feet and construct an additional 150-foot T-head at the end to accommodate more people for a year-round recreational and educational attraction.

### Milestones

- Permitting
- Final Design and Bidding
- Construction
- Project oversight

Meets Criteria: This activity is in the coastal zone and is eligible under the promotion of tourism criteria. This activity will provide additional access to the facility and the extension of the fishing pier will support an increase in the number of people who can participate in recreational fishing.

### Performance Measures

- Increased recreational use
- Increased educational activities and events
- Increased bird, fish, aquatic wildlife activities

Leveraging is anticipated to be distributed across the total cost of the activity. Final determinations on the allocation of these and Direct Component funds will be included in the federal application and will comply with the eligible activity.

- \$116,304: Brazoria County





## DETAILED RESPONSE

Through the acquisition of land, the construction of a new public boat ramp and dedicated public parking at the Laguna Madre Boat Ramp & Education Conservation and Tourism in Cameron County will guarantee public access to the site and assist in the promotion of tourism in South Padre Island. The objective is to upgrade the site to promote tourism and education. The boat ramp will serve as one of three new kayak launch sites and allow for the creation of the integrated "Discover the Laguna Kayak Trail" to further promote public access and tourism to the Laguna Madre. The education component will help reduce boater impacts to sensitive habitats, especially seagrasses, and thereby even help endangered Green Sea Turtles, birds, fish and other species by reducing impacts to ecologically important seagrass habitat.

### Milestones

- Land acquisition
- Permitting and regulatory compliance
- Engineering and design
- Construction
- Implement educational program
- Project oversight

Meets Criteria: This activity is located in the coastal zone and is eligible under the promotion of tourism criteria. This activity will support an increase in both recreational fishing, as well as boating and kayaking.

### Performance Measures

- Increased public access to recreational area & activities
- Increased users of the facilities
- Completed construction

Leveraging is anticipated to be distributed across the total cost of the activity. Final determinations on the allocation of these and Direct Component funds will be included in the federal application and will comply with the eligible activity.

- \$533,631: City of South Padre Island

Located in Galveston, the objective of Bolivar Peninsula Nature Trail is to promote tourism and to connect 13 nature recreation sites. The activity will create, protect and restore habitat, develop visitor facilities, and design and implement a cohesive way-finding system with the goal of promoting tourism in the area.

### Milestones

- Acquire land
- Execute construction, restoration and renovation contract
- Launch Bolivar Nature Trail website
- Construction complete
- Project oversight

Meets Criteria: This activity is located within the coastal zone and is eligible under the promotion of tourism criteria. This activity will increase the opportunities for tourists to enjoy the nature trail.



## DETAILED RESPONSE

### Performance Measures

- Number of acres acquired
- Linear feet of trails and boardwalk created
- Number of visitors at project sites
- Number of hits on the website

Leveraging is anticipated to be distributed across the total cost of the activity. Final determinations on the allocation of these and Direct Component funds will be included in the federal application and will comply with the eligible activity.

- \$1,533,374: TX General Land Office; National Fish and Wildlife Foundation; Wortham Foundation; Texas Parks and Wildlife Department; and private donors.

East End Lagoon Phase I-A, located in Galveston County, proposes to continue the five-phase master plan to develop the site while protecting and restoring natural resources and enhancing the visitor experience. The objective of this activity includes the development of an elevated 2,987 square foot open-air pavilion with tables and benches, restrooms, a 1,374-square foot ADA compliant ramp, parking, signage and interpretive nature trails for the promotion of tourism in the area.

### Milestones

- Planning and procurement
- Construction complete
- Activities communication plan completed
- Project oversight

Meets Criteria: This activity is located within the coastal zone and is eligible under the promotion of tourism criteria. The site development activities will further an increase in tourism.

### Performance Measures

- Increased opportunity in the number of visitors
- Increased opportunity in the number of school groups visiting the park and preserve
- Increased concessions

Leveraging is anticipated to be distributed across the total cost of the activity. Final determinations on the allocation of these and Direct Component funds will be included in the federal application and will comply with the eligible activity.

- \$88,025: Galveston Park Board of Trustees.

## COASTAL FLOOD PROTECTION

Town Resaca Watershed Restoration Project, Phase 1 in Cameron County, proposes to restore wetland, aquatic and riparian habitat in over 86 acres through the removal of over 400,000 cubic yards of sediment that has accumulated due to erosion and urban run-off. The objective is to improve water quality all the way to the Lower Laguna Madre and to improve community resiliency by increasing capacities in the water drainage systems.



## DETAILED RESPONSE

### Milestones

- Environmental compliance
- Engineering & design
- Construction
- Project oversight

Meets Criteria: This activity is in the coastal zone and is eligible under the coastal flood protection criteria. It will improve water quality and protect the economic vitality of the region.

### Performance Measures

- Increased capacity of storm water runoff
- Reduced flooding
- Increased opportunity to restore economic vitality
- Completed construction

Leveraging is anticipated to be distributed across the total cost of the activity. Final determinations on the allocation of these and Direct Component funds will be included in the federal application and will comply with the eligible activity.

- \$730,000: Brownsville Public Utilities Board

Raymondville Drain Project Phase 2 - Restoring Drainage and Flood Control, located in Willacy County, proposes to provide a permanent solution to regional flooding. As such, this project is critical (1) to provide the community resiliency the region needs, (2) to produce economic growth, and (3) to safeguard the environment. The objectives of Phase 2 involve removing obstructions from and cleaning the existing Raymondville Drain. Storm water will be efficiently captured and managed by the drain, thus providing substantive flood control and flood protection to the region.

### Milestones

- Permitting
- Engineering and design
- Bidding
- Construction
- Project oversight

Meets Criteria: This activity is in the coastal zone and is eligible under the coastal flood protection criteria. This activity will improve and increase the water column and create additional water storage capacity.

### Performance Measures

- Reduced damage caused by flooding and surface water
- Reduced damage caused by a storm event
- Provided additional storage capacity

Leveraging is anticipated to be distributed across the total cost of the activity. Final determinations on the allocation of these and Direct Component funds will be included in the federal application and will comply with the eligible activity.



## DETAILED RESPONSE

- \$23,000,000: Hidalgo County Drainage District No. 1

Texas City Hurricane Protection Levee Repair, Phase I, located in Galveston County, will address the most critical deficiency items in the U.S. Corps of Engineers latest inspection report (2012) such as reducing erosion and repairing and completing the tie to the Tide-Gate Stone with riprap. To address the need for this coastal flood protection, the objectives in this Phase 1 is to decrease the risk of hurricane damage to the communities and industries protected by the levee.

### Milestones

- Environmental compliance
- Engineering and design
- Construction activities
- Project oversight

Meets Criteria: This activity is in the coastal zone and is eligible under the coastal flood protection criteria. This activity addresses erosion along the levee.

### Performance Measures

- Corrected identified deficiencies from the 2012 inspection
- Minimize flooding and erosion
- Completed construction

### Leveraging

- \$0

The proposed Village of Surfside Beach Groin, located in Brazoria County, will implement long-term stabilization measures identified through the Surfside Feasibility Study and Groin Alternatives Analysis. This will include the construction of a terminal groin and an angled groin. The groins will stabilize the beach and restore its historical recreational and natural resource value and will protect public infrastructure, utilities and private property as well as provide much needed habitat for fish, shorebirds, nesting turtles, and other wildlife. Construction of the groins, as the main objective, will provide coastal flooding protection to existing infrastructure, private properties and roads.

### Milestones

- Engineering and design
- Construction
- Project oversight

Meets Criteria: This activity is in the coastal zone and is eligible under the coastal flood protection criteria. The public infrastructure and property-related measures will assist in the protection from storm surge flooding and provide for a continued recreational beach.

### Performance Measures

- Reduced erosion using surveys to measure shoreline positions.





