

RESTORE Act Direct Component Application Narrative - Department of the Treasury

OMB Approval No. 1505-0250

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 other documentation as required by the relevant Funding Opportunity Announcement.

General Information

1. Applicant Name:
2. Descriptive Title of the Project (refer to SF-424):
3. Activity Title from Multiyear Plan Matrix, column #6:

Statutory Questions

4. Select the Primary Qualifying Eligible Activity:
 - a. Restoration and protection of the natural resources, ecosystems, fisheries, marine and wildlife habitats, beaches and coastal wetlands of the Gulf Coast Region
 - b. Mitigation of damage to fish, wildlife and natural resources
 - c. Implementation of a federally approved marine, coastal, or comprehensive conservation management plan, including fisheries monitoring
 - d. Workforce development and job creation
 - e. Improvements to or on State parks located in coastal areas affected by the Deepwater Horizon oil spill
 - f. Infrastructure projects benefitting the economy or ecological resources, including port infrastructure
 - g. Coastal flood protection and related infrastructure
 - h. Planning assistance
 - i. Promotion of tourism in the Gulf Coast Region, including recreational fishing
 - j. Promotion of the consumption of seafood harvested from the Gulf Coast Region
5. Select all other eligible activities that apply:
 - ☐ Restoration and protection of the natural resources, ecosystems, fisheries, marine and wildlife habitats, beaches and coastal wetlands of the Gulf Coast Region
 - ☐ Mitigation of damage to fish, wildlife and natural resources
 - ☐ Implementation of a federally approved marine, coastal, or comprehensive conservation management plan, including fisheries monitoring
 - ☐ Workforce development and job creation
 - ☐ Improvements to or on State parks located in coastal areas affected by the Deepwater Horizon oil spill
 - ☐ Infrastructure projects benefitting the economy or ecological resources, including port infrastructure
 - ☐ Coastal flood protection and related infrastructure
 - ☐ Planning assistance
 - ☐ Promotion of tourism in the Gulf Coast Region, including recreational fishing
 - ☐ Promotion of the consumption of seafood harvested from the Gulf Coast Region

6. Was the Proposed activity included in any claim for compensation paid out by the Oil Spill Liability Trust Fund after July 6, 2012? If "Yes," this activity is not eligible for a Direct Component grant.

☐ Yes

☐ No

Project Location

7. Location/primary place of performance. Please provide the actual location for the activity.
- a. Street Address:
 - b. City/Town:
 - c. County/Parish:
 - d. State:
 - e. Zip code:
8. If there is more than one location for the activity, please include a list of the additional locations.
- a. Street Address:
 - b. City/Town:
 - c. County/Parish:
 - d. State:
 - e. Zip code:
9. If available, provide latitude/longitude(s) or GPS coordinates for the location(s) of the project.
10. Attach a map showing the project location in the Gulf Coast Region.
11. Is a GIS shape file available?
- ☐ No.
- ☐ Yes. If yes, please provide a point of contact (name and email address) from whom the file may be obtained.

Proposed Scope of Work

The applicant must provide a detailed scope of work that fully describes the project or program for which funding is requested, including all the questions below.

12. Key Personnel
- a. Applicant's Authorizing Official authorized to sign the grant application and award:
 - Name
 - Email
 - Phone
 - b. Project Director responsible for the project:
 - Name
 - Email
 - Phone
 - c. Financial Officer responsible for maintaining accounting and financial records of the grant:
 - Name
 - Email
 - Phone

13. Project or Program Description:

- a. Need:
- b. Purpose:
- c. Objectives that clearly identify with the eligible activity(ies)

14. Identify how the proposed project activity will be carried out in the Gulf Coast Region as defined in 31 CFR 34.2. (select appropriate response)

- ☐ In Gulf Coast States, the coastal zones defined under section 304 of the CZMA that border the Gulf
- ☐ Land within coastal zones held in trust by the Federal Government
- ☐ Any adjacent land, water, and watersheds within 25 miles of coastal zone
- ☐ All federal waters of the Gulf of Mexico
- ☐ The eligible activity is exempt from being located in the Gulf Coast Region. If the eligible activity is exempt, provide the reason for exemption:

15. Describe possible material risks in implementing and maintaining the proposed activity, e.g., operational, legal, regulatory, budgetary, or ecological risks, and include 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.

16. 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.

Best Available Science

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.)

17. Is the proposed activity a restoration or natural resource project or does the proposed project include restoration or natural resource objectives?

- ☐ No
- ☐ Yes. If yes, a detailed response must be included with the application and supporting documentation may be required. In your responses cite and describe peer reviewed literature or publicly available data. For each source cited, the applicant must provide sufficient citations, including title; journal in which the literature source appeared, if applicable; publication date; author(s); and URL if downloaded or available online.
 - a. Provide a response with the following:
 - an explanation of how the project's natural resource protection and/or restoration objectives and proposed methods are based on best available science
 - a summary of any risks or uncertainties associated with the project and explain how these risks will be mitigated

- a description of the peer-reviewed information that justifies the proposed objectives, including methods used for the proposed activity.
 - a description of the literature sources' conclusions and any uncertainties or risks in the scientific basis that would apply to the proposed activity.
 - if the information supporting the proposed activity does not directly pertain to the Gulf Coast Region, an explanation on how the applicant's methods reasonably support and are adaptable to that geographic area.
 - an evaluation of uncertainties and risks in achieving the project's best available science objectives over the longer term.
- b. To support the Best Available Science determination, provide copies of 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.

