

RESTORE Act Centers of Excellence Research Grant Program Application Narrative

Department of the Treasury

OMB Approval No. 1505-0250

Directions: Complete this form to apply for Centers of Excellence Research Grants Program funding.	
GENERAL INFORMATION:	
Applicant Name:	
Point of Contact (POC) for this Application:	POC Name:
	POC Title:
	POC Email:
	POC Phone:
Funding Opportunity Announcement #:	
Is this application to fund the establishment of a new/additional Center(s) of Excellence and/or an existing Center(s) of Excellence?	<input type="radio"/> New/Additional Center(s) of Excellence (complete Section A)
	<input type="radio"/> Existing Center(s) of Excellence (complete Section B)
	<input type="radio"/> Both New/Additional and Existing Center(s) of Excellence (complete Sections A and B)
A. NEW/ADDITIONAL CENTER(s) OF EXCELLENCE:	
1. Selection Process – New/Additional Center(s) of Excellence	
<p>Directions: Describe the competitive review process that the applicant used, or will use, to select a new/additional Center(s) of Excellence, including: a) the qualifications for entities and consortia; b) the criteria for selection and how those criteria have been/will be applied; c) how priority has been/will be given to entities and consortia that demonstrate the ability to organize the broadest cross-section of participants with interest and expertise in the discipline(s) on which this application is focused, including participation by minority-serving institutions (see http://www2.ed.gov/about/offices/list/ocr/edlite-minorityinst.html); d) timeframe of selection process; and e) any other selection factors. As appropriate, provide references to existing state statutory or regulatory requirements.</p>	
2. Public Input – New/Additional Center(s) of Excellence	
<p>Directions: Explain the process the applicant has engaged in or will engage in to provide 45-day minimum public review and comment on its rules and policies, including the competitive selection process, and the consideration of meaningful input from the public, including broad-based participation from individuals, businesses, Indian tribes, and non-profit organizations. Provide links to public comments, newspaper articles, transcripts, or minutes of meetings, etc. If these are not available on the Internet, please attach relevant documents to the application package.</p>	

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. EXISTING CENTER(S) OF EXCELLENCE:
1. Selection Process and Public Input
(a) Directions: List existing Center(s) and the corresponding grant number(s) under which it was first established, thereby incorporating previous responses by reference.
(b) Directions: Provide an explanation of any modifications to the competitive selection process used to select the existing Center(s).
(c) Directions: Provide an explanation of any modifications to the rules and policies that were approved after consideration of meaningful input from the public and used to select the existing Center(s).
C. RECIPIENT INFORMATION
1. Subaward Management
Directions: Describe how the applicant will manage the subaward(s) to the Center(s), including the applicant's policies and procedures for issuing subawards; the process to guard against conflicts of interest; the process for selecting science, technology, or monitoring projects; and monitoring subrecipient's performance and compliance.
2. Key Personnel
Directions: Key personnel should include the applicant's Authorizing Official who is authorized to sign the grant application and award, the Project Director who is responsible for the project, and the Financial Officer who is responsible for maintaining the accounting and financial records of the grant. The RESTORE Act Standard Terms and Conditions require the applicant to notify Treasury if there are any changes in key personnel. Also include the name of the principal investigator/program director for each Center of Excellence.

D. CENTER OF EXCELLENCE INFORMATION:		
1. Please provide the name of the Center(s) of Excellence and the name and address for each entity selected to operate the Center(s) of Excellence as a subrecipient of the applicant; attach more pages as needed. Also, provide the Principal Investigator's (PI) contact information.	Name of Center of Excellence:	
	Name of Subrecipient:	
	Street address:	
	City:	
	County/Parish:	
	State:	
	Zip code:	
	DUNS Number:	
	PI Name:	
	PI Phone Number:	
PI Email Address:		
2. Select the applicable eligible disciplines that each Center will be focusing on as part of this grant request.	Select all that apply	Eligible Discipline
	<input type="checkbox"/>	A. Coastal and deltaic sustainability, restoration and protection, including solutions and technology that allow citizens to live in a safe and sustainable manner in a coastal delta in the Gulf Coast Region
	<input type="checkbox"/>	B. Coastal fisheries and wildlife ecosystem research and monitoring in the Gulf Coast Region
	<input type="checkbox"/>	C. Offshore energy development, including research and technology to improve the sustainable and safe development of energy resources in the Gulf of Mexico
	<input type="checkbox"/>	D. Sustainable and resilient growth and economic and commercial development in the Gulf Coast Region
	<input type="checkbox"/>	E. Comprehensive observation, monitoring, and mapping of the Gulf of Mexico