## DETAILED RESPONSE

Leveraging is anticipated to be distributed across the total cost of the activity. Final determinations on the allocation of these and Direct Component funds will be included in the federal application and will comply with the eligible activity.

- \$200,000: Texas General Land Office

Bay Shore Drive Erosion Mitigation & Shoreline in Aransas County proposes to construct and repair rock revetments and groins along the Aransas Bay shoreline to protect the public roadway while enhancing marine life habitat and public recreational activities. The objective of the construction of the rock revetments and groins is to provide flood protection to the infrastructure and reduce storm surge damage to properties and roadways.

### Milestones

- Engineering & bid package presentation
- Bidding & contractor selection
- Construction
- Project oversight

Meets Criteria: This activity is in the coastal zone and is eligible under coastal flood protection criteria. The infrastructure will protect against damage from storm surges and maintain a more robust ecosystem.

### Performance Measures

- Reduced threat of erosion and storm surge
- Improved opportunity for a more robust ecosystem
- Completed construction

### Leveraging

- \$0

## WORKFORCE DEVELOPMENT AND JOB CREATION

Oyster Resource & Recovery Center in Matagorda County will be constructed and operated for the purposes outlined below.

- Provide larvae and spat reef restoration and aquaculture
- Partner with academic and research institutions, fisheries agencies, and the commercial industry to create jobs to assist in the restoration and development of new critical oyster reef habitat for promotion of environmental health and sustainability of estuaries
- Bolster economic resilience of coastal communities by long-term improvement of oyster stocks
- The objective is to restore and protect the ecosystem, fisheries and marine habitat and to have a direct and indirect workforce development and job creation impact. It will provide many direct and indirect jobs in areas such as seafood related employment at the wholesale and retail levels, recreational and commercial fishing and various aquaculture possibilities.



## DETAILED RESPONSE

### Milestones

- Hatchery construction
- Hatchery operation
- Restoration initiation
- Aquaculture training program initiation
- Outreach curriculum development and adoption
- Project oversight

Meets Criteria: This activity is in the coastal zone and is eligible under the workforce development/job creation and the restoration and protection criteria. The activity will employ personnel at the Center that support oyster reef restoration, develop research initiatives and construct a hatchery.

### Performance Measures

- Achieved production of 200 million/year oyster hatchery larval by end of Year 3
- Integrated Center with one new oyster reef restoration project per year
- Provided oyster aquaculture training to at least 100 individuals to potentially increase jobs
- Presented numerous outreach and education programs.
- Initiated an oyster growers' association for Texas with links across the U.S encouraging interest in the industry
- Involved at least five commercial oyster fishing companies in activities to show an increase in production and opportunities to related workforce
- Developed a public-private partnership for the opportunity to increase the management of a commercial oyster hatchery
- Completed hatchery construction

### Leveraging

- \$0

Workforce/Economic Development to Enhance Offshore Energy Systems located in Harris County proposes to assist in workforce development and job creation through technology development and workforce training programs that support safety and environmental risk mitigation for offshore oil and gas operations. The objectives of the program will provide early industry-driven direction and will include: training and certification for new and existing technologies and offshore operations; systems integration and new technologies that advance safe and efficient offshore operations; and risk management and assessment to support improved safety for offshore operations.

### Milestones

- Establish training advisory committee
- Develop training program
- Commence training program
- Develop certification program
- Commence continuing education certificate
- Commence risk management program



## DETAILED RESPONSE

- Prepare technology development reports
- Project oversight

Meets Criteria: This activity is located in the coastal zone and is eligible under the workforce development/job creation criteria. The activity will establish training programs to support the employment needs for new and existing associated jobs.

### Performance Measures

- Number of participants in the new training programs
- Succeeded in training course participates in relevant areas of employment
- Number of new jobs directly created and/or existing jobs saved through the training and certification programs
- Developed new technologies associated with offshore operations
- Improved safety operations

### Leveraging

- \$0



## DETAILED RESPONSE

2. How the applicant made the multiyear plan available for 45 days for public review and comment, in a manner calculated to obtain broad-based participation from individuals, businesses, Indian tribes, and non-profit organizations, such as through public meetings, presentations in languages other than English, and postings on the Internet. The applicant will need to submit documentation (e.g., a copy of public notices) to demonstrate that it made its multiyear plan available to the public for at least 45 days. In addition, describe how each activity in the multiyear plan was approved after consideration of all meaningful input from the public and submit documentation (e.g., a letter from the applicant's leadership approving submission of the multiyear plan to Treasury or a resolution approving the applicant's multiyear plan).

Texas secured broad based participation in the development of the state's MIP by using a competitive process to select projects, and soliciting public input at several stages of the process.

More specifically, TCEQ and Commissioner Baker:

- solicited public input from September 2015 through December 2015 on the Priorities Document that was used to evaluate the grant applications;
- conducted Listening Sessions in several cities along the Texas coast prior to soliciting competitive applications;
  - Galveston on September 14, 2015;
  - Beaumont on September 15, 2015;
  - Brownsville on September 28, 2015; and
  - Corpus Christi on September 29, 2015;
- posted a Request for Grant Applications (RFGA) from January 15, 2016 through April 20, 2016 for the public to submit applications for grants;
- conducted grant submission workshops in several cities along the Texas coast;
  - South Padre Island on February 18, 2016;
  - Corpus Christi on February 23, 2016; and
  - Houston on March 3, 2016;
- reviewed applications using subject matter experts from four different state agencies and the Office of Economic Development and Tourism at the Office of the Governor;
- selected a draft list in consultation with staff from the Office of the Governor;
- posted the draft list beginning May 3, 2017 through June 30, 2017 for public review and input; and
- reviewed comments received and modified the draft list to create the list of projects included in this MIP.



## DETAILED RESPONSE

The public notice requesting input on the draft MIP stated that since the final list of activities was still being evaluated and developed, any comments on activities not included in the draft MIP would also be considered in developing the final MIP. Input on the draft MIP was received on 23 of the 26 projects on the draft list, and 2 projects which were submitted in response to the RFGA but not included on the draft list. Input was overwhelmingly positive for projects on the draft list. As a result of considering these input and other factors, TCEQ is adding the Town Resaca Watershed Restoration project (which received approximately 128 positive comments) to the MIP.

Additionally, TCEQ is removing the Texas State Aquarium from the MIP because the work described in the application was completed using other funds. Each of the activities listed in the MIP were included after consideration of all the input received during the public comment period.

A summary of the approximately 1,400 comments received:

- generally, the commenters provided input on a single project, with very few mentioning more than one project;
- the number of comments received in support of a specific project ranged from 426 to less than 5; and
- of the three projects that were on the draft list that did not receive public input, each included significant letters of support from various sources, including elected officials, in its application submitted in response to the RFGA.

Several comments were received addressing specific issues on three of the projects. Two comments were received about the Lower San Bernard River Eco System suggesting that the project does not take into appropriate consideration the impact of the San Bernard silting on the drainage of nearby creeks. The commenters did not oppose the project and the issues presented can be considered and addressed during the application phase of this process. The issues will not affect the overall project goal.

A comment was also received on the Village of Surfside Groin project suggesting that the project as presented will not be a long-term fix for the beach erosion problems and that efforts need to be made to address the relocation of sand deposits of the Brazos River. The overall level of support received and information provided in the application outweighs the opinion of this sole commenter. Also, several of the issues presented can be examined during the application phase.

Finally, one commenter expressed their understanding that the activities associated with the E.K. Atwood Park Pavilion project had been completed. However, based on a review of the application, many activities remain to be implemented and those will be addressed as part of the application.

None of these comments outweighed the strength of the project applications, as well as the overall positive comments received from the public and several elected officials.