Budget Justification

18. 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 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.)
19. If indirect costs are requested, the applicant must select the appropriate response below and provide relevant supporting documentation:
- ☐ Indirect costs are based on a grant-by-grant method and do not exceed 3% of award amount
 - ☐ Indirect costs are based on the Aggregate Method and do not exceed 3% of the total Administrative Cost Pool available.
- a. If requesting the aggregate method, provide a table of administrative costs requested to date and the available funds in the recipient's administrative indirect cost pool. (We recommend using the worksheet from the Aggregate Method Administrative Cost Tool.)
- b. Indirect costs must be supported by either a current federally approved Indirect Cost Rate Agreement or an election to use the de minimis indirect cost rate. Applicants electing to use the de minimis rate should upload a letter or other similar document, signed by their Chief Financial Officer or other senior official. Applicants electing to use a federally approved Indirect Cost Rate Agreement (Negotiated Indirect Cost Rate Agreement, NICRA) should upload the current NICRA.
20. Does the project include Other Funding Sources?
- ☐ No.
 - ☐ Yes. If yes, provide documentation of proof of availability of other funds needed for completion of project activities. (See relevant Funding Opportunity Announcement for a complete description of what Treasury accepts as documentation as proof of available other funds).

Direct Component Funds to Satisfy Non-Federal Cost Share

Treasury's RESTORE Act regulations at 31 CFR § 34.200(b) allow eligible applicants to use funds under the Direct Component to satisfy the non-Federal cost-share of an activity that is eligible for funding under 31 CFR § 34.201 and authorized by Federal law. Applicants seeking to use Direct Component funding to cover the non-Federal cost-share of another federally funded project or program which is a Direct Component eligible activity must include documentation in its application. 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. (See relevant Funding Opportunity Announcement for a complete description of what must be provided.)

21. Will the proposed activity use Direct Component funding to cover the non-Federal cost-share of another federally funded project or program which is a Direct Component eligible activity?

☐ No.

☐ Yes.

a. If yes, has the other Federal agency approved the activity?

☐ No. If no, the applicant must provide the additional information as follows.

i. The project description/scope of work and performance metric.

ii. A narrative describing the activity's status and the approximate timeline for the Federal agency to approve or decline the activity.

iii. A letter of commitment from that agency or other documentation that indicates the applicant will receive funding.

☐ Yes. If yes, the applicant must upload a copy of the grant agreement or other approval document as part of this Direct Component application.

Contractor

22. Does the applicant plan to contract out any work described in the Scope of Work and included in the Budget Justification (do not include subrecipient's contractors)?

☐ No.

☐ Yes.

a. Describe the expected number of contracts, method of procurement, and the applicant's plan for monitoring contractor performance and compliance.

b. Has a contractor already been selected?

☐ No.

☐ Yes. If yes, provide information for each contractor.

i. Name:

ii. Unique Entity ID (SAM):

iii. Date the applicant executed contract:

iv. Amount of contract awarded:

Subrecipient

23. Does the proposed project include a subaward?

- ☐ No.
- ☐ Yes. If yes, provide a separate, clearly defined scope of work and budget for the subrecipient(s).
 - a. Has a subrecipient already been selected?
 - ☐ No. If no, describe how the applicant 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.
 - ☐ Yes. If yes, provide information for each subrecipient.
 - i. Name:
 - ii. Unique Entity ID (SAM):
 - iii. Date of applicant selection of subrecipient:
 - iv. Amount of funds to be provided to subrecipient:
 - v. Describe how the applicant selected the subrecipient; the applicant's plan for monitoring the subrecipient's performance and compliance, and the means by which the applicant assessed the subrecipient's level of risk.

Land Acquisition, Construction, and Relocation Assistance

24. Will land, or an interest in land, be acquired?

- ☐ No.
- ☐ Yes. If yes, answer the questions below. Based on the applicant's responses to the following questions, the applicant may be required to upload supporting documentation.
 - a. What are the legal rights that will be acquired?
 - ☐ Fee simple title
 - ☐ Less-Than Fee Simple Title (e.g., easement)
 - b. If an easement, what is the life of the easement?
 - c. If known, what is the tax parcel number(s)? If tax parcel known, provide a copy of the legal description of the property.
 - d. Will the applicant (or subrecipient) hold title to the land?
 - ☐ No. If no, please provide a brief explanation for ownership of the property including how access to property for the project will be obtained.
 - ☐ Yes. If obtained, provide the applicable evidence of title/rights documentation pursuant to the Treasury's guidance at Treasury's RESTORE Act [Direct Component Resources](#) website.
 - e. If known, what is the total acreage of the proposed property interest to be acquired?
 - f. Are the property boundaries known for the project site?
 - ☐ No.
 - ☐ Yes. If yes, provide a map of the area in which the real property to be acquired will be located, with the boundaries of the project site clearly delineated and provide a Federal Emergency Management Agency (FEMA) floodplain map of the area in which the real property to be acquired will be located with the boundaries of the site clearly delineated.