3. Provide more information on each Center, including what type of entity it is and whether it is a consortium.	Type of Entity (Institution of higher education, corporation, etc.)			
	Is the Center of Excellence a consortium?	yes <input type="radio"/> no <input type="radio"/>		
	If yes, list all member organizations and addresses:			
4. Select whether there is a Minority-Serving Institution(s), and name the entity and type of MSI if applicable.	Minority-Serving Institution(s) included?	yes <input type="radio"/> no <input type="radio"/>		
	If yes, name and type of institution(s): (e.g., Historically Black College or University or Hispanic Serving Institution – see definition of Minority Institution and list of institutions at http://www2.ed.gov/about/offices/list/ocr/edlite-minorityinst.html)			
5. Select whether the Center is located in the Gulf Coast Region.	Is the Center of Excellence located in the Gulf Coast Region, as defined at 31 C.F.R. § 34.2? Explain or attach a map if necessary. yes <input type="radio"/> no <input type="radio"/>			
6. Proposed Scope of Work				
<p>Directions: Provide a detailed scope of work that includes the activities for which funding is requested, including:</p> <ul style="list-style-type: none"> • Needs, purpose, and objectives of proposed activities, including how they are designed to contribute to the establishment of the Center(s); • Science, technology, and monitoring activities; and monitoring of the subrecipient; • Relationship between the proposed activities and the eligible discipline(s); and • Specific tasks, milestones, and related timeframes (include the major milestones in the Milestones Report). 				

7. Budget Justification (See OMB Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards)

Directions: Explain in detail how the proposed budget supports the proposed scope of work. The budget justification should relate each budget category listed in the SF-424A to the specific tasks discussed in the response to D6. Provide specific justification for ALL budget categories that apply, including an explanation of the necessity, allowability, reasonableness, and allocability of proposed costs. Please refer to the relevant Funding Opportunity Announcement for descriptions of the budget categories.

8. Permits

Does the Center(s)'s proposed activities require any federal, tribal, state, or local permits? For potential federal permits needed, see: <https://www.permits.performance.gov/tools/federal-environmental-review-and-authorization-inventory>

Yes ☐

No ☐

If yes, list federal, tribal, state, or local permits required for this project and the status of the permits:

RESTORE Act Centers of Excellence 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 Centers of Excellence Research Grants program. 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 Centers of Excellence Research Grants program funds.

A. RESTORE Act Certification

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

(a) Funds will be used to award competitive grants for the establishment of Centers of Excellence that focus on science, technology, and monitoring in at least one of the following disciplines:

- (i) Coastal and deltaic sustainability, restoration, and protection, including solutions and technology that allow citizens to live in a safe and sustainable manner in a coastal delta in the Gulf Coast region;
- (ii) Coastal fisheries and wildlife ecosystem research and monitoring in the Gulf Coast Region;
- (iii) Offshore energy development, including research and technology to improve the sustainable and safe development of energy resources in the Gulf of Mexico;
- (iv) Sustainable and resilient growth and economic and commercial development in the Gulf Coast Region; and
- (v) Comprehensive observation, monitoring, and mapping of the Gulf of Mexico.

(b) Rules and policies for Centers of Excellence Research Grants, including the competitive selection process and measures to guard against conflicts of interest, were published and available for public review and comment for a minimum of 45 days, and that they were adopted after consideration of all meaningful input from the public, including broad-based participation from individuals, businesses, Indian tribes, and non-profit organizations. The certification in this paragraph (1)(b) does not apply in instances where state statutes and regulations or policies addressing this issue were in effect prior to August 15, 2014.

(c) 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.

(d) 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.

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

(f) 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 an award 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 Milestones Report — Department of the Treasury		OMB Approval No. 1505-0250
Applicant/Grantee:		
Title:		
Reporting Period Ending (Options: initial report, Mar 31, Sept 30), 20XX		

INSTRUCTIONS FOR COMPLETING FORM

Please complete Columns B-E in the initial report submitted as part of an application package. After a grant is awarded, complete Columns G-H for each milestone as applicable and submit as part of the performance reports described in the Standard Terms and Conditions. Columns E and H will calculate automatically, and will show an error message unless the values in each column total 100%. These milestones should reflect what is in the applicant's scope of work as described in the applicable RESTORE Act Direct Component or Centers of Excellence Application Narrative.

