

RESTORE Act Direct Component Application Narrative  
Department of the Treasury

OMB Approval No. 1505-0250

<b><i>The Direct Component Funding Opportunity Announcements describe in detail the content and information required for your application submission. This application form must be included with your application, along with the separate Direct Component Application Narrative Supplement (i.e., project and budget narratives) and other documentation as required by the relevant Funding Opportunity Announcement.</i></b>			
<b>GENERAL INFORMATION: (This section must be completed)</b>			
Applicant:	Applicant Name:		
Descriptive Title of Project: (refer to SF-424)	Project Title:		
Activity Title from Multiyear Plan (MYP) Matrix: Column #6	MYP Activity Title:		
<b>A. STATUTORY QUESTIONS</b>			
<b>1. Qualifying eligible activity:</b> Please select the primary eligible activity in the first column, and select all other eligible activities that apply in the second column.	Select Primary Activity	Select All Others That Apply	Qualifying Eligible Activity
	<input type="radio"/>	<input type="checkbox"/>	1. Restoration and protection of the natural resources, ecosystems, fisheries, marine and wildlife habitats, beaches and coastal wetlands of the Gulf Coast Region
	<input type="radio"/>	<input type="checkbox"/>	2. Mitigation of damage to fish, wildlife and natural resources
	<input type="radio"/>	<input type="checkbox"/>	3. Implementation of a federally approved marine, coastal, or comprehensive conservation management plan, including fisheries monitoring
	<input type="radio"/>	<input type="checkbox"/>	4. Workforce development and job creation
	<input type="radio"/>	<input type="checkbox"/>	5. Improvements to or on State parks located in coastal areas affected by the Deepwater Horizon oil spill
	<input type="radio"/>	<input type="checkbox"/>	6. Infrastructure projects benefitting the economy or ecological resources, including port infrastructure
	<input type="radio"/>	<input type="checkbox"/>	7. Coastal flood protection and related infrastructure
	<input type="radio"/>	<input type="checkbox"/>	8. Planning assistance
	<input type="radio"/>	<input type="checkbox"/>	9. Promotion of tourism in the Gulf Coast Region, including recreational fishing
	<input type="radio"/>	<input type="checkbox"/>	10. Promotion of the consumption of seafood harvested from the Gulf Coast Region
<b>2. Was this proposed activity included in any claim for compensation paid out by the Oil Spill Liability Trust Fund after July 6, 2012?</b>  <b>If "Yes," this activity is not eligible for a Direct Component grant.</b>	Yes <input type="radio"/>		No <input type="radio"/>

*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.*

<b>3. Location/Primary Place of Performance</b> <b>(a)</b> Please provide the actual location for the activity as street address, nearest intersection, and note boundaries on a submitted map. If there is more than one location for the activity, include a list of the additional locations, city/town, county/parish, state, and zip code in the <i>Direct Component Application Narrative Supplement</i> .	Location:
	City/Town:
	County/Parish:
	State:
	Zip code:
<b>(b)</b> If available, provide latitude/longitude(s) or GPS coordinates for the location(s) of the project.	
<b>(c)</b> If a GIS shape file is available, please provide a point of contact (name and email address) from whom the file may be obtained.	

<b>B. DISCUSSION OF SPECIFIC ACTIVITY</b> (This information will supplement the <i>Direct Component Application Narrative Supplement</i> .)
<b>1. Best Available Science, if applicable</b> The RESTORE Act requires activities designed to protect or restore natural resources to be based on the 'best available science,' which is defined in the Act as science that (a) maximizes the quality, objectivity, and integrity of information, including statistical information; (b) uses peer-reviewed and publicly available data; and (c) clearly documents risks and uncertainties in the scientific basis for such projects.  Is the proposed activity designed to protect or restore natural resources? (If yes, a detailed response must be included with the <i>Direct Component Application Narrative Supplement</i> .)  Yes <input type="radio"/> No <input type="radio"/>
<b>2. Permits</b> Directions: Answer the following items concerning permits, if applicable.  <b>(a) Permits</b>  Does the proposed activity require any federal, tribal, state, or other permits? (For potential federal environmental permits, see Environmental Checklist and Environmental Checklist Reference Guidance.)  Yes <input type="radio"/> No <input type="radio"/>  If yes, a list of the specific federal, tribal, state, or other permits required for this project and the status of the permits must be included with the <i>Direct Component Application Narrative Supplement</i> .
<b>3. Land Acquisition, Construction, and Relocation Assistance</b> Directions: Answer the following items concerning land acquisition, construction, and relocation assistance, if applicable, and provide the appropriate supporting documentation.  <b>a) Land Acquisition Activities</b>  Will land or interest in land be acquired? Yes <input type="radio"/> No <input type="radio"/>

If yes, answer questions i - vii:

i. What are the legal rights that will be acquired?