- g. Has the applicant (or subrecipient) obtained a recent certified appraisal of the property?
 - ☐ No.
 - ☐ Yes. If obtained, provide a copy of the recent certified appraisal. If the appraisal is older than one year from the date of the grant application, please provide a written justification.
 - h. Has the applicant (or subrecipient) obtained a title opinion or certificate?
 - ☐ No
 - ☐ Yes. If obtained, provide the applicable evidence of title/rights documentation pursuant to the Treasury's guidance at Treasury's RESTORE Act [Direct Component Resources](#) website.
 - i. 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?
 - ☐ No.
 - ☐ Yes. If obtained, provide a copy of the signed willing seller statement.
25. Does the project include construction?
- ☐ No.
 - ☐ Yes. If yes, answer the questions below. Based on the applicant's responses to the following questions, the applicant may be required to upload supporting documentation.
 - a. Will or does the applicant (or subrecipient) hold title to the property to be improved?
 - ☐ No. If no, please provide a brief explanation of the ownership of the property including how access to property for the project will be obtained.
 - ☐ Yes. If obtained, provide the applicable evidence of title/rights documentation pursuant to the Treasury's guidance at Treasury's RESTORE Act [Direct Component Resources](#) website.
 - b. If known, what is the tax parcel number(s) of the property? If tax parcel known, provide a copy of the legal description of the property.
 - c. Are the property boundaries known for the project site?
 - ☐ No.
 - ☐ Yes. If property boundaries known, provide a map of the area in which the construction project will be located, with the boundaries of the project site clearly delineated and a Federal Emergency Management Agency (FEMA) floodplain map of the area in which the construction project will be located with the boundaries of the site clearly delineated.
 - d. Has the applicant (or subrecipient) obtained a recent certified appraisal of the property?
 - ☐ No.
 - ☐ Yes. If obtained, provide a copy of the recent certified appraisal. If the appraisal is older than one year from the date of the grant application, please provide a written justification.
 - e. Has the applicant (or subrecipient) obtained construction drawings for the project?
 - ☐ No.
 - ☐ Yes. If obtained, provide a copy of the construction drawings for the project.
 - f. Is the applicant proposing an Estimated Useful Life for the construction activity?
 - ☐ No.

- ☐ Yes. If yes, provide a proposed Estimated Useful Life for infrastructure (in years) and provide a description of the method used to determine the Estimated Useful Life of the project.

26. Relocation Assistance: Will the proposed project cause the displacement of any persons, businesses, or farm operations?

- ☐ No.
- ☐ Yes. 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.

RESTORE Act Application Milestones and Performance Measures – Department of the Treasury

OMB Approval No. 1505-0250

A. Milestones:

Provide the milestones and the estimated timeframe for completion (Number of Months After Performance Period Start Date).

B. Performance Measures:

Include the following information. For guidance, 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.

RESTORE Act Environmental Compliance Form - Department of the Treasury

OMB Approval Number 1505-0250

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 to implement the requirements of the law. If a response of 'No' is recorded to any of the following questions, the applicant has the option to summarize their analysis and conclusion regarding the non-applicability of the environmental law. 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 RESTORE Act Environmental Compliance Form completed by the subrecipient's authorized representative. A signed statement from the applicant attesting to its review of the subrecipient's RESTORE Act Environmental Compliance Form must be included 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.

A. FORM INTAKE

- 1) Please offer the following details about who provided the information to complete this form.
Name:
Title:
Organization:
Date:
- 2) For projects that do not involve construction activities, has the applicant identified any environmental laws that may apply to the eligible activity?
☐ Yes. If yes, the applicant will proceed to question 3.
☐ No.
☐ Not applicable. The project includes construction activities.
- 3) Will the project be implemented by a subrecipient?
☐ Yes. If yes, provide the subrecipient organization:
☐ No. If no, proceed to Section B.
- 4) Has the subrecipient's authorized representative completed and certified the Environmental Compliance Form?
☐ Yes. If the subrecipient has completed and certified the Environmental Compliance Form at time of application, the applicant should upload the certified form and any supporting documentation.
☐ No. If the subrecipient has not completed and certified the Environmental Compliance Form

review at time of application, please provide a brief explanation (for example, the subrecipient agreement has not been executed and the applicant will require the subrecipient to submit a completed and certified Environmental Compliance Form prior to commencing construction activities within the scope of work.)

5) Certification of Review

If the Environmental Compliance Form is completed and certified by the subrecipient, the applicant must complete the following statement attesting to review of the subrecipient's Environmental Compliance Form.

The Applicant certifies that it has reviewed the subrecipient's RESTORE Act Environmental Compliance Form and attest to its accuracy.

Signature of Applicant's Authorized Senior Official:

Name:

Date:

Title:

Organization:

B. ASSESSMENT OF APPLICABILITY OF ENVIRONMENTAL LAWS

If the project will be implemented by the recipient, the following questions must be completed by the applicant.

1) **NATIONAL ENVIRONMENTAL POLICY ACT (NEPA)**

An Environmental Review may be required based on the answers to the following questions:

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)?

*If the answer to **any** of these questions is "yes," contact the relevant federal agency or agencies for further guidance on environmental compliance.*

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 ☐ Uncertain ☐

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

If no, briefly summarize your entity's determination that a NEPA or NEPA-like review will not be required for this proposed eligible activity. (optional)

Do you have anything to report on environmental compliance status for this law?

Please select 'yes' to report any coordination that your entity has conducted with the relevant federal agency(ies). This may include correspondence leading to a determination that further coordination, permits, certifications, consultations, or mitigation is not required for this project.

N/A ☐ Yes ☐ No ☐

Name of responsible agency/tribe:

Permit, certification, determination mitigation required:

Date of contact or permission obtained:

Status:

Upload supporting documents.

Documentation may include a copy of the environmental review, correspondence with the relevant federal agency(ies), or copy of a public notice of intent to issue a federal permit.

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:

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 ☐ Uncertain ☐

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.

If no, briefly summarize your entity's determination that the activity will not be likely to have reasonably foreseeable effects on any land or water use or natural resource of the designated coastal zone. (optional)

Do you have anything to report on environmental compliance status for this law?

Please select 'yes' to report any coordination that your entity has conducted with the relevant federal agency(ies). This may include correspondence leading to a determination that further coordination, permits, certifications, consultations, or mitigation is not required for this project.

N/A ☐ Yes ☐ No ☐

Name of responsible agency/tribe:

Permit, certification, determination mitigation required:

Date of contact or permission obtained:

Status:

Upload supporting documents.