## DETAILED RESPONSE

At the Listening Sessions held to secure public input on the Priorities Document, translation services were offered. After considering the nature of the proposed activities and the locations in which they would be performed, TCEQ determined that it was not necessary to provide translations of the draft MIP. TCEQ continues to consider whether additional steps to reach Limited English Proficiency (LEP) persons will be necessary in the process at later stages (for example, by requiring subrecipients to determine whether translations of written materials or translation services in public meetings concerning their projects should be provided). A request for a translation of the draft plan was not received during the public comment period.





## DETAILED RESPONSE

5. How the activities included in the multiyear plan narrative were prioritized and list the criteria used to establish the priorities.

Texas used a public and transparent process to develop a "Priorities Document" that has been used to evaluate grant applications received during the competitive Request of Grant Applications (RFGA) process.

A work group consisting of representatives from several Texas state agencies, as well as the Office of Governor, crafted an initial draft of the "Priorities Document" based on the eligibility requirements provided in the RESTORE Act. The document includes narrative descriptions of the criteria that will be emphasized to evaluate a grant application, as well as a quantitative value for those areas. Commissioner Baker, as the Governor's appointee to the RESTORE Council and responsible for RESTORE-related duties for Texas, reviewed the document and finalized a draft for posting for public comment.

The "Priorities Document" was posted on the web site established to convey information on RESTORE-related activities, [www.restorethetexascoast.org](http://www.restorethetexascoast.org). In addition, Commissioner Baker hosted Listening Sessions in three Texas Gulf Coast cities to both inform the public of activities associated with Texas' implementation of the RESTORE Act and to receive both verbal and written comments on the "Priorities Document." Comments received at the Listening Sessions and through the web site posting were reviewed and considered in developing the final "Priorities Document." The final version of the document was posted as a standalone document on the web site. The "Priorities Document" was included in the posted RFGA to provide guidance to those developing applications on the criteria to be used in evaluating applications to determine what activities will be considered for inclusion in the MIP and ultimately to receive grant funds. It was used to select the activities included in this MIP and will ultimately be used to select and prioritize activities from the MIP for funding.

### ***PRIORITIES FOR RESTORE FUNDED PROJECTS***

#### **A. ECONOMIC BENEFITS**

25 Points

- Job Creation and Retention
- Benefits Economy through Infrastructure Projects
- Promotes Economic Resiliency
- Beneficial Impacts to Local & Regional Economy
- Promotes Tourism, Eco-Tourism, Recreation & Wildlife Tourism
- Promotes Gulf Seafood Marketing

#### **B. ENVIRONMENTAL BENEFITS**

25 Points

- Restores, Conserves & Preserves Habitat
- Protects or Enhances Rare and Threatened Resources
- Replenishes & Protects Living Coastal & Marine Resources
- Restores & Protects Water Quality and Quantity
- Contributes to Landscape Level Environmental Enhancement



## DETAILED RESPONSE

### C. COMPREHENSIVE FACTORS

20 Points

- Complements Other Projects
- Promotes Community Resiliency
- Promotes Ecological Resiliency
- Part of a Federal, State or Local Coastal Plan
- Promotes Recreational, Historical, Cultural & Educational Uses

### D. PROJECT LOGISTICS

20 Points

- Project Readiness & Planning
- Likelihood of Success
- Long-term Operation & Management
- Success Criteria & Monitoring
- Based on Best Available Science
- Cost-Effectiveness

### E. COMMUNITY ENGAGEMENT

20 Points

- Public Support & Participation
- Financial Partners & Funding

### DISCRETIONARY AUTHORITY

The final project application rankings are compiled and submitted to the Governor and/or his designee for review and final approval. The Governor or his designee may make changes to the project rankings upon consideration of other discretionary factors related to protecting, preserving, restoring, or enhancing the natural and economic resources of the Texas coast.

Following a review and discussion of the public comments received in response to the posting of the draft MIP, Commissioner Baker, in conjunction with the Office of the Governor (OOG), used the Discretionary Authority described above to finalize the list of projects that are included in the MIP. In reviewing the input received, which was primarily in support of specific projects that were on the draft list, the projects were selected to ensure benefits to the Texas Gulf coast, as well as promote economic growth. The projects included in the MIP directly affect twelve of the eighteen RESTORE eligible counties. Also, three of the projects are conducting coastwide activities.

The MIP also reflects a strong desire to fund projects in this initial round of Bucket One funding that have a strong economic component in addition to ecological restoration. There is a limited amount of *Deepwater Horizon* money that can be used to improve the economic stability of coastal counties: unlike other Deepwater Horizon-related funding streams—such as NRDA, NFWF, and even Bucket Two funds under RESTORE—Bucket One funds may be used for coastal economic development. Therefore, the projects selected for the MIP have a significant economic benefit to coastal communities, while promoting ecologically friendly economic growth. Many of these projects also support ecosystem restoration that build local workforce capacity.



## DETAILED RESPONSE

The use of this Discretionary Authority will also provide needed flexibility when funding MIP projects as funds become available. Flexibility is critical in part to address and respond to:

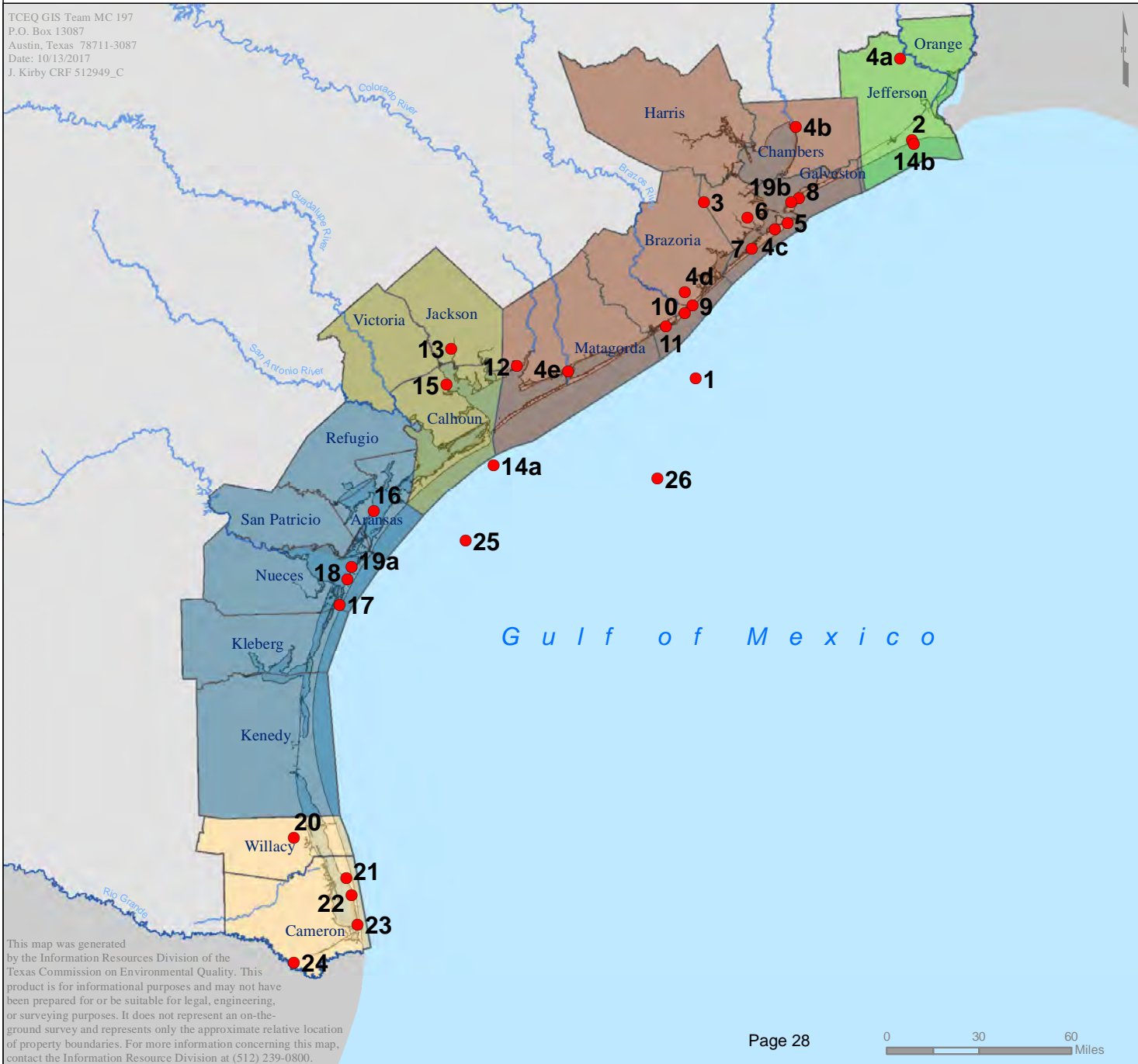
- ever changing situations;
- weather and other natural disasters that can alter the needs and demands of the coastal area;
- project schedules (need to begin or availability of other funding et.al.); and
- when these RESTORE funds become available.