TO COMPLETE

-A- Milestone Number	-B- Milestone Description Provide a brief description of the significant steps that comprise the scope of work	-C- Estimated Completion Timeframe of Milestone (Format: award + # of months)	-D- Is milestone contingent upon completion of another milestone (Y/N)? If yes, which milestone is it contingent upon (# from Column A)?	-E- What percentage of the Scope of Work is estimated to be completed with this milestone?	-G- Actual Completion Date of Milestone (Format: Month-Year)	-H- Estimated percentage of budget for the awarded Scope of Work spent on milestone
1				0%		0%
2				0%		0%
3				0%		0%
4				0%		0%
5				0%		0%
6				0%		0%
7				0%		0%
8				0%		0%
9				0%		0%
10				0%		0%
TOTAL				ERROR!		ERROR!

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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 may be required from listed agencies and submitted with the grant application. Follow up to the questions should be listed in the table located on the last page of the checklist. Treasury will use the submittals to record the Applicant's assertion that it has complied with applicable environmental laws. **Please note: if links do not work, either cut and paste the link or use a different browser.***

PROPOSED PROJECT NAME: _____

APPLICANT NAME: _____

FEDERAL LAWS

1.1 NATIONAL ENVIRONMENTAL POLICY ACT (NEPA)

The NEPA of 1969 (42 U.S.C. 4321 et seq.) provides a national policy that encourages "productive and enjoyable harmony between man and his environment; to promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man" The NEPA requires that all federal agencies use a systematic, interdisciplinary approach for protection of the human environment; this approach will ensure the integrated use of the natural and social sciences in any planning and decision-making that may have an impact upon the environment. The NEPA also requires the preparation of a detailed Environmental Impact Statement (EIS) on any major federal action that may have a significant impact on the environment. An Environmental Review may be required based on the answers to the following questions:

- 1) Will the proposed activity be under the permitting authority of any federal agency?
Yes ☐ No ☐
- 2) Will the proposed activity receive federal assistance (other than RESTORE Act funding)?
Yes ☐ No ☐
- 3) Will the proposed activity be subject to any federal regulatory decision or approval?
Yes ☐ No ☐

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If the answer to any of these questions is “yes,” contact the relevant federal agency or agencies for further guidance on environmental compliance. Further guidance concerning NEPA can be found at [NEPA | National Environmental Policy Act - Home https://ceq.doe.gov/](https://ceq.doe.gov/)

- 4) Has any environmental review (e.g., NEPA documentation or state or tribal equivalent) been prepared for this proposed eligible activity?

Yes ☐

No ☐

If yes, please attach a copy of the documentation to this checklist.

1.2. COASTAL ZONE MANAGEMENT ACT (CZMA)

A federal consistency determination or certification pursuant to Section 307 of the Coastal Zone Management Act may be required from the state coastal zone management program, based on the answers to the following questions:

- 1) Will the proposed activity occur in or near the state designated coastal zone?
<https://coast.noaa.gov/czm/media/StateCZBoundaries.pdf>

Yes ☐

No ☐

- 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 the answer to either of these questions is “yes,” contact the State Coastal Zone Management Program, <https://coast.noaa.gov/czm/about/?redirect=301ocm> for further guidance on federal consistency requirements in your state. Further guidance on federal consistency can be found at <https://coast.noaa.gov/czm/consistency/>

1.3 ENDANGERED SPECIES ACT (ESA)

A consultation pursuant to Section 7 of the Endangered Species Act and/or a permit and conservation plan pursuant to Section 10 may be required based on the answers to the following questions:

- 1) 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 National Marine Fisheries Service (NMFS), [Species and Critical Habitat Found in the Southeast Region :: Southeast Regional Office](#) or the U.S. Fish and Wildlife Service (USFWS), [IPaC: Home](#)

Yes ☐

No ☐

- 2) Will the proposed activity potentially affect threatened or endangered species or critical habitat as defined by the ESA and under the jurisdiction of NMFS or USFWS? See http://sero.nmfs.noaa.gov/protected_resources/section_7/effects_guidance/endangered_species_act_section_7_effects_determination_web_guidance_final.pdf for further information.