Documentation may include correspondence with relevant State Coastal Zone Management Program regarding CZMA applicability and requirements, a copy of a federal consistency

determination, or copy of a certificate. In cases of joint reviews, documentation of CZMA compliance may include a copy of a state permit. In Florida, documentation may include a copy of a clearance letter from the state Clearinghouse.

3) NATIONAL MARINE SANCTUARIES ACT

A permit or other authorization may be required from the National Oceanic and Atmospheric Administration (NOAA) based on the answer to the following question:

Is the proposed activity located in a National Oceanic and Atmospheric Administration (NOAA) National Marine Sanctuary?

If the answer to this question is “yes” or “uncertain” contact the nearest Regional Office of NOAA’s National Marine Sanctuaries Program for further guidance.

Yes ☐ No ☐ Uncertain ☐

If yes, identify the National Marine Sanctuary: _____

Do you have anything to report on environmental compliance status for this law?

Please select 'yes' to report any coordination that your entity has conducted with the relevant federal agency(ies). This may include correspondence leading to a determination that further coordination, permits, certifications, consultations, or mitigation is not required for this project.

N/A ☐ Yes ☐ No ☐

Name of responsible agency/tribe:

Permit, certification, determination mitigation required:

Date of contact or permission obtained:

Status:

Upload supporting documents.

Documentation may include a copy of a state or federal permit, copy of a consultation, or correspondence with a Regional Office of NOAA's National Marine Sanctuaries Program to determine whether a permit and/or consultation or further coordination is required.

4) MAGNUSON – STEVENS FISHERY CONSERVATION AND MANAGEMENT ACT

Consultation with the NMFS may be required if Essential Fish Habitat (EFH) is present and based on the answers to the following questions:

Will the proposed activity occur in proximity to an Essential Fish Habitat (EFH) as identified by NOAA’s National Marine Fisheries Service (NMFS)?

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

Yes ☐ No ☐ Uncertain ☐

If yes, identify the EFH types: _____

If no, briefly summarize your entity's determination that EFH is not present: (optional)

Do you have anything to report on environmental compliance status for this law?

Please select 'yes' to report any coordination that your entity has conducted with the relevant federal agency(ies). This may include correspondence leading to a determination that further

coordination, permits, certifications, consultations, or mitigation is not required for this project.

N/A ☐ Yes ☐ No ☐

Name of responsible agency/tribe:

Permit, certification, determination mitigation required:

Date of contact or permission obtained:

Status:

Upload supporting documents.

Documentation may include a copy of a state or federal permit, copy of a consultation, or correspondence with NOAA NMFS to determine whether a permit and/or consultation or further coordination is required.

5) MARINE MAMMAL PROTECTION ACT (MMPA) (NMFS)

A permit may be required if an activity will result in the “take” of a marine mammal, based on the answers to the following questions. “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). Permits for most marine mammals are issued by NMFS.

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

Will the proposed activity occur in proximity to any known marine mammals under the jurisdiction of the NMFS?

Yes ☐ No ☐ Uncertain ☐

If no, briefly summarize your entity's determination that the proposed activity will not occur in proximity to any known marine mammals under the jurisdiction of NMFS. (optional)

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

Yes ☐ No ☐ Uncertain ☐

If yes, identify the marine mammal(s): _____

If no, briefly summarize your entity's determination that the proposed activity will not likely result in the take of a marine mammal. (optional)

Do you have anything to report on environmental compliance status for this law?

Please select 'yes' to report any coordination that your entity has conducted with NMFS. This may include correspondence leading to a determination that further coordination, permits, certifications, consultations, or mitigation is not required for this project.

N/A ☐ Yes ☐ No ☐

Name of responsible agency/tribe:

Permit, certification, determination mitigation required:

Date of contact or permission obtained:

Status:

Upload supporting documents.

Documentation may include a copy of a state or federal permit, copy of a consultation, or correspondence with a NMFS Field Office to determine whether a permit and/or consultation or further coordination is required.

6) **MARINE MAMMAL PROTECTION ACT (USFWS)**

A permit may be required if an activity will result in the "take" of a marine mammal, based on the answers to the following questions. "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). Manatees, polar bears, sea otters, walruses, and dugongs are under the jurisdiction of the USFWS.

If the answer to either of these questions is "yes" or you are unsure, contact the appropriate USFWS ecological services office to determine if a permit is required.

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 ☐ Uncertain ☐

If no, briefly summarize your entity's determination that the proposed activity will not occur in proximity to any known marine mammals under the jurisdiction of USFWS. (optional)

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

Yes ☐ No ☐ Uncertain ☐

If yes, identify the marine mammal(s): _____

If no, briefly summarize your entity's determination that the proposed activity will not likely result in the take of a marine mammal. (optional)

Do you have anything to report on environmental compliance status for this law?

Please select 'yes' to report any coordination that your entity has conducted with the relevant federal agency(ies). This may include correspondence leading to a determination that further coordination, permits, certifications, consultations, or mitigation is not required for this project.

N/A ☐ Yes ☐ No ☐

Name of responsible agency/tribe:

Permit, certification, determination mitigation required:

Date of contact or permission obtained:

Status:

Upload supporting documents.

Documentation may include a copy of a state or federal permit, copy of a consultation, or correspondence with a USFWS Field Office to determine whether a permit and/or consultation or further coordination is required.

7) **ENDANGERED SPECIES ACT (ESA) (USFWS)**

A consultation pursuant to Section 7 or 10 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:

If the answer to either of these questions is "yes," or you are unsure, contact the appropriate ecological services field office of the USFWS and/or the Office of Protected Resources Program of the NMFS to determine if consultation is required. Most consultations are conducted informally with the

federal agency or a designated non-federal representative.