Fee Simple Title ☐

Less-Than-Fee Simple Title (e.g., easement) ☐

ii. If an easement, what is the life of the easement?

iii. What is the tax parcel number(s)? \_\_\_\_\_ (Include the legal description of the property with the *Direct Component Application Narrative Supplement*.)

iv. Will the applicant (or subrecipient) hold title to the land? Yes ☐

No ☐

v. What is the total acreage of the proposed property interest to be acquired?

vi. Has the applicant (or subrecipient) obtained a recent certified appraisal of the property? Yes ☐

No ☐

If yes, attach a copy of the appraisal with the *Direct Component Application Narrative Upload*.

vii. Has the applicant (or subrecipient) obtained a title opinion or certificate? Yes ☐

No ☐

If yes, attach a copy of the title opinion or certificate with the *Direct Component Application Narrative Supplement*.

viii. Has the applicant (or subrecipient) obtained a signed statement from the seller(s) that he/she is a willing seller and has not been coerced into selling or conveying the property interest? Yes ☐

No ☐

If yes, attach a copy of the signed willing seller statement with the *Direct Component Application Narrative Supplement*.

**(b) Construction**

Does the project include construction? Yes ☐

No ☐

If yes, answer questions i-iii:

i. Will or does the applicant (or subrecipient) hold title to the property to be improved? Yes ☐

No ☐

ii. What is the tax parcel number(s) of the property? \_\_\_\_\_ (Include the legal description of the property with the *Direct Component Application Narrative Supplement*.)

iii. Has the applicant (or subrecipient) obtained a recent certified appraisal of the property? Yes ☐

No ☐

If yes, attach a copy of the appraisal with the *Direct Component Application Narrative Supplement*.

**(c) Relocation Assistance**

Will the proposed project cause the displacement of any persons, businesses, or farm operations? Yes ☐

No ☐

If yes, as required by Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, explain: the number of displaced persons, including businesses and farm operations; what fair and reasonable relocation payments and advisory services will be provided to any displaced persons; and what provisions will be made to ensure that safe, decent, and sanitary replacement dwellings will be available to such persons within a reasonable period of time prior to displacement.

## Direct Component Narrative Supplement

All applicants must provide a narrative supplement including the following information with the application as an upload in GrantSolutions.gov. The information is required unless it is not applicable to the project, program, or activity. Applicants should review the applicable funding opportunity announcement and Treasury guidance for a complete list and explanation of requirements.

1. Applicant Name
2. Descriptive Project Title (refer to SF-424)
3. Additional Locations (not included in the Direct Component Application Narrative form, if applicable)
4. Proposed Scope of Work - A detailed scope of work that fully describes the project or program for which funding is requested, including:
  - a. Project or Program Description
  - b. Need
  - c. Purpose
  - d. Objectives that clearly identify with the eligible activity(ies)
  - e. How the proposed project activity will be carried out in the Gulf Coast Region as defined in 31 CFR 34.2. Attach a map showing the project location in the Gulf Coast Region.
  - f. Possible material risks in implementing and maintaining the proposed activity, e.g., operational, legal, regulatory, budgetary, or ecological risks, with a brief discussion of mitigation strategies that the applicant may need to address in order to implement and/or maintain the proposed activity. If the applicant determines that there are no material risks, then include a statement summarizing the determination.
  - g. Key Personnel, including name and contact information for the following:
    - i. The applicant's Authorizing Official who is authorized to sign the grant application and award,
    - ii. The Project Director who is responsible for the project, and
    - iii. The Financial Officer who is responsible for maintaining the accounting and financial records of the grant.
  - h. A description of all funding sources included on the SF-424.
5. Budget Justification – Provide a detailed budget that supports the proposed scope of work. The budget justification should relate each budget category listed in the SF-424A and SF-424C (see below) to the specific tasks identified in the proposed scope of work, including any third party funding. The budget justification should provide specific justification for all budget categories that apply; including an explanation of the necessity, allowability, reasonableness, and allocability of proposed costs. (See relevant Funding Opportunity Announcement for a complete description of the budget categories.)
  - a. Total Budget
  - b. Amount of Total Budget incurred pre-award
  - c. Personnel (Salaries and Fringe)