Yes ☐ No ☐

If the answer to either of these questions is "yes," or you are unsure, contact the appropriate ecological services field office of the USFWS, <https://www.fws.gov/offices/> and/or the Office of Protected Resources Program of the NMFS, <http://www.nmfs.noaa.gov/pr/index.htm>, to determine if consultation is required. Most consultations are conducted informally with the federal agency or a designated non-federal representative. Non-federal representatives may be involved in the informal consultation process and may request and receive species lists, prepare the biological assessment, and provide information for the formal consultation. However, the action agency is required to formally designate the non-federal representative in writing. Moreover, the ultimate responsibility for Section 7 obligations remains with the federal action agency. Further guidance concerning Section 7 consultations can be found in the Endangered Species Act Consultation Handbook at [Centralized Library, Final Section 7 Consultation Handbook: U.S. Fish and Wildlife Service https://www.fws.gov/policy/m0002.html](https://www.fws.gov/policy/m0002.html). Further guidance concerning Section 10 permits and conservation plans for activities involving threatened or endangered marine and anadromous species can be found at http://www.nmfs.noaa.gov/pr/permits/ESA_permits.html. For terrestrial or freshwater species or land-based sea turtle activities, further guidance concerning section 10 permits and habitat conservation plans can be found at <https://www.fws.gov/endangered/esa-library/index.html>

1.4 MIGRATORY BIRD TREATY ACT AND BALD AND GOLDEN EAGLE PROTECTION ACT

The Migratory Bird Treaty Act makes it illegal for anyone to take, possess, import, export, transport, sell, purchase, barter, or offer for sale, purchase, or barter, any migratory bird, or the parts, nests, or eggs of such a bird except under the terms of a valid permit issued pursuant to Federal regulations. The migratory bird species protected by the Act are listed in 50 C.F.R. 10.13. The Bald and Golden Eagle Protection Act prohibits anyone, without a permit issued by the Secretary of the Interior, from "taking" bald eagles [or any golden eagle], including their parts, nests, or eggs. The Act defines "take" as "pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb." A permit may be required based on the answers to the following questions:

- 1) Will the proposed activity affect any migratory bird species protected by the Migratory Bird Treaty Act?

Yes ☐ No ☐

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

Yes ☐ No ☐

If the answer to either question is “yes” or you are unsure, contact the appropriate ecological services field office of the USFWS,

<https://www.fws.gov/birds/policies-and-regulations/permits/regional-permit-contacts.php>. More information can be found at

<https://www.fws.gov/birds/policies-and-regulations/laws-legislations/migratory-bird-treaty-act.php>

and <https://www.fws.gov/birds/policies-and-regulations/laws-legislations/bald-and-golden-eagle-protection-act.php>

1.5 MAGNUSON – STEVENS FISHERY CONSERVATION AND MANAGEMENT ACT (FCMA) Consultation with the NMFS may be required if Essential Fish Habitat (EFH) is present and based on the answers to the following questions:

- 1) Will the proposed activity occur in proximity to Essential Fish Habitat as identified by the Protected Resources Program? , <http://www.fisherycouncils.org/> and <http://www.nmfs.noaa.gov/sfa/management/councils/>

Yes ☐

No ☐

- 2) Will the proposed activity potentially adversely affect EFH?

Yes ☐

No ☐

If the answer to either of these questions is “yes” or you are unsure, contact the Office of Protected Resources Program of the NMFS, <http://www.nmfs.noaa.gov/pr/index.htm> , or Regional Fishery Management Council, <http://www.fisherycouncils.org/> , to determine if consultation is required. Further guidance concerning EFH can be found at, <http://www.habitat.noaa.gov/index.html>. Information about consultations can be found in the Essential Fish Habitat Consultation Guidance at http://www.habitat.noaa.gov/pdf/efhconsultationguidancev1_1.pdf.

1.6 MARINE MAMMAL PROTECTION ACT (MMPA)

A permit may be required if an activity will result in the “take” of a marine mammal. Taking is defined as “to harass, hunt, capture, or kill, or attempt to harass, hunt, capture, or kill any marine mammal.” Permits for most marine mammals are issued by NMFS. Manatees, polar bears, sea otters, walrus, and dugongs, however, are under the jurisdiction of the USFWS.