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 ☐ Uncertain ☐

If no, briefly summarize your entity's determination that the proposed activity will not occur in proximity to threatened or endangered species or critical habitat as defined by the ESA and under the jurisdiction of USFWS. (optional)

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: _____

Do you have anything to report on environmental compliance status for this law?

Please select 'yes' to report any coordination that your entity has conducted with the relevant federal agency(ies). This may include correspondence leading to a determination that further coordination, permits, certifications, consultations, or mitigation is not required for this project.

N/A ☐ Yes ☐ No ☐

Name of responsible agency/tribe:

Permit, certification, determination mitigation required:

Date of contact or permission obtained:

Status:

Upload supporting documents.

Documentation may include a copy of a consultation pursuant to Section 7 of the ESA and/or a copy of a Section 10 permit and conservation plan. Documentation may include correspondence with the appropriate USFWS Field Office to determine if consultation is required.

8) **ENDANGERED SPECIES ACT (NMFS)**

A consultation pursuant to Section 10 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:

If the answer to either of these questions is "yes," or you are unsure, contact the Office of Protected Resources Program of NMFS to determine if consultation is required. Most consultations are conducted informally with the federal agency or a designated non-federal representative.

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 ☐ Uncertain ☐

If no, briefly summarize your entity's determination that the proposed activity will not occur in proximity to threatened or endangered species or critical habitat as defined by the ESA and under the jurisdiction of NMFS. (optional)

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: _____

If no, briefly summarize your entity's determination that the proposed activity will not occur in proximity to threatened or endangered species or critical habitat as defined by the ESA and under the jurisdiction of NMFS. (optional)

Do you have anything to report on environmental compliance status for this law?

Please select 'yes' to report any coordination that your entity has conducted with the relevant federal agency(ies). This may include correspondence leading to a determination that further coordination, permits, certifications, consultations, or mitigation is not required for this project.

N/A ☐ Yes ☐ No ☐

Name of responsible agency/tribe:

Permit, certification, determination mitigation required:

Date of contact or permission obtained:

Status:

Upload supporting documents.

Documentation may include a copy of a consultation pursuant to Section 7 of the ESA and/or a copy of a permit and conservation plan pursuant to Section 10. Documentation may include correspondence with the appropriate NMFS Office to determine if consultation is required.

9) **COASTAL BARRIER RESOURCES ACT (CBRA)**

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

Is the proposed activity located in or adjacent to a unit of the Coastal Barrier Resources System (CBRS)?

If yes, the federal funding for the activity may be prohibited. Treasury may be required to make a determination regarding CBRA compliance. If the answer to this question is "yes," contact the appropriate USFWS ecological services office for further guidance. If yes, the federal funding for the activity may be prohibited.

Yes ☐ No ☐

If yes, indicate the CBRS unit(s): _____

If no, briefly summarize your entity's determination that the proposed activity is not located in or adjacent to a unit of the CBRS. (optional)

Do you have anything to report on environmental compliance status for this law?

Please select 'yes' to report any coordination that your entity has conducted with the relevant federal agency(ies). This may include correspondence leading to a determination that further coordination, permits, certifications, consultations, or mitigation is not required for this project.

N/A ☐ Yes ☐ No ☐

Name of responsible agency/tribe:

Permit, certification, determination mitigation required:

Date of contact or permission obtained:

Status:

Upload supporting documents.

Documentation may include a copy of an exception to meeting CBRA, correspondence with the appropriate USFWS Field Office, and/or a CBRS Mapper image that demonstrates the project is not located in or adjacent to a unit of CBRA.

10) **MIGRATORY BIRD TREATY ACT**

The migratory bird species protected by the Act are listed in 50 C.F.R. 10.13. A consultation with USFWS may be required based on the answers to the following question:

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

Yes ☐ No ☐ Uncertain ☐

If the answer is "yes" or you are unsure, contact the appropriate ecological services field office of the USFWS. More information can be found at FWS Migratory Bird Treaty Act. A consultation and/or permit from the USFWS may be required.

If yes, list the migratory bird species: _____

If no, briefly summarize your entity's determination that the proposed activity will not affect any migratory bird species protected by the Migratory Bird Treaty Act. (optional)

Do you have anything to report on environmental compliance status for this law?

Please select 'yes' to report any coordination that your entity has conducted with the relevant federal agency(ies). This may include correspondence leading to a determination that further coordination, permits, certifications, consultations, or mitigation is not required for this project.

N/A ☐ Yes ☐ No ☐

Name of responsible agency/tribe:

Permit, certification, determination mitigation required:

Date of contact or permission obtained:

Status:

Upload supporting documents.

Documentation may include a copy of a permit, a copy of a consultation, or correspondence with the appropriate USFWS Field Office to determine whether a permit, and/or consultation or further coordination is required.

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

A permit may be required based on the answers to the following questions:

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

Yes ☐ No ☐ Uncertain ☐

If no, briefly summarize your entity's determination that the proposed activity will not affect any bald or golden eagles protected by the Bald and Golden Eagle Protection Act. (optional)

Do you have anything to report on environmental compliance status for this law?

Please select 'yes' to report any coordination that your entity has conducted with the relevant federal agency(ies). This may include correspondence leading to a determination that further coordination, permits, certifications, consultations, or mitigation is not required for this project.

N/A ☐ Yes ☐ No ☐

Name of responsible agency/tribe:

Permit, certification, determination mitigation required:

Date of contact or permission obtained:

Status:

Upload supporting documents.

Documentation may include a copy of a permit, a copy of a consultation, or correspondence with the appropriate USFWS Field Office to determine whether a permit, and/or consultation or further coordination is required.

12) **WILD AND SCENIC RIVER ACT**

There are designated Wild and Scenic rivers in the Gulf Coast States and the Act may apply based on the answer to the following question:

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

If the answer to this question is "yes," contact the appropriate USFWS ecological services office for further guidance.