- d. Travel
  - e. Equipment
  - f. Supplies
  - g. Contractual
  - h. Subawards
  - i. Construction
  - j. Other
  - k. Indirect Costs
6. Identification of Other Funding Sources (if applicable) - Some Direct Component projects will require additional funds to cover the full cost of the project (“other funds”), which may include local government funds, state funds, or other federal funds. Treasury requires documentation of proof of availability of other funds needed for completion of project activities. Treasury will not award funds for the non-federal share of a project receiving funding from another Federal agency until the other Federal agency has approved the activity and Treasury receives documentation of the approval.
7. Contractor (if applicable) – Indicate if the applicant plans to contract out any work described in the Scope of Work and included in the Budget Justification above (do not include subrecipient’s contractors). Describe the expected number of contracts, method of procurement, and the applicant’s plan for monitoring contractor performance and compliance. If a contractor has already been selected include the following:
- a. Name of each contractor;
  - b. DUNS number of each contractor;
  - c. Date the applicant executed each contract; and
  - d. Amount of each contract awarded.
8. Subrecipient (if applicable) - If the proposed project includes a subaward, include a separate, clearly defined scope of work and budget for the subrecipient. Describe how the applicant selected or plans to select subrecipient(s), the applicant’s plan for monitoring the subrecipient(s) performance and compliance, and the means by which the applicant will assess each subrecipient’s level of risk. If a subrecipient has already been selected include the following:
- a. Name of each subrecipient;
  - b. DUNS number of each subrecipient;
  - c. Date of applicant selection of each subrecipient; and
  - d. Amount of funds to be provided to each subrecipient
9. Milestones – List the milestones and the estimated timeframe for completion (i.e., performance period start date + number of months to completion)
10. Performance Measures – include the following (see illustrative list of performance measures on Treasury’s RESTORE Act website):
- a. Measure: An indicator of success toward reaching a goal. The measure should reflect how the applicant will evaluate success from the narrative of the accepted multiyear plan.
  - b. Baseline: The starting point of the measure. It is the status quo without the grant award.

- c. Target: The anticipated result of the measure. It is the anticipated new status with the grant award.
- 11. MYP Consistency - Describe whether the proposed scope of work differs from the corresponding project/program identified in the applicant's Multiyear Plan accepted by Treasury. If no differences exist, make an affirmative statement as to their consistency.
- 12. Best Available Science (if applicable) - The RESTORE Act requires activities designed to protect or restore natural resources to be based on the 'best available science,' which is defined in the Act as science that (a) maximizes the quality, objectivity, and integrity of information, including statistical information; (b) uses peer-reviewed and publicly available data; and (c) clearly documents risks and uncertainties in the scientific basis for such projects. The applicant must make a determination that a project designed to protect or restore natural resources is based on the best available science. (See Direct Component FAQs on Treasury's RESTORE Act website.) In order to support this determination, the applicant must:
  - a. Explain how the project's natural resource protection and/or restoration objectives and proposed methods are based on best available science;
  - b. Summarize any risks or uncertainties associated with the project and explain how these risks will be mitigated;
  - c. Cite and describe peer reviewed literature or publicly available data. For each source cited, the applicant must provide sufficient citations, including:
    - i. Title;
    - ii. Journal in which the literature source appeared, if applicable;
    - iii. Publication date;
    - iv. Author(s); and
    - v. Web address if downloaded or available online.
  - d. Upload any cited planning documents, internal reports and/or other documentation of site conditions that are not part of peer-reviewed literature and/or are not publicly available with the application.
  - e. Summarize the following:
    - i. The peer-reviewed information that justifies the proposed objectives, including methods used for the proposed activity.
    - ii. The literature sources' conclusions and any uncertainties or risks in the scientific basis that would apply to the proposed activity.
    - iii. How, if the information supporting the proposed activity does not directly pertain to the Gulf Coast Region, the applicant's methods reasonably support and are adaptable to that geographic area.
    - iv. An evaluation of uncertainties and risks in achieving the project's best available science objectives over the longer term.
- 13. Permits or Authorizations (if applicable) – Provide a list of the specific federal, tribal, state, or other permits or authorizations required for the project and their status. If permits or authorizations have already been obtained, include them with the application. (For federal environmental requirements, see Environmental Checklist and Environmental Checklist Reference Guidance.)