- 1) Will the proposed activity occur in proximity to any known marine mammals? <http://www.nmfs.noaa.gov/pr/species/mammals/> or <https://ecos.fws.gov/ipac/>

Yes ☐

No ☐

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

Yes ☐

No ☐

If the answer to either of these questions is “yes” or you are unsure, contact the NMFS Office of

Protected Resources Program <http://www.nmfs.noaa.gov/pr/> or the appropriate USFWS ecological services office <https://www.fws.gov/offices/> to determine if a permit is required. Further guidance concerning marine mammal permits can be found at http://www.nmfs.noaa.gov/pr/permits/mmpa_permits.html

1.7 MARINE PROTECTION, RESEARCH, AND SANCTUARIES ACT (MPRSA)

Titles I and II of the Marine Protection, Research, and Sanctuaries Act (MPRSA), also referred to as the Ocean Dumping Act, generally prohibits (1) transportation of material from the United States for the purpose of ocean dumping; (2) transportation of material from anywhere for the purpose of ocean dumping by U.S. agencies or U.S.-flagged vessels; (3) dumping of material transported from outside the United States into the U.S. territorial sea. A permit may be required based on the answer to the following question:

- 1) Does the proposed activity involve an activity covered by the MPRSA?

Yes ☐ No ☐

If the answer to this question is “yes,” contact the Environmental Protection Agency’s (EPA) Office of Wetlands, Oceans, and Watersheds/Oceans and Coastal Protection Division for further guidance <https://www.epa.gov/aboutepa/about-office-water> or <https://www.epa.gov/aboutepa/about-office-water#wetlands>. Further guidance about permits under the MPRSA can be found at <https://www.epa.gov/laws-regulations/summary-marine-protection-research-and-sanctuaries-act>

1.8 NATIONAL MARINE SANCTUARIES ACT

Each National Marine Sanctuary has its own unique set of regulations. There are some regulatory prohibitions that are typical for many sanctuaries: 1) discharging material or other matter into the sanctuary; 2) disturbance of, construction on or alteration of the seabed; 3) disturbance of cultural resources; and 4) exploring for, developing or producing oil, gas or minerals (with a grandfather clause for preexisting operations). A permit may be required from the National Oceanic and Atmospheric Administration (NOAA) based on the answer to the following question:

- 1) Is the proposed activity located in a National Marine Sanctuary?
<http://sanctuaries.noaa.gov/about/regions.html>

Yes ☐ No ☐

If the answer to this question is “yes” contact the nearest Regional Office of NOAA’s National Marine Sanctuaries Program for further guidance <http://sanctuaries.noaa.gov/about/southeast.html>

1.9 CLEAN WATER ACT (CWA)

A separate type of permit is required to dispose of dredge or fill material in the Nation’s waters, including wetlands. Authorized by Section 404 of the Act, this permit program is administered by the U.S. Army Corps of Engineers (USACE), subject to and using environmental guidance from the EPA. Some types of activities are exempt from permit requirements, including certain farming, ranching, and forestry

practices that do not alter the use or character of the land; some construction and maintenance; and activities already regulated by States under other provisions of the Act. A permit may be required from the USACE based on the answer to the following question:

- 1) Will the proposed activity result in any disposal of dredge or fill material to the nation's waters or wetlands?

Yes ☐ No ☐

If the answer to this question is "yes," contact the Regulatory Program of the nearest District Office of the USACE for further guidance on Section 404 permits at

<http://w3.saj.usace.army.mil/permits/HQAvatar/>

A Water Quality Certification (Section 401) is required for activities that may result in a discharge into navigable waters, including wetlands, watercourses, and natural or man-made ponds. A National Pollution Discharge Elimination System (NPDES) permit may also be required for such discharges.

- 1) Will the proposed activity result in any discharge to navigable waters?

Yes ☐ No ☐

If the answer to this question is "yes," contact your state water quality agency for additional guidance. Further guidance concerning Section 401 or NPDES requirements can be found at

<http://www.epa.gov/owow/wetlands/waterquality> and <https://www.epa.gov/npdes>

1.10 CLEAN AIR ACT (CAA)

Special conditions may be required on projects that could affect air quality, based on the answer to the following question:

- 1) Will the proposed activity result in any direct or indirect emissions within a non-attainment area?

