



Notice of Funding Availability: Council-Selected Restoration Component 2020 Funded Priorities List 3a

(33 U.S.C. 1321(t)(2))

Federal Agency Name: Gulf Coast Ecosystem Restoration Council (Council)

Funding Opportunity Title: Council-Selected Restoration Component 2020 Funded Priorities List 3a

Announcement Type and Date: Initial; effective date March 16, 2020

Funding Opportunity Number: GCC-FPL-20-001

Catalog of Federal Domestic Assistance (CFDA) Number: 87.051 Gulf Coast Ecosystem Restoration Council Comprehensive Plan Component Program

Funding Instrument: Grants to state Council members and interagency agreements (IAAs) with federal Council members.

Dates: Applications for project funding will be accepted until June 30, 2025.

Funding Opportunity Summary: In accordance with the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf States Act (RESTORE Act), the Gulf Coast Ecosystem Restoration Council (Council) announces the availability of funds for activities described in the 2020 Funded Priorities List 3a (2020 FPL 3a¹), including application submission requirements and review procedures.

¹ The 2020 FPL 3a was officially approved by the Council in the February 12, 2020 vote. The 2020 FPL 3a is available on the Council website at <https://www.restorethegulf.gov/council-selected-restoration-component>.

FULL ANNOUNCEMENT TEXT

I. Funding Opportunity Description

A. Program Description and Authority

Through this announcement, member agencies and states (collectively referred to as “members” throughout this notice of funding availability (NOFA)) of the Gulf Coast Ecosystem Restoration Council (Council) may submit applications to fund activities described in FPL 3a under the Council-Selected Restoration Component of the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012 (RESTORE Act) (33 U.S.C. § 1321(t)(2)). Council members are the Secretaries of the Departments of Agriculture, the Army, Commerce, the Interior, and Homeland Security, the Administrator of the U.S. Environmental Protection Agency, and the governors of the Gulf Coast States of Alabama, Florida, Louisiana, Mississippi, and Texas. This announcement provides guidance to Council members on the necessary steps to submit their applications for funding.

1. Background

The fines and penalties arising from the Deepwater Horizon oil spill represent a once-in-a-lifetime opportunity for large-scale restoration in the Gulf of Mexico. Restoration funding in connection with the Deepwater Horizon oil spill is administered through multiple programs, each governed by specific laws and/or procedures. These programs include the five RESTORE Act components, Deepwater Horizon Natural Resource Damage Assessment (NRDA), the National Fish and Wildlife Foundation (NFWF) Gulf Environmental Benefit Fund (GEBF), and other funding sources.

The Council develops FPLs through collaboration among its members and with feedback from stakeholders across the Gulf. The Council is including two ecosystem projects in the first of two phases of its third FPL, FPL 3a. As a result of the collaborative process, the Council has determined that developing FPL 3 in two phases would enable the Council to respond to ecosystem needs, save money, and take advantage of important partnership opportunities to advance large-scale ecosystem restoration in the first phase. In the second phase of FPL 3, the Council will consider restoration projects and programs that address additional ecosystem needs across the Gulf.

2. Program Authority

The statutory authority for the FPL 3a is the Council-Selected Restoration Component of the RESTORE Act (33 U.S.C. 1321(t)(2)).

II. Federal Award Information

The application phase is not competitive. All Council members must apply for funding through the Council’s award management system, which has two parts - GrantSolutions and the Program Information Platform for Ecosystem Restoration (PIPER). GrantSolutions and PIPER are tools

that help manage financial/compliance information and program/performance information respectively. The Council also uses these tools for post-award management. Both state and federal Council Members must submit all required information and complete all necessary tasks within each tool before the Council can issue an award to a state Council member or an interagency agreement (IAA) to a federal Council member.

A. Funding Availability

The activities included in FPL 3a are:

(1) Identifying the River Reintroduction into Maurepas Swamp as a priority for potential future funding, and budgeting \$130,000,000 in implementation funds for this project. This project would restore processes that will enhance ecosystem health and reduce or minimize future loss of approximately 45,000 acres of bald cypress-water tupelo forest in coastal Louisiana by reintroducing Mississippi River water into the Maurepas Swamp. Louisiana is the sponsor of this project.

(2) Approving \$26,880,000 in planning and implementation funds for the Perdido River Land Conservation and Habitat Enhancements project, which involves the future acquisition, conservation, and management, and restoration of approximately 10,000-12,000 acres of coastal habitat in Alabama. In addition, the Council is identifying a separate implementation component of this project as a priority for potential future funding, and budgeting \$1,120,000 for this additional implementation component. Alabama is the sponsor of this project.