14. Construction and Land Acquisition Projects (if applicable) – Projects that include construction and/or land acquisition may require additional supporting documentation including the following:

- a. Legal description of the property and tax parcel number;
- b. Title Opinion or certificate;
- c. A signed statement from the seller(s) that he/she is a willing seller and has not been coerced into selling or conveying the property interest;
- d. Certified appraisal
- e. Construction drawings

# RESTORE Act Direct Component Applicant Certifications

## Department of the Treasury

OMB Approval No. 1505-0250

Directions: These certifications are required by federal law and Department of the Treasury (Treasury) regulations to be submitted with each application to Treasury for financial assistance under the RESTORE Act Direct Component. The certifications must be signed by an authorized senior official of the Applicant who can legally bind the entity and has oversight for the administration and use of the Direct Component funds.

### A. RESTORE Act Certification

1. Pursuant to the RESTORE Act, I certify that for any award agreement resulting from this application:

(a) Each activity funded under this agreement has been primarily designed to plan for or undertake activities to restore and protect one or more of the following: the natural resources, ecosystems, fisheries, marine and wildlife habitats, beaches, coastal wetlands, or economy of the Gulf Coast region.

(b) Each activity funded under this agreement is designed to carry out one or more of the eligible activities for the Direct Component.

(c) Each activity funded under this agreement was selected after consideration of all meaningful input from the public, including broad-based participation from individuals, businesses, Indian tribes, and nonprofit organizations, as described in the grant application. The certification in this paragraph (1)(c) does not apply to planning assistance funds to prepare and amend the Multiyear Implementation Plan.

(d) Each activity funded under this agreement that protects or restores natural resources is based on the best available science, as that term is defined in 31 C.F.R. Part 34.

(e) The Applicant has procedures in place for procuring property and services under this award that are consistent with the procurement standards applying to Federal grants. The Applicant will not request funds under this award for any contract unless this certification remains true and accurate.

(f) Pursuant to 2 C.F.R. § 200.303, the Applicant will establish and maintain effective internal control over all award agreements resulting from this application, and provide reasonable assurance that the Applicant will manage the award in compliance with Federal statutes, regulations, and the terms and conditions of the award. The Applicant knows of no material deficiencies in its internal controls.

(g) A conflict of interest policy consistent with 2 C.F.R. § 200.318(c) is in effect and covering each activity funded under this Agreement.

(h) The Applicant will comply with Title VI of the Civil Rights Act of 1964, the Rehabilitation Act of 1973, and all other applicable federal laws and regulations concerning anti-discrimination.

2. I make each of these certifications based on my personal knowledge and belief after reasonable and diligent inquiry, and I affirm that the Applicant maintains written documentation sufficient to support each certification made above, and that the Applicant's compliance with each of these certifications is a condition of the Applicant's initial and continuing receipt and use of the funds provided under this Agreement.

### B. Certification Regarding Debarment, Suspension, and Other Responsibility Matters -- Primary Covered Transactions: Instructions for Certification

1. By signing and submitting this Application, the prospective primary participant (the Applicant) is providing the certification set out below.

2. The inability of an Applicant to provide the certification required below will not necessarily result in the denial of participation in this covered transaction. The prospective Applicant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with Treasury's approval of the proposed application. However, failure of the Applicant to furnish a certification or an explanation shall disqualify such person/entity from participation in this transaction.

3. This certification is a material representation of fact upon which reliance is placed when Treasury determines to enter into this transaction. If it is later determined that the Applicant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, Treasury may terminate this transaction for cause or default.

4. The Applicant shall provide immediate written notice to Treasury if at any time the Applicant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.

5. The terms "covered transactions," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," and "voluntarily excluded," as used in this clause (certification), have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact Treasury for assistance in obtaining a copy of those regulations (31 C.F.R. Part 19).

6. The Applicant agrees by submitting this Application that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by Treasury.

7. The Applicant further agrees by submitting this Application that it will not award any contract or subaward to any entity on the government-wide Excluded Parties List System (see 31 C.F.R. Part 19, Appendix).