<http://www3.epa.gov/airquality/greenbook/define.html>

Yes ☐ No ☐

If the answer to this question is "yes," contact the nearest state air quality agency at

<http://www.4cleanair.org/> for further guidance on determining conformity with the state implementation plan.

1.11 NATIONAL HISTORIC PRESERVATION ACT (NHPA) AND THE ARCHAEOLOGICAL AND HISTORIC PRESERVATION ACT (AHPA)

Special conditions may be required on projects that could affect historic resources, based on the answer to the following question:

- 1) Will the proposed activity occur near property listed or eligible for listing in the National Register of Historic Places <http://www.nps.gov/nr> or near property otherwise protected by section 106 of the National Historic Preservation Act <http://www.achp.gov/work106.html> or a similar State Preservation Act?

Yes ☐ No ☐

If the answer to this question is “yes,” or you are unsure, contact your state historic preservation office <http://ncshpo.org/> for further guidance concerning compliance requirements.

1.12 COASTAL BARRIER RESOURCE ACT (CBRA)

Federal funding may be prohibited for projects that occur on certain designated coastal barriers, based on the answer to the following question:

- 1) Is the proposed activity located on an undeveloped coastal barrier designated by the Coastal Barriers Resources Act?

<https://www.fws.gov/ecological-services/habitat-conservation/coastal.html>

Yes ☐ No ☐

If the answer to this question is “yes,” contact the appropriate USFWS ecological services office for further guidance at

https://www.fws.gov/ecological-services/habitat-conservation/cbra/PDF/field_offices_contact.pdf

1.13 RIVERS AND HARBORS ACT

A permit may be required from the USACE based on the answer to the following question:

- 1) 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 the answer to this question is “yes,” contact the Regulatory Program of the nearest District Office of the USACE at <http://w3.saj.usace.army.mil/permits/HQAvatar/index.htm> for further guidance on Section 10 permits. The USACE can authorize activities by a standard individual permit, letter-of-permission, nationwide permit, or regional permit. The USACE will make the determination on what type of permit is needed.

1.14 RESOURCE CONSERVATION AND RECOVERY ACT (RCRA)

A RCRA permit may be required from the EPA or designated state agency based on the answer to the following question:

- 1) Will the proposed activity include the long-term storage, treatment, or disposal of hazardous materials or petroleum products?

Yes

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No

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If the answer to this question is “yes,” contact the nearest RCRA Regional Office of the EPA or state authorized agency for further guidance on RCRA compliance at

<https://www.epa.gov/compliance/resource-conservation-and-recovery-act-rcra-compliance-monitoring>

1.15 COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT (CERCLA)

Special provisions and requirements may apply based on the answer to the following question,

- 1) Will the proposed activity involve a Superfund site? <https://www.epa.gov/superfund>

Yes

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No

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If the answer to this question is “yes,” contact the nearest Regional Office of the EPA for further guidance on CERCLA requirements at <https://www.epa.gov/aboutepa/visiting-regional-office>

1.16 WILD AND SCENIC RIVERS ACT

The Wild and Scenic Rivers Act prohibits federal support for actions such as the construction of dams or other instream activities that would harm the free-flowing condition, water quality, or outstanding resource values of a designated Wild and Scenic River. There are designated rivers in the Gulf Coast States and the Act may apply based on the answer to the following question:

- 1) Is the proposed activity located on a designated Wild and Scenic River?

<https://www.rivers.gov/index.php>

Yes

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No

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If the answer to this question is “yes,” contact the appropriate USFWS ecological services office for further guidance at <https://www.fws.gov/where/>

1.17 SAFE DRINKING WATER ACT

A permit may be required if the proposed activity will involve underground injection which may impact drinking water sources and based on the answer to the following question:

- 1) Will the proposed activity involve underground injection, which may impact drinking water sources?

Yes

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No

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If the answer to the question is “yes,” contact the nearest state drinking water or underground injection control program at <https://www.epa.gov/uic> . For further guidance, see <https://www.epa.gov/uic/underground-injection-control-regulations-and-safe-drinking-water-act-provisions>

1.18 FARMLAND PROTECTION POLICY ACT (FPPA)

Projects are subject to FPPA requirements if they may irreversibly convert farmland (directly or indirectly) to nonagricultural use and are completed by a Federal agency or with assistance from a Federal agency. The project may be subject to the FPPA based on the answer to the following question:

- 1) Will the proposed activity irreversibly convert farmland (directly or indirectly) to nonagricultural use?