This MIP invests in projects that have the support of the public and elected officials. It demonstrates the transparent and public efforts that have been taken to ensure that Bucket One of the RESTORE program is implemented in accordance with the best interests of Texas and in full compliance with the law.

# RESTORE Act Projects



TCEQ GIS Team MC 197  
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Date: 10/13/2017  
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ID	Project
1	Texas Master Plan for Beneficial Use of Dredged Material
2	Salt Bayou Watershed
3	Workforce and Economic Development to Enhance Offshore Energy Systems
4a-4e	Upper Texas Coast Tourism Marketing & Mobile Wayfinding App
5	East End Lagoon Phase 1-A
6	Texas City Hurricane Protection Levee Repair
7	Galveston Beneficial Dredge
8	Bolivar Peninsula Nature Trail
9	Village of Surfside Beach Groin
10	Quintana Beach Public Fishing Pier Restoration
11	Lower San Bernard Ecosystem Restoration
12	Oyster Resource and Recovery Center
13	Lavaca River Abandoned Oil Well
14a-14b	Texas Reef Initiative - Sabine and Port O'Connor Sites
15	City of Port Lavaca Shoreline Clean up, Debris and Submerged Structures Removal and Sediment Investigations
16	Bay Shore Drive Erosion Mitigation and Shoreline Stabilization
17	Padre Balli and I.B. Magee Beach Parks Restoration and Recreational Access
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20	Raymondville Drain Phase 2 - Restoring Drainage and Flood Control
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23	Laguna Madre Area
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25	Texas Shrimp Fishery Recovery and Improvement Program
26	Texas Gulf Shrimp Consumption, Tourism and Marketing Proposal

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#### Miscellaneous Document Submission

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Liaison: Derek Baxter

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# TEXAS REGISTER

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School children's artwork is used to decorate the front cover and blank filler pages of the *Texas Register*. Teachers throughout the state submit the drawings for students in grades K-12. The drawings dress up the otherwise gray pages of the *Texas Register* and introduce students to this obscure but important facet of state government.

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Austin, Texas 78701

The purpose of the hearing will be to consider the Executive Director's Preliminary Report and Petition mailed February 7, 2017 concerning assessing administrative penalties against and requiring certain actions of TAAS Corporation, for violations in Tarrant County, Texas, of: Texas Water Code §26.3475(a) and 30 Texas Admin. Code §334.50(b)(2).

The hearing will allow TAAS Corporation, the Executive Director, and the Commission's Public Interest Counsel to present evidence on whether a violation has occurred, whether an administrative penalty should be assessed, and the amount of such penalty, if any. The first convened session of the hearing will be to establish jurisdiction, afford TAAS Corporation, the Executive Director of the Commission, and the Commission's Public Interest Counsel an opportunity to negotiate and to establish a discovery and procedural schedule for an evidentiary hearing. Unless agreed to by all parties in attendance at the preliminary hearing, an evidentiary hearing will not be held on the date of this preliminary hearing. Upon failure of TAAS Corporation to appear at the preliminary hearing or evidentiary hearing, the factual allegations in the notice will be deemed admitted as true, and the relief sought in the notice of hearing may be granted by default. The specific allegations included in the notice are those set forth in the Executive Director's Preliminary Report and Petition, attached hereto and incorporated herein for all purposes. TAAS Corporation, the Executive Director of the Commission, and the Commission's Public Interest Counsel are the only designated parties to this proceeding.

Legal Authority: Texas Water Code §7.054, Texas Water Code chs. 7 and 26, and 30 Texas Admin. Code chs. 70 and 334; Texas Water Code §7.058, and the Rules of Procedure of the Texas Commission on Environmental Quality and the State Office of Administrative Hearings, including 30 Texas Admin. Code §§70.108 and 70.109 and ch. 80, and 1 Texas Admin. Code ch. 155.

Further information regarding this hearing may be obtained by contacting Jess Robinson, Staff Attorney, Texas Commission on Environmental Quality, Litigation Division, Mail Code 175, P.O. Box 13087, Austin, Texas 78711-3087, telephone (512) 239-3400. Information concerning your participation in this hearing may be obtained by contacting Vic McWherter, Public Interest Counsel, Mail Code 103, at the same P. O. Box address given above, or by telephone at (512) 239-6363.

Any document filed prior to the hearing must be filed with TCEQ's Office of the Chief Clerk and SOAH. Documents filed with the Office of the Chief Clerk may be filed electronically at <http://www.tceq.texas.gov/goto/eFilings> or sent to the following address: TCEQ Office of the Chief Clerk, Mail Code 105, P.O. Box 13087, Austin, Texas 78711-3087. Documents filed with SOAH may be filed via fax at (512) 322-2061 or sent to the following address: SOAH, 300 West 15th Street, Suite 504, Austin, Texas 78701. When contacting the Commission or SOAH regarding this matter, reference the SOAH docket number given at the top of this notice.

In accordance with 1 Texas Admin. Code §155.401(a), Notice of Hearing, "Parties that are not represented by an attorney may obtain information regarding contested case hearings on the public website of the State Office of Administrative Hearings at [www.soah.texas.gov](http://www.soah.texas.gov), or in printed format upon request to SOAH."

Persons who need special accommodations at the hearing should call the SOAH Docketing Department at (512) 475-3445, at least one week before the hearing.

TRD-201701778

Bridget C. Bohac  
Chief Clerk  
Texas Commission on Environmental Quality  
Filed: May 3, 2017



## Notice of Public Input Period on the Draft of Texas's Multi-Year Implementation Plan

Toby Baker, Commissioner of the Texas Commission on Environmental Quality (TCEQ), announces the opportunity for the public to provide input on Texas' draft Multi-Year Implementation Plan (MIP) to secure funds under the Direct Component (Bucket 1) section of the federal RESTORE Act.

In response to the Deepwater Horizon (DWH) oil spill, the federal RESTORE Act was signed into law in 2012. The RESTORE Act establishes a regional approach to restore the long-term environmental health of the Gulf Coast region and to facilitate its economic development.

The RESTORE Act dedicates 80% of any civil and administrative penalties paid under the Clean Water Act by responsible parties in connection with the DWH oil spill. Those funds are deposited to the federal Gulf Coast Restoration Trust Fund (RESTORE Trust Fund) to be used for ecosystem restoration, economic recovery, and tourism promotion in the Gulf Coast region. These funds are available to the Gulf Coast area, including the state of Texas.

In his capacity as TCEQ Commissioner, Toby Baker was appointed by the Governor to perform RESTORE-related duties for Texas, including representing the state on the federal RESTORE Council. TCEQ, on behalf of the Governor and Commissioner Baker, is tasked with assisting in the implementation of the federal RESTORE Act in Texas.