The activities described as priorities for potential future funding are not at this time approved for funding. These are projects and/or programs that are not yet in a position to be approved by the Council, but which the Council considers to be worthy of potential future funding. Upon Council approval of FPL 3a, funding is budgeted for potential use on these activities, but the Council is not in any way committed to such activities. As appropriate, the Council will review these activities in order to determine whether to approve them for funding by a Council vote. All applicable environmental laws must be addressed prior to Council approval of funding for activities listed as priorities for potential future funding.

B. Project/Award Period

The duration of activities to be funded under this announcement is anticipated to be no more than 5 years from the performance start date of the award or agreement. Implementation start dates will depend in part on when the member submits a complete application. It is anticipated that all performance will be complete by December 31, 2030.

C. Type of Funding Instrument

Subject to the availability of funds, the Council will award grants to state Council members and enter into IAAs with federal Council members.

D. Eligibility Information

1. Eligible Applicants

Eligible applicants are limited to members of the Council, or their administrative agents. Council members are:

- The governors of the Gulf Coast States of Alabama, Florida, Louisiana, Mississippi, and Texas; and
- The Secretaries of the Departments of Agriculture, the Army, Commerce, Homeland Security and the Interior; and Administrator of the Environmental Protection Agency.

No other entity is eligible to apply under this announcement.

2. Cost-Sharing or Matching

There is no cost-sharing or matching requirement.

3. Allowable Activities

Allowable activities are those described in FPL 3a and summarized above.

III. Application and Submission Information

Please refer to the Council's Recipient Proposal and Award Guide ([RPAG](#)²), available at the Grants Resources webpage, for comprehensive guidance on all phases of the application submission, award and agreement, and post award processes.

A. Address to Request Application Package

All applications must be submitted via the two components of the Council's award management system - GrantSolutions and PIPER.

B. Content and Form of Application

A complete application will include all of the information below, which is entered directly into GrantSolutions and PIPER. Application materials will include all data from required federal standard application forms and may include Council-specific supporting information and schedules.

1. **Basic Application Data:** Information from Office of Management and Budget (OMB) Form SF-424 "Application for Federal Assistance" and associated forms.
2. **RESTORE Council Applicant Certifications.**

² The Council's Recipient Proposal and Award Guide is available on the Council's Grants Resources web page - <https://www.restorethegulf.gov/sites/default/files/GO-RES%20RPAG%201-01%2012-21-2015.pdf>.

3. **FPL 3a Activities Description** to be submitted in PIPER, including the following information:
 - a. The title of the request, exactly as written in FPL 3a;
 - b. An abstract of the project describing the purpose/goal of the FPL activities, where activities will be located, and identifying the entity or entities that will undertake the activities (this may be the exact abstract included in the final project description);
 - c. Written Scope of Work;
 - e. The total funding amount requested;
 - f. Major milestones for the project, including start and expected end dates, activity-based costs, and any deliverables for each milestone;
 - g. Observational Data Plan and Data Management Plan; and
 - h. Selected metrics. For more information on metric and associated indicators, see section V.C, *Reporting*, below.
4. **Budget documentation** to be submitted in GrantSolutions, including the following.
 - a. The Standard Forms (SF) SF-424 “Application for Federal Financial Assistance” and SF-424A “Budget Information – Non-Construction Programs” are required, and SF-424C “Budget Information - Construction Programs,” may be needed, depending on the proposed expenditures. These forms are incorporated in GrantSolutions. Additionally, the Member may need to submit the following:
 - i. Co-funding budget data by Form SF-424A object classes for non-Council funding that is required to complete the objectives of the activity;
 - ii. A detailed subrecipient budget using object categories from the Form SF-424A, where the applicant will “pass through” or otherwise provide funds to one or more proposed and known subrecipients; and
 - iii. Any program (i.e., activity) income anticipated during the award period.
 - b. A Budget Narrative, supporting budget information provided in the forms above through:
 - i. A detailed description of the expenses listed on the budget form and how expenses address the proposed work;
 - ii. Item descriptions and justifications within each applicable object class from the Form SF-424A, including salaries, fringe benefits, equipment, supplies, travel, contractors, subrecipients, and other direct costs;
 - iii. Purchase versus lease justification for purchases of equipment greater than \$5,000;
 - iv. Where the applicant plans to procure goods and services through a contractual or subrecipient relationship, information on the proposed method of selection, period of performance, scope of work, and method(s) of accountability;
 - v. A description of any leveraged or other third-party funding that is required to complete the objectives of the project/program, including the amount, source and proposed use of these funds; and
 - vii. Detailed information regarding any pre-award costs requested by state applicants including a justification for each item. Such costs are allowable only to the extent that they would have been allowable if incurred after the grant award date and only with the written approval of the Grants Officer. All costs incurred before the Council awards the grant are at the recipient’s risk.

Costs incurred prior to the approval of the FPL 3a on February 12, 2020, are not allowable.