Yes

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No

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If the answer to the question is “yes,” contact your local office of the Natural Resources Conservation Service (NRCS) or USDA Service Center for further guidance at <http://www.nrcs.usda.gov/wps/portal/nrcs/main/national/contact/local/> and <http://www.nrcs.usda.gov/wps/portal/nrcs/main/national/landuse/fppa/>

EXECUTIVE ORDERS

Executive Orders are directives from the President of the United States to federal agencies and officials.

2.1 E.O. 11988 AND E.O. 13690 – FLOODPLAIN MANAGEMENT

Executive Order 11988, as amended by Executive Order 13690 requires that an eight-step process be followed for projects that may have potential impacts to or within floodplains.

- 1) Is the proposed activity located in a designated floodway or “V-zone” on a National Flood Insurance Program map? <http://msc.fema.gov/portal>

Yes

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No

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If the answer to this question is “yes,” contact the nearest Regional Office of the Federal Emergency

Management Agency for further guidance at

<http://www.fema.gov/national-flood-insurance-program-bureau-statistical-agent-regional-support-offices>

2.2 E.O. 11990 and E.O. 12608 – WETLAND PROTECTION

This Executive Order requires agencies to avoid providing assistance for new construction located in wetlands unless there is no practicable alternative to such construction, and that the proposed action includes all practicable measures to minimize harm to wetlands, which may result from such use. The Executive Order defines wetlands: “(c) The term “wetlands” means those areas that are inundated by surface or ground water with a frequency sufficient to support and under normal circumstances does or would support a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands generally include swamps, marshes, bogs, and similar areas such as sloughs, potholes, wet meadows, river overflows, mud flats, and natural ponds.”

<https://www.fws.gov/wetlands/Data/Mapper.html>

For further guidance, contact the appropriate ecological services field office of the USFWS

<https://www.fws.gov/wetlands/NWI/RWC.html>

1) Is any portion of the project proposing a new construction activity in wetlands?

Yes

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No

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If the answer to this question is “yes,” provide documentation in the grant application demonstrating that (1) there is no practicable alternative and (2) the proposed activity includes all practicable measures to minimize harm to wetlands.

2.3 E.O. 12898 – ENVIRONMENTAL JUSTICE

This Executive Order requires that “each federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations.”

1) Will the proposed activity have disproportionately high and adverse human health or environmental effects on minority or low-income populations?

Yes

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No

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If the answer to this question is “yes,” see the Council on Environmental Quality website for further guidance on Environmental Justice at https://ceq.doe.gov/nepa_information/justice.html

2.4 E.O. 13089 – CORAL REEF PROTECTION

This Executive Order requires that any actions that are authorized or funded by federal agencies not degrade the condition of coral reef ecosystems. Some of the Gulf Coast States contain coral reef ecosystems and include National Marine Sanctuaries <http://sanctuaries.noaa.gov/>

- 1) Will the proposed activity involve a coral reef ecosystem or National Marine Sanctuary?

Yes

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No

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If the answer to this question is “yes,” contact the National Oceanic and Atmospheric Administration Coral Reef Conservation Program for further guidance at <http://coralreef.noaa.gov/> Further guidance regarding Executive Order 13089 can be found at <https://ceq.doe.gov/nepa/regs/eos/eo13089.html>

2.5 E.O. 13112 – INVASIVE SPECIES

This Executive Order requires agencies to prevent the introduction of invasive species and provide for their control.

- 1) Will the proposed activity have the potential to introduce or cause the spread of an invasive species?

Yes

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No

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If the answer to this question is “yes,” provide documentation demonstrating that the benefits of the activity clearly outweigh the potential harm caused by invasive species, and that all feasible and prudent measures to minimize risk of harm will be taken in conjunction with the actions. For further guidance on invasive species, see <http://www.invasivespeciesinfo.gov/index.shtml> or <https://www.fws.gov/invasives/>

2.6 E.O. 13186 – RESPONSIBILITIES OF FEDERAL AGENCIES TO PROTECT MIGRATORY BIRDS

This Executive Order requires the incorporation and promotion of migratory bird conservation considerations into all agency activities. The Gulf Coast States contain North American migration flyways.