8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List.

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and



information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, Treasury may terminate this transaction for cause or default.

### C. Certification Regarding Debarment, Suspension, and Other Responsibility Matters -- Primary Covered Transactions

1. The prospective primary participant (the Applicant) certifies to the best of its knowledge and belief, that it and its principals:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- (b) Have not within a three-year period preceding this Application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
- (d) Have not within a three-year period preceding this Application had one or more public transactions (Federal, State or local) terminated for cause or default.

2. Where the Applicant is unable to certify to any of the statements in this certification, such Applicant shall attach an explanation to this proposal.

### D. Certification Regarding Drug-Free Workplace Requirements

1. The Applicant certifies that it will provide a drug-free workplace by:

- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the Applicant's workplace and specifying the actions that will be taken against the employee for violations of such prohibition;
- (b) Establishing a drug-free awareness program to inform employees about:
  - (i) The dangers of drug abuse in the workplace;
  - (ii) The Applicant's policy of maintaining a drug-free workplace;
  - (iii) Any available drug counseling, rehabilitation, and employee assistance program; and
  - (iv) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.

(c) Making it a requirement that each employee to be engaged in the performance of the award be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment in such grant, the employee will:

- (i) Abide by the terms of the statement; and
- (ii) Notify the employer of any criminal drug use statute conviction for a violation occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the granting agency in writing, within ten calendar days after receiving notice of a conviction under paragraph (d)(ii) from an employee or otherwise receiving actual notice of such conviction;

(f) Taking one of the following actions, within 30 days of receiving notice under paragraph (d)(ii), with respect to any employee who is so convicted:

- (i) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
- (ii) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency; and

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a) through (f).

### E. Certification Regarding Lobbying

1. The Applicant certifies, to the best of its knowledge and belief, that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the Applicant, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Application, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(c) The Applicant shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

2. This certification is a material representation of fact upon which reliance is placed when this transaction is made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by title 31 U.S. Code section 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

Signature of Authorized Senior Official:

Name:

Date:

Title:

Organization:

## RESTORE Act Environmental Checklist

### Department of the Treasury

OMB Approval Number 1505-0250

*Directions: The following questions will aid the applicant in identifying the environmental laws that may apply to the eligible activity and the environmental documents that should be submitted with the application. If a response of "Yes" is recorded to any of the following questions, the applicant should summarize the status of any actions taken in the table located on the last page of the checklist. Treasury will use submitted documents to record the applicant's assertion that it has complied with applicable environmental laws. For projects that will be implemented by a subrecipient, applicants may submit an Environmental Checklist completed by an authorized representative employed by the subrecipient. A statement from the applicant attesting to its review of the subrecipient's Environmental Checklist must be submitted with the application. Please note: More information, references, and links to all the laws and executive orders can be found in the Environmental Checklist Reference Guide on Treasury's RESTORE Act website.*

PROPOSED PROJECT NAME: \_\_\_\_\_

APPLICANT NAME: \_\_\_\_\_

INFORMATION PROVIDED BY:

NAME: \_\_\_\_\_

DATE: \_\_\_\_\_

TITLE: \_\_\_\_\_ ORGANIZATION: \_\_\_\_\_

- 1) **NATIONAL ENVIRONMENTAL POLICY ACT (NEPA):** Will the proposed activity be subject to any federal permitting authority, subject to any federal regulatory decision or approval, and/or receive federal assistance of any federal agency (other than RESTORE Act funding associated with this application)?

Yes ☐ No ☐ Uncertain ☐

If yes, list the federal agency(ies): \_\_\_\_\_

Has a NEPA or NEPA-like review been prepared for this proposed eligible activity or is a NEPA review underway? (NEPA documentation may include a Categorical Exclusion (CE), Environmental Assessment (EA)/Finding of No Significant Impact, or an Environmental Impact Statement (EIS), or a

state or tribal equivalent, or the issuance of or a public notice of intent to issue a federal permit, such as a USACE Section 404/10 permit).

Yes ☐ No ☐

If yes, list the document(s) and federal agency(ies): \_\_\_\_\_

Upload a copy of the environmental review document with your application.

- 2) **COASTAL ZONE MANAGEMENT ACT (CZMA):** If the activity will occur in or near the state's designated coastal zone, and therefore in the Gulf Coast Region as defined in Treasury's regulations at 31 CFR 34.2, is the activity likely to have reasonably foreseeable effects on any land or water use or natural resource of the designated coastal zone?