The RESTORE Act establishes several grant programs to benefit the Gulf Coast region. To acquire federal RESTORE funds under the Direct Component (Bucket 1) section of the RESTORE Act, the state is required to develop a MIP that includes specific activities to be implemented in the coastal area.

The draft MIP was developed as part of a competitive process that began with the publication of a Request for Grant Applications (RFGA) in 2016. The over 200 applications that were submitted were reviewed and scored by a review team consisting of four state agencies and the Office of the Governor. For the next step in the continuing competitive process, Commissioner Baker, in consultation with the Governor, developed the draft list of activities included in the draft MIP.

Prior to finalizing the MIP for submission to the United States Treasury, a draft MIP must be published for a 45-day public input period. This request for public input is the next stage in the on-going evaluation process to determine activities for inclusion in Texas' MIP, as well as the final determination of what will be applied for funding and ultimately what will receive funding through grant contracts with the TCEQ. Due to ongoing payments into the RESTORE Trust Fund, the total funding available under the Direct Component (Bucket 1) grant program now exceeds the \$56 million originally identified in the RFGA. However, the total cost of activities included in the draft MIP is greater than the total available. Eligibility for funding requires that activities directly benefit the coastal area and address ecosystem restoration, economic development and/or tourism.

The draft MIP, posted at Texas' RESTORE website <http://www.restorethetexascoast.org/>, includes the following federally required documents:



\* a matrix providing general information on activities considered for inclusion in MIP, including costs to implement the activities and the state's cost to manage the grants;

\* a narrative describing elements of the activities considered for inclusion in the MIP, as well as general information on the review and selection process being employed;

\* a map showing the location of the activities that are being considered for inclusion in the MIP; and

\* for reference, a draft Project List of activities being considered for inclusion in the MIP.

Since the final list of activities is still being evaluated and developed, comments on activities not included in the draft MIP will also be considered in developing the final MIP that will be submitted to the United States Treasury for acceptance.

Written comments on the draft MIP should be submitted electronically no later than 5:00 p.m. central time on June 26, 2017, to [rcments@tceq.texas.gov](mailto:rcments@tceq.texas.gov).

TRD-201701758

Beth West for David Timberger

Director, General Law Division

Texas Commission on Environmental Quality

Filed: May 1, 2017



#### Notice of the Availability of the Draft 2017 Texas Nonpoint Source Management Program Update

The Texas Nonpoint Source Management Program (Management Program) is the State's comprehensive strategy to protect and restore water quality in waterbodies impacted by nonpoint sources of water pollution. The Management Program is required under federal Clean Water Act (CWA), §319(b). The Management Program is jointly administered by the Texas Commission on Environmental Quality (TCEQ) and the Texas State Soil and Water Conservation Board (TSSWCB). The State must have a federally-approved Management Program in order to continue receiving federal CWA, §319(h) grant monies from the United States Environmental Protection Agency (EPA).

The Management Program was last updated and submitted to EPA in July 2012 and must now be updated and revised. The TCEQ and the TSSWCB request your review and comments on the draft 2017 Management Program.

This draft document has been jointly developed by staff of the TCEQ and TSSWCB consistent with regulatory guidance to satisfy requirements of the federal CWA. The document incorporates EPA's eight components of an effective program; establishes long and short-term goals for the program; provides for the coordination of nonpoint source related programs and activities conducted by federal, state, regional, and local entities; and prioritizes assessment, planning, and implementation activities in priority watersheds and aquifers.

The TCEQ and TSSWCB are requesting that, to the extent possible, comments reference the associated page, chapter, section, and paragraph from the document.

The draft document is available online at the website of either of the agencies: <http://www.tceq.texas.gov/waterquality/nonpoint-source/mgmt-plan/index.html#draft-2016-texas-nonpoint> and <http://www.tsswcb.texas.gov/managementprogram#revision> or by contacting either agency directly. The commission will hold a public hearing on the draft document in Austin on June 1, 2017, at 2:00 p.m.

in Building E, Room 201S, at the commission's central office located at 12100 Park 35 Circle.

The TCEQ and TSSWCB will be accepting comments until June 12, 2017. Comments may be submitted by email to Megan Henson at [Megan.Henson@tceq.texas.gov](mailto:Megan.Henson@tceq.texas.gov). After the public meeting and comment period, the TCEQ and TSSWCB will address comments received and incorporate them into a final Management Program document that will be submitted to TCEQ commissioners and TSSWCB board members for approval. Once the document is approved by both agencies it will be submitted to the Texas Governor and EPA for their approval.

TRD-201701721

Robert Martinez

Director, Environmental Law Division

Texas Commission on Environmental Quality

Filed: April 28, 2017



#### Notice of Water Quality Application

The following notice was issued on April 27, 2017.

The following does not require publication in a newspaper. Written comments or requests for a public meeting may be submitted to the Office of the Chief Clerk, Mail Code 105, P.O. Box 13087, Austin, Texas 78711-3087 WITHIN (10) DAYS OF THE ISSUED DATE OF THE NOTICE.

#### INFORMATION SECTION

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) has initiated a minor amendment of the TCEQ Permit No. WQ0013594001 issued to West Travis County Public Utility Agency, 12117 Bee Cave Road, Suite 120, Bee Cave, Texas 78738 to authorize the addition or modification of terms that will clarify Special Provisions 4 and 14 of the existing permit. The existing permit authorizes the disposal of treated domestic wastewater at a daily average flow not to exceed 1,000,000 gallons per day via surface irrigation of 350 acres of public access land from two outfalls. The wastewater treatment facility and disposal site are located at 3100 Napa Drive, Austin, in Travis County, Texas 78738 (Site A). The Effluent Pond No. 1 is located approximately 8,000 feet northwest of the intersection of Farm-to-Market Road 620 and State Highway 71 in Travis County, Texas 78738. The irrigation site (Spillman Ranch) is also located approximately 8,000 feet northwest of the intersection of Farm-to-Market Road 620 and State Highway 71 in Travis County, Texas 78738. The irrigation site (CCNG) is located approximately 2,500 feet south of the intersection of Farm-to-Market Road 620 and State Highway 71 in Travis County, Texas 78738. The Effluent Pond No. 2 and a treatment facility are located approximately 3,000 feet northwest of the intersection of Farm-to-Market Road 2244 and State Highway 71 in Travis County, Texas 78738 (Site B).

If you need more information about these permit applications or the permitting process, please call the TCEQ Public Education Program, Toll Free, at (800) 687-4040. General information about the TCEQ can be found at our web site at [www.tceq.texas.gov](http://www.tceq.texas.gov). Si desea información en español, puede llamar al (800) 687-4040.

TRD-201701772

Bridget C. Bohac

Chief Clerk

Texas Commission on Environmental Quality

Filed: May 2, 2017



**IN ADDITION May 12, 2017 42 TexReg 2591**

Bryan W. Shaw, Ph.D., P.E., *Chairman*  
Toby Baker, *Commissioner*  
Jon Niermann, *Commissioner*  
Richard A. Hyde, P.E., *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

May 2, 2017

The Honorable

Dear :

As the next stage in our ongoing evaluation of potential projects to fund under the Direct Component (Bucket 1) of the federal RESTORE Act, I am pleased to announce the opportunity for you and your constituents to provide input on Texas' draft Multi-Year Implementation Plan (MIP). This plan, which includes a list of possible grant activities, is required under the RESTORE Act and will be submitted to the federal Treasury for acceptance after the public input phase is complete.

The draft MIP will be posted for 45 days in the Texas Register, during which time the public is invited to offer input that will help inform the determination of which activities to include in Texas' MIP and ultimately which will receive grant funds. As a reminder, eligible activities for funding under Bucket 1 of the RESTORE Act must directly benefit the coastal area and address ecosystem restoration, economic development and/or tourism.