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.

Do you have anything to report on environmental compliance status for this law?

Please select 'yes' to report any coordination that your entity has conducted with the relevant federal agency(ies). This may include correspondence leading to a determination that further coordination, permits, certifications, consultations, or mitigation is not required for this project.

N/A ☐ Yes ☐ No ☐

Name of responsible agency/tribe:

Permit, certification, determination mitigation required:

Date of contact or permission obtained:

Status:

Upload supporting documents.

Documentation may include correspondence with the appropriate USFWS ecological service office for further guidance and any necessary mitigation requirements.

13) **NATIONAL HISTORIC PRESERVATION ACT (NHPA) AND THE ARCHAEOLOGICAL AND HISTORIC PRESERVATION ACT (AHPA)**

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

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 ☐ Uncertain ☐

If no, briefly summarize your entity's determination that the proposed activity will not occur 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. (optional)

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 ☐ Uncertain ☐

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

Do you have anything to report on environmental compliance status for this law?

Please select 'yes' to report any coordination that your entity has conducted with the relevant federal agency(ies). This may include correspondence leading to a determination that further coordination, permits, certifications, consultations, or mitigation is not required for this project.

N/A ☐ Yes ☐ No ☐

Name of responsible agency/tribe:

Permit, certification, determination mitigation required:

Date of contact or permission obtained:

Status:

Upload supporting documents.

Documentation may include a description of special conditions required on the project, or correspondence with the appropriate state historic preservation office or tribal historic preservation office for further guidance concerning any compliance requirements.

14) RIVERS and HARBORS ACT - SECTION 10 (and SECTION 408 if applicable)

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

Will the proposed activity involve any work (including structures) that will occur in, over or under navigable waters of the United States?

Yes ☐ No ☐ Uncertain ☐

In cases of use or alteration of a federal civil works project, a Section 408 consultation with the USACE may be required. If the answer to this question is “yes” or you are unsure, contact the Regulatory Program of the nearest District Office of the USACE for further guidance on Section 10 permits. If yes, a Section 10 permit may be required from the USACE.

If no, briefly summarize your entity's determination that the proposed activity will not occur in, over, or under navigable waters of the United States. (optional)

Do you have anything to report on environmental compliance status for this law?

Please select 'yes' to report any coordination that your entity has conducted with the relevant federal agency(ies). This may include correspondence leading to a determination that further coordination, permits, certifications, consultations, or mitigation is not required for this project.

N/A ☐ Yes ☐ No ☐

Name of responsible agency/tribe:

Permit, certification, determination mitigation required:

Date of contact or permission obtained:

Status:

Upload supporting documents.

Documentation may include a copy of a Section 10 permit from USACE (standard individual permit, letter-of-permission, nationwide permit, or regional permit), a Section 408 consultation with USACE, or correspondence with USACE to determine whether a permit, and/or consultation or further coordination is needed.

15) **CLEAN WATER ACT (CWA), SECTION 404**

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

Will the proposed activity result in any discharge of dredge or fill material to the nation's waters or wetlands?

If the answer to this question is "yes" or you are unsure, contact the Regulatory Program of the nearest District Office of the USACE for further guidance on Section 404 permits. If yes, a Section 404 permit may be required from the USACE.

Yes ☐ No ☐ Uncertain ☐

If no, briefly summarize your entity's determination that the proposed activity will not result in any discharge of dredge or fill material in the Nation's waters or wetlands. (optional)

Do you have anything to report on environmental compliance status for this law?

Please select 'yes' to report any coordination that your entity has conducted with the relevant federal agency(ies). This may include correspondence leading to a determination that further coordination, permits, certifications, consultations, or mitigation is not required for this project.

N/A ☐ Yes ☐ No ☐

Name of responsible agency/tribe:

Permit, certification, determination mitigation required:

Date of contact or permission obtained:

Status:

Upload supporting documents.

Documentation may include a copy of a CWA Section 404 permit from USACE or delegated state agency, or evidence of exemption from permit requirements. Documentation may include correspondence with USACE or delegated state agency to determine whether a permit or further

coordination is needed.

16) CLEAN WATER ACT (CWA), SECTIONS 401 and 402

A National Pollution Discharge Elimination System (NPDES) permit may be required based on the answer to the following question:

Will the proposed activity result in any discharge of a pollutant to the nation's waters or wetlands?

Yes ☐ No ☐ Uncertain ☐

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. If the answer to this question is "yes," or you are unsure, contact your state water quality agency for additional guidance.

If no, briefly summarize your entity's determination that the proposed activity will not result in any discharge of pollutants to the Nation's waters or wetlands. (optional)

Do you have anything to report on environmental compliance status for this law?

Please select 'yes' to report any coordination that your entity has conducted with the relevant federal agency(ies). This may include correspondence leading to a determination that further coordination, permits, certifications, consultations, or mitigation is not required for this project.

N/A ☐ Yes ☐ No ☐

Name of responsible agency/tribe:

Permit, certification, determination mitigation required:

Date of contact or permission obtained:

Status:

Upload supporting documents.

Documentation may include a copy of a CWA Water Quality Certification (Section 401) or a copy of a National Pollution Discharge Elimination System (NPDES) permit for discharges. Documentation may include correspondence with the relevant state water quality agency with guidance concerning any Section 401 or NPDES requirements.

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

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

Does the proposed activity involve the transportation of materials from the US for the purpose of ocean dumping covered by the MPRSA?

Yes ☐ No ☐ Uncertain ☐

If the answer to this question is "yes" or you are unsure, contact the Environmental Protection Agency's (EPA) Office of Wetlands, Oceans, and Watersheds/Oceans and Coastal Protection Division for further guidance.