Yes ☐ No ☐

If yes, a federal consistency determination or certification pursuant to Section 307 of the CZMA may be required, from the state agency responsible for CZMA consistency.

- 3) **NATIONAL MARINE SANCTUARIES ACT:** Is the proposed activity located in a National Oceanic and Atmospheric Administration (NOAA) National Marine Sanctuary?

Yes ☐ No ☐

If yes, identify the National Marine Sanctuary: \_\_\_\_\_

A permit or other authorization may be required from NOAA.

- 4) **MAGNUSON – STEVENS FISHERY CONSERVATION AND MANAGEMENT ACT:** Will the proposed activity occur in proximity to an Essential Fish Habitat (EFH) as identified by NOAA's National Marine Fisheries Service (NMFS)?

Yes ☐ No ☐

If yes, identify the EFH types: \_\_\_\_\_

If yes, consultation with NMFS Habitat Conservation Division may be required.

- 5) **MARINE MAMMAL PROTECTION ACT (MMPA) (NMFS):** Will the proposed activity occur in proximity to any known marine mammals under the jurisdiction of the NMFS?

Yes ☐ No ☐

Will the proposed activity likely result in the take of a marine mammal? "Take" as defined under the MMPA means "to harass, hunt, capture, or kill, or attempt to harass, hunt, capture, or kill any marine mammal" (16 U.S.C. 1362).

Yes ☐ No ☐ Uncertain ☐

If yes, identify the marine mammal(s): \_\_\_\_\_

A consultation and/or permit from the NMFS may be required.

- 6) **MARINE MAMMAL PROTECTION ACT (USFWS):** Will the proposed activity occur in proximity to any known marine mammals under the jurisdiction of the U.S. Fish and Wildlife Service (USFWS)?

Yes ☐ No ☐

Will the proposed activity likely result in the take of a marine mammal?

Yes ☐ No ☐ Uncertain ☐

If yes, identify the marine mammal(s): \_\_\_\_\_

A consultation and/or permit from the USFWS may be required.

- 7) **ENDANGERED SPECIES ACT (ESA) (USFWS):** Will the proposed activity occur in proximity to threatened or endangered species or critical habitat as defined by the ESA and under the jurisdiction of the USFWS?

Yes ☐ No ☐

Will the proposed activity potentially affect threatened or endangered species or critical habitat as defined by the ESA and under the jurisdiction of the USFWS?

Yes ☐ No ☐ Uncertain ☐

If yes, list the species: \_\_\_\_\_

- 8) **ENDANGERED SPECIES ACT (NMFS):** Will the proposed activity occur in proximity to threatened or endangered species or critical habitat as defined by the ESA and under the jurisdiction of the NMFS?

Yes ☐ No ☐

Will the proposed activity potentially affect threatened or endangered species or critical habitat as defined by the ESA and under the jurisdiction of the NMFS?

Yes ☐ No ☐ Uncertain ☐

If yes, list the species: \_\_\_\_\_

A consultation and/or permit from the USFWS and/or NMFS may be required.

- 9) **COASTAL BARRIER RESOURCES ACT (CBRA):** Is the proposed activity located in or adjacent to a unit of the Coastal Barrier Resources System (CBRS)?

Yes ☐ No ☐

If yes, indicate the CBRS unit(s): \_\_\_\_\_

If yes, the federal funding for the activity may be prohibited. Treasury may be required to make a determination regarding CBRA compliance.

- 10) **MIGRATORY BIRD TREATY ACT:** Will the proposed activity affect any migratory bird species protected by the Migratory Bird Treaty Act?

Yes ☐ No ☐

If yes, list the migratory bird species: \_\_\_\_\_

A consultation and/or permit from the USFWS may be required.

11) **BALD AND GOLDEN EAGLE PROTECTION ACT**

Will the proposed activity affect any bald or golden eagles protected by the Bald and Golden Eagle Protection Act?

Yes ☐ No ☐

If yes, a consultation and/or permit from the USFWS may be required.

12) **WILD AND SCENIC RIVER ACT:** Is the proposed activity located on a designated Wild and Scenic River?

Yes ☐ No ☐

If yes, list the river: \_\_\_\_\_

Will the proposed activity located on a designated Wild and Scenic River harm the free-flowing condition, water quality, or outstanding resource values of the river?