On May 3, 2017, the draft MIP will be posted on Texas' RESTORE web site, <http://www.restorethetexascoast.org/>. The draft MIP includes the following federally required documents:

- a matrix providing general information on activities considered for inclusion in MIP, including costs to implement the activities and the state's cost to manage the grants;
- a narrative describing elements of the activities considered for inclusion in the MIP, as well as general information on the review and selection process being employed;
- a map showing the location of the activities that are being considered for inclusion in the MIP; and
- for reference, a draft Project List of activities being considered for inclusion in the MIP.

Because the final list of activities is still being evaluated and developed, comments on activities not included in the draft MIP will also be considered in developing the final MIP that will be submitted to U.S. Treasury. Written comments on the draft MIP must be submitted electronically to [rcomments@tceq.texas.gov](mailto:rcomments@tceq.texas.gov) no later than 5:00 pm central time on June 26, 2017.

Respectfully,

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

Toby Baker  
Commissioner



## Coastal Restoration Funding for Texas from the Deepwater Horizon Oil Spill

### What's New:



#### PUBLIC COMMENT REQUESTED ON DRAFT 2017 RESTORATION PLAN

The Texas NRDA Trustees are seeking public comment on the Deepwater Horizon Oil Spill Texas Trustee Implementation Group Draft 2017 Restoration Plan and Environmental Assessment: Restoration of Wetlands, Coastal, and Nearshore Habitats; and Oysters. The draft plan, published May 18, 2017, proposes a suite of restoration projects to compensate for injuries to natural resources caused by the Deepwater Horizon oil spill.

The draft plan is available for public review and comment through June 19, 2017. Anyone can review the draft plan and submit comments at <http://www.gulfspillrestoration.noaa.gov/restoration-areas/texas> (<http://www.gulfspillrestoration.noaa.gov/restoration-areas/texas>).

The plan will be available at public meetings in La Marque and Corpus Christi. Details regarding the public meetings are below. For additional information, read more about NRDA (<https://www.restorethetexascoast.org/government-trustees-restoring-the-gulf-nrda/>).

PUBLIC MEETINGS FOR DRAFT 2017 RESTORATION PLAN		
Date	Times	Location
June 7, 2017	6:00 p.m. Open House	Harte Research Institute for Gulf of Mexico Studies: Texas A&M University at Corpus Christi
	6:30 p.m. Meeting	6300 Ocean Drive, Corpus Christi, TX 78412
June 8, 2017	6:00 p.m. Open House	Texas A&M AgriLife Extension Service: Galveston County Office,
	6:30 p.m. Meeting	4102 –B Main Street (FM 519), La Marque, Texas 77568



#### UPDATE ON DRAFT MULTI-YEAR IMPLEMENTATION PLAN (MIP) FOR BUCKET 1 FUNDING – MAY 16, 2017

The draft MIP (<https://www.restorethetexascoast.org/wp-content/uploads/2014/05/TexasDraftMIP-1.pdf>) that is now posted includes slight revisions to the one previously posted. The revised version includes the following changes:

- For Matrix, Question #4: \$371,995,127.20
- For Matrix, Question #8a: amounts listed reflect the cost for each activity title which includes activity cost plus management and oversight cost
- For Matrix, Question #8c: amounts listed reflect the third party contribution associated for each activity title
- For Matrix, Question #12: lists amounts



- Includes the Treasury required narrative form along with the previously posted narrative document (Detailed Response)

Given the posting of this slightly revised MIP, the **public input period** is extended until 5:00 pm central time on **Friday, June 30, 2017**. Comments are to be sent to [rcomments@tceq.texas.gov](mailto:rcomments@tceq.texas.gov) (<mailto:rcomments@tceq.texas.gov>).

As a reminder, check this web site periodically to ensure that you have the latest update on this and other RESTORE-related activities.



## TEXAS DRAFT MULTI-YEAR IMPLEMENTATION PLAN PUBLIC INPUT REQUESTED

Toby Baker, Commissioner of the Texas Commission on Environmental Quality (TCEQ), announces the opportunity for the public to provide input on Texas' draft Multi-Year Implementation Plan (MIP) to secure funds under the Direct Component (Bucket 1) section of the federal RESTORE Act.

In response to the Deepwater Horizon (DWH) oil spill, the federal RESTORE Act was signed into law in 2012. The RESTORE Act establishes a regional approach to restore the long-term environmental health of the Gulf coast region and to facilitate its economic development.

In his capacity as TCEQ Commissioner, Toby Baker was appointed by the Governor to perform RESTORE-related duties for Texas, including representing the state on the federal RESTORE Council. TCEQ, on behalf of the Governor and Commissioner Baker, is tasked with assisting in the implementation of the federal RESTORE Act in Texas. The RESTORE Act establishes several grant programs to benefit the Gulf coast region. To acquire federal RESTORE funds under the Direct Component (Bucket 1) section of the Act, the state is required to develop a MIP that includes specific activities to be implemented in the coastal area.

The draft MIP was developed as part of a competitive process that began with the publication of a Request for Grant Applications (RFGA) in 2016. The over 200 applications that were submitted were reviewed and scored by a review team consisting of four state agencies and the Office of the Governor. For the next step in the continuing competitive process, Commissioner Baker, in consultation with the Governor, developed the draft list of activities included in the draft MIP.

Prior to finalizing the MIP for submission to U.S. Treasury, a draft MIP must be published for a 45 day public input period. This request for public input is the next stage in the on-going evaluation process to determine activities for inclusion in Texas' MIP, as well as the final determination of what will be applied for funding and ultimately what will receive funding through grant contracts with the TCEQ. Due to ongoing payments into the RESTORE Trust Fund, the total funding available under the Direct Component (Bucket 1) grant program now exceeds the \$56 million originally identified in the RFGA. However, the total cost of activities included in the draft MIP is greater than the total available. Eligibility for funding requires that activities directly benefit the coastal area and address ecosystem restoration, economic development and/or tourism.

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Since the final list of activities is still being evaluated and developed, comments on activities not included in the draft MIP will also be considered in developing the final MIP that will be submitted to U.S. Treasury for acceptance.

Any questions concerning the Bucket 1 process discussed above should be directed to the TCEQ's Procurements and Contracts section in the Office of Administrative Services at [adrian.kyle@tceq.texas.gov](mailto:adrian.kyle@tceq.texas.gov) (<mailto:adrian.kyle@tceq.texas.gov>)



### Project Submissions Closed

The Texas Trustee agencies (GLO, TPWD and TCEQ) and the National Fish and Wildlife Foundation (NFWF) accepted project applications until January 3, 2017

## Deepwater Horizon Project Tracker

(<http://www.dwhprojecttracker.org/>)

The Deepwater Horizon Project Tracker (<http://www.dwhprojecttracker.org/>) allows you to access a map and information of the restoration, research and recovery projects resulting from the 2010 Deepwater Horizon oil spill. Prepared by the Gulf of Mexico Alliance, the Deepwater Horizon Project Tracker provides project location points and project summaries.

### Gulf Environmental Benefit Fund (NFWF) (/nfwf/)



Learn about restoration funded by the criminal case settlements from the Deepwater Horizon oil spill. Where the National Fish and Wildlife Foundation is working with state and federal agencies to administer spill restoration.

### Government Trustees Restoring the Gulf (NRDA) (/government-trustees-restoring-the-gulf-nrda/)



Learn about the state and federal Natural Resource Trustees and the efforts underway to restore the resources harmed by the Deepwater Horizon oil spill through the Oil Pollution Act's natural resource damage process.

### Civil Penalties Funding Gulf Restoration (RESTORE Act) (/civil-penalties-funding-gulf-restoration-restore-act/)



Learn about the Gulf Coast Ecosystem Restoration Council, set up when Congress passed the federal RESTORE Act in 2012, to administer civil penalty funding for spill restoration and economic recovery and the Texas RESTORE Advisory Board (TxRAB).