Do you have anything to report on environmental compliance status for this law?

Please select 'yes' to report any coordination that your entity has conducted with the relevant federal agency(ies). This may include correspondence leading to a determination that further

coordination, permits, certifications, consultations, or mitigation is not required for this project.

N/A ☐ Yes ☐ No ☐

Name of responsible agency/tribe:

Permit, certification, determination mitigation required:

Date of contact or permission obtained:

Status:

Upload supporting documents.

Documentation may include a copy of a state or federal permit, or correspondence with EPA to determine whether a permit and/or consultation or further coordination is required.

18) **CLEAN AIR ACT (CAA)**

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

Will the proposed activity result in any emissions of pollutants to the air within a non-attainment area or maintenance area?

Yes ☐ No ☐ Uncertain ☐

If the answer to this question is "yes" or you are unsure, contact the nearest state air quality agency for further guidance on determining conformity with the state implementation plan. If yes, the activity may require compliance with the CAA including obtaining a permit in some circumstances from EPA or a delegated state agency.

Do you have anything to report on environmental compliance status for this law?

Please select 'yes' to report any coordination that your entity has conducted with the relevant federal agency(ies). This may include correspondence leading to a determination that further coordination, permits, certifications, consultations, or mitigation is not required for this project.

N/A ☐ Yes ☐ No ☐

Name of responsible agency/tribe:

Permit, certification, determination mitigation required:

Date of contact or permission obtained:

Status:

Upload supporting documents.

Documentation may include a copy of a CAA permit from EPA or a delegated state agency, or correspondence with the EPA or delegated state agency to determine conformity with the relevant state implementation plan.

19) **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:

Will the proposed activity include the treatment, storage, or disposal of hazardous waste or involve underground storage tanks?

Yes ☐ No ☐ Uncertain ☐

If the answer to this question is "yes" or you are unsure, contact the nearest RCRA Regional Office of

the EPA or state authorized agency for further guidance on RCRA compliance. If yes, RCRA hazardous waste storage tank requirements may apply.

Do you have anything to report on environmental compliance status for this law?

Please select 'yes' to report any coordination that your entity has conducted with the relevant federal agency(ies). This may include correspondence leading to a determination that further coordination, permits, certifications, consultations, or mitigation is not required for this project.

N/A ☐ Yes ☐ No ☐

Name of responsible agency/tribe:

Permit, certification, determination mitigation required:

Date of contact or permission obtained:

Status:

Upload supporting documents.

Documentation may include a copy of a permit, or correspondence from EPA or authorized state agency with further guidance on RCRA compliance.

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

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

Will the proposed activity involve a Superfund site?

Yes ☐ No ☐ Uncertain ☐

If the answer to this question is "yes" or you are unsure, contact the nearest Regional Office of the EPA for further guidance on CERCLA requirements. If yes, the activity requires coordination with EPA.

Do you have anything to report on environmental compliance status for this law?

Please select 'yes' to report any coordination that your entity has conducted with the relevant federal agency(ies). This may include correspondence leading to a determination that further coordination, permits, certifications, consultations, or mitigation is not required for this project.

N/A ☐ Yes ☐ No ☐

Name of responsible agency/tribe:

Permit, certification, determination mitigation required:

Date of contact or permission obtained:

Status:

Upload supporting documents.

Documentation may include a copy of a permit, or correspondence from EPA or authorized state agency with further guidance on CERCLA compliance, including any special provisions and requirements that may apply.

21) SAFE DRINKING WATER ACT (SDWA)

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:

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

Yes ☐ No ☐ Uncertain ☐

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

Do you have anything to report on environmental compliance status for this law?

Please select 'yes' to report any coordination that your entity has conducted with the relevant federal agency(ies). This may include correspondence leading to a determination that further coordination, permits, certifications, consultations, or mitigation is not required for this project.

N/A ☐ Yes ☐ No ☐

Name of responsible agency/tribe:

Permit, certification, determination mitigation required:

Date of contact or permission obtained:

Status:

Upload supporting documents.

Documentation may include a copy of a permit, or correspondence from EPA or state drinking water or underground injection control program with further guidance on SDWA compliance, including any special provisions and requirements that may apply.

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.

Do you have anything to report on environmental compliance status for this law?

Please select 'yes' to report any coordination that your entity has conducted with the relevant federal agency(ies). This may include correspondence leading to a determination that further coordination, permits, certifications, consultations, or mitigation is not required for this project.

N/A ☐ Yes ☐ No ☐

Name of responsible agency/tribe:

Permit, certification, determination mitigation required:

Date of contact or permission obtained:

Status:

Upload supporting documents.

Documentation may include a correspondence with the local office of the Natural Resources Conservation Service with further guidance on FPPA requirements and any applicable permits or mitigation steps.

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 ☐ Uncertain ☐

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

Do you have anything to report on environmental compliance status for this law?

Please select 'yes' to report any coordination that your entity has conducted with the relevant federal agency(ies). This may include correspondence leading to a determination that further coordination, permits, certifications, consultations, or mitigation is not required for this project.

N/A ☐ Yes ☐ No ☐

Name of responsible agency/tribe:

Permit, certification, determination mitigation required:

Date of contact or permission obtained:

Status:

Upload supporting documents.

Documentation may include a map image that demonstrates the project is not located in a Special Flood Hazard Area on a NFIP map. Documentation may include a record of the eight-step process to be followed for projects that may have potential impacts to or within floodplains, or correspondence with the nearest Regional Office of FEMA with further guidance.

24) E.O. 11988 and E.O. 12148 – FLOOD MANAGEMENT

Is the proposed activity located in a Special Flood Hazard Area on a National Flood Insurance Program map?

Yes ☐ No ☐ Uncertain ☐

If yes, a public notice may be required.