Yes ☐ No ☐

If yes, the activity may be prohibited. Contact the USFWS.

13) **NATIONAL HISTORIC PRESERVATION ACT (NHPA) AND THE ARCHAEOLOGICAL AND HISTORIC PRESERVATION ACT (AHPA):** Will the proposed activity occur either near property listed or eligible for listing in the National Register of Historic Places or near property otherwise protected by section 106 of the NHPA or a similar State Preservation Act?

Yes ☐ No ☐

Will the proposed activity adversely affect either a property listed or eligible for listing in the National Register of Historic Places or near property otherwise protected by section 106 of the NHPA or a similar State Preservation Act?

Yes ☐ No ☐

If yes, the activity may be prohibited or require mitigation from the State Historic Preservation Officer or Tribal Historic Preservation Officer.

- 14) **RIVERS and HARBORS ACT - SECTION 10 (and SECTION 408 if applicable):** Will the proposed activity involve any work (including structures) that will occur in, over or under navigable waters of the United States?

Yes ☐ No ☐

If yes, a Section 10 permit may be required from the USACE. (In cases of use or alteration of a federal civil works project, a Section 408 consultation with the USACE may be required.)

- 15) **CLEAN WATER ACT (CWA), SECTION 404:** Will the proposed activity result in any discharge of dredge or fill material to the nation's waters or wetlands?

Yes ☐ No ☐

If yes, a Section 404 permit may be required from the USACE.

- 16) **CLEAN WATER ACT (CWA), SECTIONS 401 and 402:** Will the proposed activity result in any discharge of a pollutant to the nation's waters or wetlands?

Yes ☐ No ☐

If yes, a Section 401 Water Quality Certification and/or 402 National Pollutant Discharge Elimination System (NPDES) permit may be required from the Environmental Protection Agency (EPA) or a State or local agency authorized by EPA to administer the NPDES permitting program under State law.

- 17) **MARINE PROTECTION, RESEARCH, AND SANCTUARIES ACT (MPRSA):** Does the proposed activity involve the transportation of materials from the US for the purpose of ocean dumping covered by the MPRSA?

Yes ☐ No ☐

If yes, a permit may be required from the EPA or, for dredged materials, the USACE.

- 18) **CLEAN AIR ACT (CAA):** Will the proposed activity result in any emissions of pollutants to the air within a non-attainment area or maintenance area?

Yes ☐ No ☐

If yes, the activity may require compliance with the CAA including obtaining a permit in some circumstances from EPA or a delegated state agency.

- 19) **RESOURCE CONSERVATION AND RECOVERY ACT (RCRA):** Will the proposed activity include the treatment, storage, or disposal of hazardous waste or involve underground storage tanks?

Yes ☐ No ☐

If yes, RCRA hazardous waste storage tank requirements may apply.

- 20) **COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT (CERCLA):** Will the proposed activity involve a Superfund site?

Yes ☐ No ☐

If yes, the activity requires coordination with EPA.

- 21) **SAFE DRINKING WATER ACT (SDWA):** Will the proposed activity involve underground injection, which may impact drinking water sources?

Yes ☐ No ☐

If yes, a SDWA permit may be required from EPA or a state with an EPA-approved primacy program.

- 22) **FARMLAND PROTECTION POLICY ACT (FPPA):** Will the proposed activity irreversibly convert farmland (directly or indirectly) to nonagricultural use?

Yes ☐ No ☐

If yes, the project may be subject to U.S. Department of Agriculture FPPA requirements.



- 23) **FLOOD DISASTER PROTECTION ACT OF 1973:** Is the proposed activity located in a Special Flood Hazard Area on a National Flood Insurance Program map?

Yes ☐ No ☐

If yes, the purchase of Federal Flood Insurance may be required.

- 24) **E.O. 11988 and E.O. 12148 – FLOODPLAIN MANAGEMENT:** Is the proposed activity located in a Special Flood Hazard Area on a National Flood Insurance Program map?

Yes ☐ No ☐

If yes, a public notice may be required.

- 25) **E.O. 11990 and E.O. 12608 – WETLAND PROTECTION:** Is any portion of the project proposing a new construction activity in wetlands?

Yes ☐ No ☐

If yes, action to minimize the destruction, loss or degradation of wetlands, and to preserve and enhance the natural and beneficial values of wetlands may be required.