[Home \(https://www.restorethetexascoast.org/\)](https://www.restorethetexascoast.org/) | [Contact Us \(https://www.restorethetexascoast.org/contact-us/\)](https://www.restorethetexascoast.org/contact-us/)

RESTORE The Texas Coast © 2014 All Rights Reserved

All photos on this website are courtesy of the Texas Department of Transportation and the Texas Parks and Wildlife Department



## Civil Penalties Funding Gulf Restoration (RESTORE Act)

### UPDATE ON DRAFT MULTI-YEAR IMPLEMENTATION PLAN FOR BUCKET 1 FUNDING – MAY 16, 2017

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Prior to finalizing the MIP for submission to U.S. Treasury, a draft MIP must be published for a 45 day public input period. This request for public input is the next stage in the on-going evaluation process to determine activities for inclusion in Texas' MIP, as well as the final determination of what will be applied for funding and ultimately what will receive funding through grant contracts with the TCEQ. Due to ongoing payments into the RESTORE Trust Fund, the total funding available under the Direct Component (Bucket 1) grant program now exceeds the \$56 million originally identified in the RFGA. However, the total cost of activities included in the draft MIP is greater than the total available. Eligibility for funding requires that activities directly benefit the coastal area and address ecosystem restoration, economic development and/or tourism.

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Since the final list of activities is still being evaluated and developed, comments on activities not included in the draft MIP will also be considered in developing the final MIP that will be submitted to U.S. Treasury for acceptance.

Any questions concerning the Bucket 1 process discussed above should be directed to the TCEQ's Procurements and Contracts section in the Office of Administrative Services at [adrian.kyle@tceq.texas.gov](mailto:adrian.kyle@tceq.texas.gov) (<mailto:adrian.kyle@tceq.texas.gov>)

## Direct Component (Bucket 1)

**PROCESS** — The review and selection process is competitive and includes elements from other state and federal grant programs. The scoring criteria is based on the Priorities Document ([https://www.restorethetexascoast.org/wp-content/uploads/2014/08/PrioritiesDocument\\_Posted.pdf](https://www.restorethetexascoast.org/wp-content/uploads/2014/08/PrioritiesDocument_Posted.pdf)) and is included in the RFGA (<https://www.restorethetexascoast.org/wp-content/uploads/2014/05/RFGA-Bucket-1-01-17-15.pdf>). The initial list of selected projects will be posted for a 45-day public comment period and the final list of selected projects will be included in the Multi-year Implementation Plan required by U.S. Treasury to secure grant funds.

**FEDERAL REQUIREMENTS** — Applicants should be acquainted with the federal terms and conditions (<https://www.restorethetexascoast.org/wp-content/uploads/2016/04/FEDERAL-CONDITIONS-Bucket-1.pdf>) governing RESTORE Direct Component Grants.

**FRAMEWORK** — The Framework Document outlining the importance of the Texas coast and Texas' implementation of the RESTORE Act, "CONSERVE, RESTORE, RENEW," (<https://www.restorethetexascoast.org/wp-content/uploads/2014/08/Framework.pdf>) has been published.

## Council Selected Component (Bucket 2)

**FUNDED PRIORITIES LIST (FPL)** — An FPL was developed by the Council to implement Bucket 2 (Council-Selected) of the federal RESTORE Act. The Council-approved FPL includes environmental projects and activities directly benefiting the state of Texas.

The FPL allocates approximately \$140 million of project funding, including approximately \$26 million for six projects (<https://www.restorethetexascoast.org/wp-content/uploads/2014/08/2016Project-Funding.pdf>) in Texas. Four (<https://www.restorethetexascoast.org/wp-content/uploads/2014/08/ProjDescription2016.pdf>) of the six projects in Texas will be managed by the state, through the TCEQ. Those projects include: Matagorda Bay System Landscape Conservation, Bayou Greenways, Bahia Grande Coastal Corridor, and Texas Beneficial Use and Marsh Restoration.

The projects and activities will be funded using civil penalties resulting from the 2010 Deepwater Horizon oil spill.

See specific information on all the selected projects ([https://restorethegulf.gov/sites/default/files/FPL\\_forDec9Vote\\_Errata\\_04-07-2016.pdf](https://restorethegulf.gov/sites/default/files/FPL_forDec9Vote_Errata_04-07-2016.pdf)).

## Oil Spill Component (Bucket 3)

The Council has adopted the final rule (<http://www.gulfspillrestoration.noaa.gov/restoration-planning/gulf-plan/>) to implement Bucket 3 (Spill Impact) of the RESTORE Act.

## Centers of Excellence (Bucket 5)

Texas was the first state in the nation to receive money from the RESTORE Trust Fund through an award from the U.S. Treasury to fund two Centers of Excellence. The two centers, Texas OneGulf, at Texas A&M, Corpus Christi and Subsea Systems Institute, at the University of Houston, equally share an initial \$4.038 million. The establishment of the centers is part of Texas' ongoing implementation of the RESTORE Act which requires that the five Gulf States affected by the 2010 Deepwater Horizon oil spill establish centers to conduct research on the Gulf Coast Region.

The Texas OneGulf Center of Excellence, established in January 2015 and led by Texas A&M University-Corpus Christi, is a consortium of Texas marine oriented science and human health institutions. Their efforts focus on research activities that emphasize sustainable and resilient growth, as well as economic and commercial development in the coastal region.

For more information on the Texas OneGulf Center of Excellence, visit the Texas OneGulf website at <http://www.texasonegulf.org/> (<http://www.texasonegulf.org/>)

The Subsea Systems Institute was established in 2015 under collaboration between the University of Houston, Rice University and the Johnson Space Center (NASA). Their focus is offshore energy development, including research and technology to improve the sustainable and safe development of energy resources in the Gulf of Mexico.

For more information on the Subsea Institute, visit <http://www.uh.edu/uenergy/research/subsea-institute/> (<http://www.uh.edu/uenergy/research/subsea-institute/>)

## About RESTORE

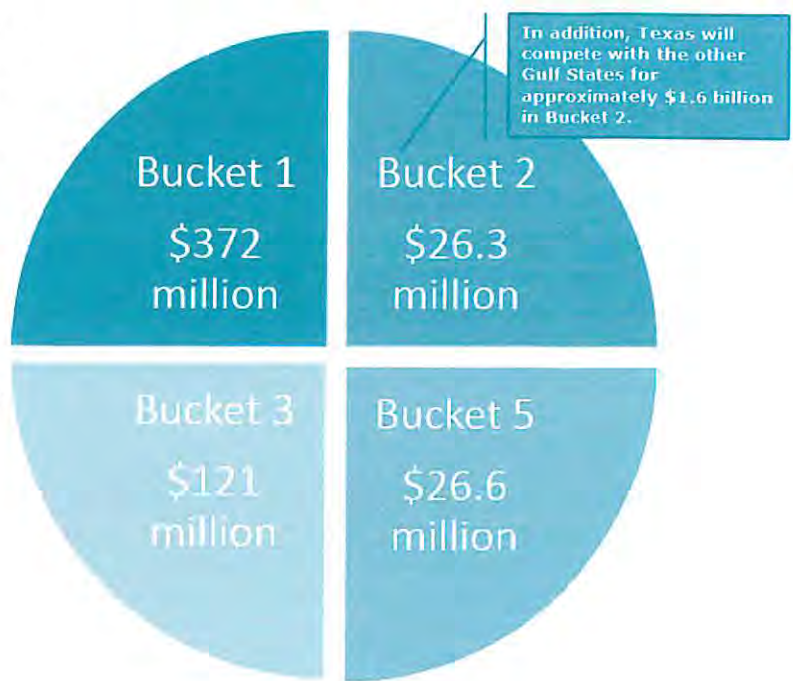
The Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012, or The RESTORE Act (<http://eli-ocean.org/gulf/files/RESTORE-Act-2012.pdf>). The RESTORE Act, was passed by Congress on June 29, 2012, and signed into law by President Obama on July 6, 2012. The RESTORE Act envisions a regional approach to restoring the long-term health of the valuable natural ecosystems and economy of the Gulf Coast region. The

RESTORE Act dedicates 80 percent of any civil and administrative penalties paid under the Clean Water Act, after the enactment of the RESTORE Act, by responsible parties in connection with the Deepwater Horizon oil spill to the Gulf Coast Ecosystem Restoration Trust Fund for ecosystem restoration, economic recovery, and tourism promotion in the Gulf Coast region. Following resolution of administrative and civil penalties, Texas is expected to receive at least \$550 million in RESTORE funds through 2033.