- 1) Is the proposed activity likely to occur during a time of the year when migrating birds are in the vicinity?

Yes

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No

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If the answer to this question is “yes,” contact the appropriate USFWS ecological services office for further guidance at <https://www.fws.gov/where/> . Further guidance regarding Executive Order 13186 can be found at <https://www.fws.gov/birds/index.php> and <https://www.fws.gov/birds/policies-and-regulations/executive-orders.php>

2.7 E.O. 13653 – PREPARING THE UNITED STATES FOR THE IMPACTS OF CLIMATE CHANGE

This Executive Order requires federal agencies to identify and support smarter, more climate- resilient investments by States, local communities, and tribes, including by providing incentives through agency guidance and grants.

- 1) Will the proposed activity incorporate elements that promote climate-resilience (e.g., to rising sea levels)?

Yes

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No

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If yes, include a brief description of the climate-resilient elements in the grant application proposed activity description. Executive Order 13563 can be found at

<https://www.gpo.gov/fdsys/pkg/FR-2015-03-25/pdf/2015-07016.pdf>

For further guidance, see <https://www.whitehouse.gov/administration/eop/ceq/sustainability>

Tracking Report Status

Report the status of your contact with required agencies/tribes on the table below which coincides with the environmental laws outlined in the checklist. Provide the date of contact, name of agency/tribe contacted, location, and any necessary permit, certification, or other determination or mitigation proposed by the agency/tribe. If none, state so.

Status of Contact Table

Federal law as listed in checklist	Date of contact	Name of agency/tribe contacted	Location	Permit, certification, determination or mitigation required

Certification

Signature of Authorized Senior Official: _____

Name: _____ Date: _____

Title: _____ Organization: _____

Applicant/Grantee:								
Title:								
Reporting Period Ending (Options: initial report, Mar 31, Sept 30)								
Goal(s):								
Eligible Activity/ Discipline #	Measure #	Measure	Baseline	Target	Target Date (month/ year)	Progress toward target (reporting period)	Progress toward target (cumulative)	Status/Next Steps
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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.

Instructions for Completing Form

The purpose of this form is to report the status of progress toward reaching priority goals of the eligible Direct Component (DC) activity/Centers of Excellence (COE) discipline (i.e., measuring success, rather than listing milestones or tasks). Please focus on a discrete number of priority goals (1-3) and the corresponding performance measures (1-5). Complete boxes shaded in blue.

Goal(s): Anticipated result(s). State the priority goal(s) to be achieved with the grant award. Priority goal(s) should clearly identify with the eligible DC activity/COE discipline.

Eligible Activity/Discipline #: For a DC grant, select the DC number from the drop-down list that corresponds to the DC Eligible Activity associated with that measure. For a (COE) grant, select the COE number from the drop down list that corresponds to the COE Eligible Discipline associated with that measure.

The DC numbers and COE numbers, along with the corresponding Eligible Activities and Disciplines, are listed directly below.

Direct Component (DC) Eligible Activities

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

Centers of Excellence (COE) Eligible Disciplines

COE - 1	Coastal and deltaic sustainability, restoration and protection, including solutions and technology that allow citizens to live in a safe and sustainable manner in a coastal delta in the Gulf Coast Region.
COE - 2	Coastal fisheries and wildlife ecosystem research and monitoring in the Gulf Coast Region.
COE - 3	Offshore energy development, including research and technology to improve the sustainable and safe development of energy resources in the Gulf of Mexico.
COE - 4	Sustainable and resilient growth, economic and commercial development in the Gulf Coast Region.
COE - 5	Comprehensive observation, monitoring, and mapping of the Gulf of Mexico.

Measure #: Starting with 1, number each performance measure.

Measure: An indicator of success toward reaching a goal. This should reflect "how the applicant will evaluate success" from the narrative of an accepted multiyear plan.

Baseline: The starting point of the measure. It is the status quo without the grant award.

Target: The anticipated result of the measure. It is the anticipated new status with the grant award.

Target Date: It is the anticipated date for reaching the target.

Progress toward target (reporting period/cumulative): Leave blank on the initial report. For subsequent reports, record progress made during the reporting period and the progress made from the start date of the grant award through the current reporting period.

Status/Next Steps: Briefly describe specific progress and/or challenges related to the measure.