5. Indirect Cost Rate Information.

- a. A copy of the applicant's and any subrecipient's most recent Negotiated Indirect Cost Rate Agreement (NICRA), if applicable, is required.
- b. For federal members requesting overhead, general and administrative (G&A) or similar expenses, supporting documentation is required.

D. DUNS Number and System for Award Management (SAM)

Each applicant is required to: (i) Be registered in the System for Award Management (SAM) before submitting its application (www.SAM.gov); (ii) provide a valid DUNS number in its application; and (iii) continue to maintain an active SAM registration with current information at all times during which it has an active award or an application or plan under consideration by the Council. The Council may not make a Federal award to an applicant until the applicant has complied with all applicable DUNS and SAM requirements and, if an applicant has not fully complied with the requirements by the time the Council is ready to make a federal award, the Council may determine that the applicant is not qualified to receive the award. See section IV.C below for additional information on how the Council will utilize the information in SAM.

E. Submission Dates and Times

Applications will be accepted on a rolling basis until June 30, 2025.

F. Intergovernmental Review

Applications under this announcement are not subject to Executive Order 12372, Intergovernmental Review of Federal Programs.

G. Funding Restrictions

A recipient may not use more than three percent of the Federal award funds received under the Council-Selected Restoration Component for administrative costs. Administrative costs are defined at 31 CFR 34.2 as "indirect costs for administration incurred by the Gulf Coast states, coastal political subdivisions, and coastal zone parishes that are allocable to activities authorized under the Act. Administrative costs do not include indirect costs that are identified specifically with, or readily assignable to, facilities as defined in 2 CFR 200.414." The three percent limit does not apply to the administrative costs of subrecipients. All subrecipient costs are subject to the cost principles in federal law and policies on grants.

IV. Application Review Information

A. Risk Evaluation Criteria

At the organizational level, the Council will conduct risk assessments of first-time state applicants in order to effectively implement the statutory, regulatory, administrative, and

program requirements of a potential federal award. Once an initial assessment has been made, it will be reviewed on an annual basis.

Based on the responses to this certification, the Council will review the risk posed by applicants. When an applicant is determined to pose a high risk, or when an applicant or recipient has a history of failure to comply with the general or specific terms and conditions of a Federal award, or failure to meet expected performance goals as described in 2 CFR 200.210 contained in a Federal award, or is not otherwise responsible, the Council may impose additional specific award conditions as needed.

B. Review and Selection Process

Upon receipt of an application through PIPER and GrantSolutions, the Council will review the application for completeness. Once it has been determined that the application is complete, the staff will review this announcement, the application and supporting documentation, SAM, and any other information available to determine the following:

1. Whether the proposed recipient and any subrecipients are eligible for funding;
2. Whether the activity as described in the application is consistent with the FPL 3a;
3. Whether Observational Data Plans, Data Management Plans and associated metrics are complete;
4. Whether award activities are eligible and attainable;
5. Whether staff time is appropriate to perform proposed tasks;
6. Whether budget line items are allowable, allocable, and reasonable;
7. Whether budget line items are accurately calculated;
8. Whether any proposed procurement complies with applicable laws and policies;
9. Whether the period of performance requires an adjustment; and
10. Whether any special award conditions are needed.

C. Agency Review of Information Concerning Recipient Integrity and Performance

The Council is required to review and consider any information about the applicant that is in the designated integrity and performance system accessible through SAM (currently the Federal Awardee Performance and Integrity Information System (FAPIIS)) (*see* 41 U.S.C. 2313). The applicant may, at its option, review information in the designated integrity and performance systems accessible through SAM and comment on any information about itself that a federal awarding agency previously entered and is currently in the designated integrity and performance system accessible through SAM. Furthermore, the Council consider any comments by the applicant, in addition to the other information in the designated integrity and performance system, in making a judgment about the applicant's integrity, business ethics, and record of performance under federal awards when completing the review of risk posed by applicants as described in 2 CFR 200.205, "Federal awarding agency review of risk posed by applicants."

D. Anticipated Award Dates

After receipt of a fully-compliant application, grant awards are anticipated to be made within

90 calendar days. The Council also anticipates providing IAAs to the federal member for review and approval within 90 days of the receipt of a fully-compliant application.

V. Award Administration Information

A. Award and Interagency Agreement Notices

Official notification of funding, signed by the Council Executive Director, is the authorizing document that allows the activity to begin. Notifications will be issued to the Authorizing Official designated by the Council member for the activity.

All recipients and non-Federal subrecipients must comply and require each of its contractors and subcontractors employed in the completion of the activity to comply with all applicable statutes, regulations, Executive Orders (EOs), Office of Management and Budget (OMB) circulars, terms and conditions, agreements and approved applications. Non-Federal subrecipients must be registered in SAM and provide a valid DUNS number.