Do you have anything to report on environmental compliance status for this law?

Please select 'yes' to report any coordination that your entity has conducted with the relevant federal agency(ies). This may include correspondence leading to a determination that further coordination, permits, certifications, consultations, or mitigation is not required for this project.

N/A ☐ Yes ☐ No ☐

Name of responsible agency/tribe:

Permit, certification, determination mitigation required:

Date of contact or permission obtained:

Status:

Upload supporting documents.

Documentation may include a map image that demonstrates the project is not located in a Special Flood Hazard Area on a NFIP map. Documentation may include a record of the eight-step process to be followed for projects that may have potential impacts to or within floodplains, or correspondence with the nearest Regional Office of FEMA with further guidance.

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 ☐ Uncertain ☐

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.

If no, briefly summarize your entity's determination that the project is not proposing a new construction activity in wetlands. (optional)

Do you have anything to report on environmental compliance status for this law?

Please select 'yes' to report any coordination that your entity has conducted with the relevant federal agency(ies). This may include correspondence leading to a determination that further coordination, permits, certifications, consultations, or mitigation is not required for this project.

N/A ☐ Yes ☐ No ☐

Name of responsible agency/tribe:

Permit, certification, determination mitigation required:

Date of contact or permission obtained:

Status:

Upload supporting documents.

Documentation may include a determination that there is no practicable alternative to the construction, and/or the proposed action includes all practicable measures to minimize harm to wetlands. Documentation may include correspondence with the appropriate USFWS Field Office to determine whether consultation or further coordination is necessary. Documentation may include a Wetlands Mapper image depicting the project location and proximity to wetlands.

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 ☐ Uncertain ☐

If yes, the activity may require mitigation.

Do you have anything to report on environmental compliance status for this law?

Please select 'yes' to report any coordination that your entity has conducted with the relevant federal agency(ies). This may include correspondence leading to a determination that further coordination, permits, certifications, consultations, or mitigation is not required for this project.

N/A ☐ Yes ☐ No ☐

Name of responsible agency/tribe:

Permit, certification, determination mitigation required:

Date of contact or permission obtained:

Status:

Upload supporting documents.

Documentation may include further guidance from the Council on Environmental Quality regarding the incorporation of EJ into environmental reviews.

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.

Do you have anything to report on environmental compliance status for this law?

Please select 'yes' to report any coordination that your entity has conducted with the relevant federal agency(ies). This may include correspondence leading to a determination that further coordination, permits, certifications, consultations, or mitigation is not required for this project.

N/A ☐ Yes ☐ No ☐

Name of responsible agency/tribe:

Permit, certification, determination mitigation required:

Date of contact or permission obtained:

Status:

Upload supporting documents.

Documentation may include a copy of a permit, or correspondence with NOAA Coral Reef Program to determine with a permit, and/or consultation or further coordination is required.

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 ☐ Uncertain ☐

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

Do you have anything to report on environmental compliance status for this law?

Please select 'yes' to report any coordination that your entity has conducted with the relevant federal agency(ies). This may include correspondence leading to a determination that further coordination, permits, certifications, consultations, or mitigation is not required for this project.

N/A ☐ Yes ☐ No ☐

Name of responsible agency/tribe:

Permit, certification, determination mitigation required:

Date of contact or permission obtained:

Status:

Upload supporting documents.

Documentation may include a description of actions necessary to prevent the introduction of invasive species, or correspondence with the USDA to determine whether further coordination or guidance is 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 ☐ Uncertain ☐

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

Do you have anything to report on environmental compliance status for this law?

Please select 'yes' to report any coordination that your entity has conducted with the relevant federal agency(ies). This may include correspondence leading to a determination that further coordination, permits, certifications, consultations, or mitigation is not required for this project.

N/A ☐ Yes ☐ No ☐

Name of responsible agency/tribe:

Permit, certification, determination mitigation required:

Date of contact or permission obtained:

Status:

Upload supporting documents.

Documentation may include a description of mitigation actions or correspondence with the appropriate USFWS Field Office to determine whether further coordination or guidance is required.

C. OTHER PERMITS AND CERTIFICATIONS

Does the applicant anticipate that the proposed activity will require any other federal, tribal, state, or local permits or certifications that have not yet been addressed?

Yes ☐ No ☐ Uncertain ☐

If yes, please provide the following information for any additional permits or certifications.

Name of responsible agency/tribe:

Permit, certification, determination mitigation required:

Date of contact or permission obtained:

Status:

Upload supporting documents.

D. Certification

Please select the statement that most accurately reflects the status of the information provided on the Environmental Compliance Form submitted with this application.

☐ The information provided on this form is preliminary. The Applicant will complete and submit to Treasury an updated Environmental Compliance form, certified by the Applicant's Authorized Official (and subrecipient, if applicable), prior to or with its written request to Treasury for permission to commence construction or to initiate other project implementation activities that require prior approval. (This option may be appropriate when the proposed scope of work includes an initial planning and design phase during which any applicable environmental laws will be identified, and all required permits, certifications or authorizations will be identified and acquired.)

☐ The information provided on this form is final, to the best of the Applicant's knowledge, and the Applicant's Authorized Official certifies to its accuracy and completeness.

Civil Rights Act of 1964 Title VI Narrative for RESTORE Act - Direct Component and Centers of Excellence Research Grants Applicants – Department of the Treasury

OMB Approval No. 1505-0250

All applicants must provide a Title VI Narrative as an upload in their applications. 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. 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.

5. 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).
6. A list of all Federal agencies providing federal financial assistance.
7. 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.
8. A copy of the applicant's plan for providing language assistance to persons with limited English proficiency, based on the Treasury LEP Guidance.

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:	