- 26) **E.O. 12898 ENVIRONMENTAL JUSTICE:** Will the proposed activity have disproportionately high and adverse human health or environmental effects on minority or low-income populations?

Yes ☐ No ☐

If yes, the activity may require mitigation.

- 27) **E.O. 13089 – CORAL REEF PROTECTION:** Will the proposed activity involve a coral reef ecosystem or National Marine Sanctuary?

Yes ☐ No ☐

If yes, the activity should not degrade the condition of coral reef ecosystems.

28) **E.O. 13112 – INVASIVE SPECIES:** Will the proposed activity have the potential to introduce or cause the spread of an invasive species?

Yes ☐ No ☐

If yes, action to prevent the introduction of invasive species may be required.

29) **E.O. 13186 – RESPONSIBILITIES OF FEDERAL AGENCIES TO PROTECT MIGRATORY BIRDS.** Is the proposed activity likely to occur during a time of the year when migrating birds are in the vicinity?

Yes ☐ No ☐

If yes, the activity may be prohibited or require mitigation from the USFWS.

**Environmental Compliance Status**

Report the status of your contact with required agencies/tribes or date permission obtained on the table below which coincides with the environmental laws and executive orders outlined in the checklist. If none, state so. Upload completed environmental compliance documentation (e.g., NEPA documents, permits)

Federal law or EO listed in checklist	Name of responsible agency/tribe	Permit, certification, determination or mitigation required	Date agency/tribe contact or date permission obtained	Status (complete/ in process/ not required)	Document Upload

## **Civil Rights Act of 1964 Title VI Narrative for RESTORE Act Direct Component and Centers of Excellence Research Grants Applicants**

All applicants must provide a Title VI Narrative as an upload in GrantSolutions.gov. The Title VI Narrative must be approved by the applicant's board of directors or appropriate governing entity or official(s) responsible for policy decisions prior to submission to Treasury. Applicants must submit a copy of the board resolution, meeting minutes, or similar documentation with the Title VI Narrative as evidence that the board of directors or appropriate governing entity or official(s) has approved the Title VI Narrative.

The Title VI Narrative, submitted with the application, shall include the information listed below. Treasury will accept a Title VI compliance form recently prepared and submitted to another Federal agency. If any information required by Treasury is not included in the other agency's Title VI compliance form, the missing information must be submitted with the application for the Title VI Narrative to be considered a complete response. If any item listed below is not relevant to the project for which federal financial assistance is requested, the information should be marked as "not applicable." The Title VI Narrative should include:

1. A statement that the Title VI notice to the public is posted in a prominent place or places, and the type of postings being used (i.e., in the recipient's place(s) of business, in written communications to the beneficiaries, or on the recipient's website).
2. A list of any pending Title VI investigations, complaints, or lawsuits filed with the applicant. This list should include those investigations, complaints, or lawsuits that pertain to allegations of discrimination on the basis of race, color, and/or national origin that pertain to the applicant submitting the narrative.
3. Information regarding the applicant's Title VI compliance history if it has previously received funding from another federal agency. The information shall include a copy of any Title VI compliance review reports issued by such other federal agency in the previous two years. The information shall include:
  - a. The purpose or reason for the review.
  - b. The name of the agency or organization that performed the review.
  - c. A summary of the findings and recommendations of the review.
  - d. A report on the status and/or disposition of such findings and recommendations.
4. A copy of the applicant's plan for providing language assistance to persons with limited English proficiency, based on the Treasury LEP Guidance.
5. Applicants that have program-related, non-elected planning boards, advisory councils or committees, or similar bodies, the membership of which is selected by the applicant, must provide a table depicting the racial breakdown of the membership of those committees, and a description of efforts made to encourage the participation of minorities on such committees or councils.

6. A description of the location of existing or proposed facilities connected with the proposed project, program, or activity, and whether the location has or will have the effect of unnecessarily denying access to any persons on the basis of prohibited discrimination (race, color or national origin).
7. A list of the applicant's pending applications for federal financial assistance and existing assistance. (A download file from [USAspending.gov](https://www.usaspending.gov) is acceptable for existing federal financial assistance.)
8. A description of the procedures the applicant will use to ensure subrecipients comply with Title VI and a proposed schedule of Title VI Narrative submissions from the subrecipient for this project or program.