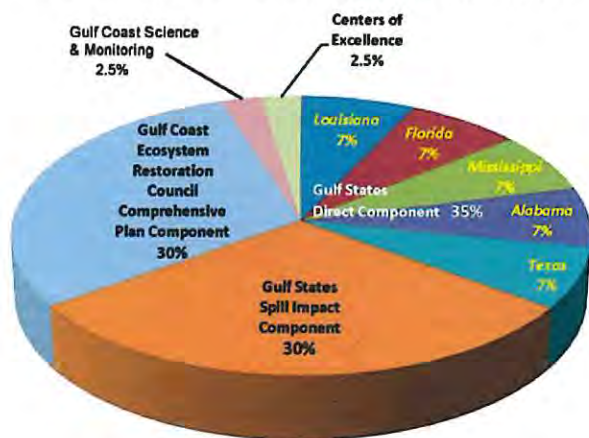
The Gulf Coast Ecosystem Restoration Council (<http://www.restorethegulf.gov/>) (Council) is charged with helping to restore the ecosystem and economy of the Gulf Coast region by developing and overseeing the implementation of the RESTORE Act.

The Council is chaired by the Secretary of the U.S. Department of Agriculture and includes the Governors of the States of Alabama (<http://www.restorealabama.org/>), Florida ([http://www.dep.state.fl.us/deepwaterhorizon/about\\_restore\\_act.htm](http://www.dep.state.fl.us/deepwaterhorizon/about_restore_act.htm)), Louisiana (<http://coastal.la.gov/>), Mississippi (<http://www.restore.ms/new-faq/>) and Texas and the Secretaries of the U.S. Departments of Commerce, Army, Homeland Security and the Interior and the Administrator of the U.S. Environmental Protection Agency. Toby Baker ([http://www.tceq.texas.gov/about/organization/baker\\_bio.html](http://www.tceq.texas.gov/about/organization/baker_bio.html)), Commissioner, Texas Commission on Environmental Quality has been designated by the Governor of Texas, as the Texas representative on the Council.

In addition, the RESTORE Act authorizes the U.S. Treasury to manage the activities conducted by the states under Buckets 1 (Direct Component) and 5 (Centers of Excellence).



### Allocation of Funds Under the RESTORE Act



### Funding

The money in the Gulf Coast Restoration Trust Fund will be allocated to the Gulf Coast states and the Gulf Coast Ecosystem Restoration Council according to the following guidelines:

- 35 percent divided equally between the five Gulf Coast States to be used for ecosystem restoration, economic development & tourism promotion (**Direct Component**);
- 30 percent for ecosystem restoration under the Comprehensive Plan developed and approved by the Council (**Comprehensive Plan Component**);
- 30 percent divided among the five Gulf Coast States according to a formula to implement State Expenditure Plans, which require Council approval—each Gulf state is guaranteed a minimum of 5% of the 30% allocation (**Spill Impact Component**);
- 2.5 percent dedicated to the National Oceanic and Atmospheric Administration to establish a Gulf Coast Ecosystem Restoration Science, Observation, Monitoring & Technology Program; and
- 2.5 percent allocated to the Gulf Coast States to award grants to establish **Centers of Excellence**.

RESTORE ACT ELIGIBLE COUNTIES – Map of Texas counties eligible for RESTORE Act funds





## Allocation of Funds Under the RESTORE Act

The Council and the State of Texas recognize this unique and unprecedented opportunity to implement a coordinated Gulf region-wide restoration effort. The Council's five goals included in the Plan are: (1) **Restore and Conserve Habitat** – Restore and conserve the health, diversity, and resilience of key coastal, estuarine, and marine habitats. (2) **Restore Water Quality** – Restore and protect water quality of the Gulf Coast regions fresh, estuarine, and marine waters. (3) **Replenish and Protect Living Coastal and Marine Resources** – Restore and protect healthy, diverse, and sustainable living coastal and marine resources. (4) **Enhance Community Resilience** – Build upon and sustain communities with capacity to adapt to short- and long-term changes. (5) **Restore and Revitalize the Gulf Economy** – Enhance the sustainability and resiliency of the Gulf economy.

The Gulf Coast Ecosystem Restoration Council (Council) adopted the update to its 2013 Comprehensive Plan. The Plan provides strategic guidance for the Council to follow as it makes decisions on funding projects and activities aimed at restoring the Gulf of Mexico. The plan provides a framework to implement a coordinated region-wide restoration effort in a way that restores, protects and revitalizes the Gulf Coast region following the DWH oil spill. The Initial Comprehensive Plan provides a framework to implement a coordinated region-wide restoration effort in a way that restores, protects, and revitalizes the Gulf Coast region following the DWH oil spill.

For additional information on the Plan, visit the Council's website at [www.RestoreTheGulf.gov](http://www.RestoreTheGulf.gov) (<http://www.restorethegulf.gov>).

## Texas Efforts

Governor Rick Perry established The Texas RESTORE Advisory Board (<https://www.restorethetexascoast.org/wp-content/uploads/2014/08/TxRABList.pdf>) (PDF) (TxRAB) to advise and assist TCEQ Commissioner Toby Baker in performing his duties under the RESTORE Act. TxRAB members, representing 10 state agencies and the Governor's Office of Economic Development and Tourism, will assist in developing the required RESTORE Act plans as well as provide guidance and counsel regarding the allocation of RESTORE Act funds.

## Public Participation

Listening sessions for Direct Component (Bucket 1) were held in communities along the Texas coast to receive input for finalizing the Priorities Document included in the RFGA. Workshops were also held in three coastal cities to provide instructions on completing the application for RESTORE funds.

Opportunities for public participation will be posted on this website.

Please check this website periodically for those postings and more details.

## Links to Past RESTORE Documents



Click on a link below to download the document.

**Commissioner Baker's presentation to Golden Triangle Days (March 2017)**

View the presentation (<https://www.restorethetexascoast.org/wp-content/uploads/2014/05/GoldenTriangle030617.pdf>)

**Deepwater Horizon (February 2017)**

View the Deepwater Horizon presentation (<https://www.restorethetexascoast.org/wp-content/uploads/2014/05/DWHFeb2017.pdf>)

**Commissioner Baker Testifies at House Natural Resources Committee Hearing (April 26, 2016)**

View Commissioner Baker's presentation (<https://www.restorethetexascoast.org/wp-content/uploads/2014/08/Bakers-HNR-Testimony.pdf>)

**Commissioner Baker's Editorial on the Deepwater Horizon Oil Spill, "From Destruction, Restoration" (March 14, 2016)**

View the editorial (<https://www.restorethetexascoast.org/wp-content/uploads/2014/05/Baker-RESTORE-3-14-16.pdf>)

**Direct Component "Bucket 1" Workshops (February 2016)**

View the presentation (<https://www.restorethetexascoast.org/wp-content/uploads/2014/08/Bucket1Workshop.pdf>)

**RESTORE Listening Sessions (September 2015)**

View the presentation ([https://www.restorethetexascoast.org/wp-content/uploads/2014/08/ListeningSession\\_091115.pdf](https://www.restorethetexascoast.org/wp-content/uploads/2014/08/ListeningSession_091115.pdf))



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