B. Administrative and National Policy Requirements

1. The Council Pre-Award Notification Requirements for Grants and Cooperative Agreements contained in the *Federal Register* notice of November 24, 2014 (79 FR 79822; <https://federalregister.gov/a/2014-27719>) is applicable to this announcement.
2. The Council's Financial Assistance Standard Terms and Conditions (STCs) noticed in the *Federal Register* on August 31, 2015 (80 FR 52478; <https://federalregister.gov/a/2015-21417>) and available on the Council [website](#) are applicable to grants awarded under this announcement.
3. The Council's Interagency Agreement STCs³ are applicable to IAAs awarded under this announcement.
4. Limitation of Liability. If any activities fail to receive funding or are cancelled because of other agency priorities, the RESTORE Council will not be responsible for application preparation costs. Publication of this announcement does not oblige the RESTORE Council to issue an award for any activity, or to obligate any available funds. Recipients are subject to all federal laws and agency policies, regulations, and procedures applicable to federal financial assistance awards.

C. Reporting

1. Award recipients are required to submit financial and performance reports. These reports are to be submitted electronically via Grant Solutions and PIPER. Council members receiving funds for activities described in the FPL 3a will provide information on the progress of their respective efforts. The following reporting elements of FPL 3a funding include semi-Annual Financial and Expenditure reports

³ The Council's Financial Assistance STCs and Interagency Agreement STCs are available on the Council's Grants Resources web page - <https://www.restorethegulf.gov/gcerc-grants-office/gcerc-grants-resources>.

submitted in GrantSolutions, and annual Performance Progress summaries, submitted in PIPER, in adherence to federal financial assistance requirements (2 CFR part 200).

- a. Financial and Technical Progress Reports: Semi-annual financial reports will include the information on the SF-425, Federal Financial Report, a summary of progress, expenditures by budget object class, and milestones accomplishments during the reporting period.
- b. Performance and Success Metrics: Annual performance reports will include reporting on project metrics and appropriate updates to the observational data plan and data management plans. Metrics for project tracking can be found at https://restorethegulf.gov/sites/default/files/20200214_PlanningFrameworkMetrics.pdf.

2. Reporting Periods and Due Dates:

- a. Semi-annual reporting periods will be specified in the award for the periods ending December 30 and June 30, or any portion thereof. Semi-annual financial and technical progress reports are due no later than 30 days following the end of each reporting period. A final financial report is due within 90 days after the expiration of the activity period.
- b. Annual performance and progress summary reporting periods will be specified in the award for the period ending June 30, or any portion thereof. These reports are due no later than 30 days following the end of each reporting period. A final performance and progress summary report is due within 90 days after the expiration of the activity period.

5. Federal Funding Accountability and Transparency Act: Applicants must also comply with the Federal Funding Accountability and Transparency Act of 2006. This Act includes a requirement for awardees of applicable federal grants to report information about first-tier sub-awards and executive compensation under federal assistance awards issued in FY 2011 or later. All awardees of applicable grants are required to report to the Federal Sub-award Reporting System (FSRS available at www.FSRS.gov) on all sub-awards over \$25,000.

6. Federal Awardee Performance and Integrity Information System: If an eligible Member receives more than \$10,000,000 in federal financial assistance in aggregate, and that Member will also receive more than \$500,000 over the period of performance for this FPL, applicants must also comply with the post award reporting requirements reflected in 2 CFR part 200 Appendix XII—Award Term and Condition for Recipient Integrity and Performance Matters.

D. Payments

The reimbursement method of payment will be used, unless otherwise specified in a special award condition. Payments for grants are made through electronic funds transfers directly to the recipient's bank account and in accordance with the requirements of the Debt Collection

Improvement Act of 1996 (31 U.S.C. 3701 et. seq.) and the Cash Management Improvement Act (31 U.S.C. 6501 et. seq.). Unless otherwise provided for in the award terms, payments for grant expenditures will be made using the Department of Treasury's Automated Standard Application for Payment (ASAP) system. Under the ASAP system, payments will be made through preauthorized electronic funds transfers in accordance with the requirements of the Debt Collection Improvement Act of 1996. Payments on IAAs are managed through the Intra-Governmental Payment and Collection (IPAC) system.

VI. Agency Contacts

The contact for questions about this announcement is Kristin Smith. Her contact information is as follows: email kristin.smith@restorethegulf.gov; telephone number 504-444-3558; and mailing address Gulf Coast Ecosystem Restoration Council Office, 500 Poydras Street, Suite 1117, New Orleans, LA 70130.

VII. Other Information

A. Resources

Please refer to the Gulf Coast Ecosystem Restoration Council Recipient Proposal and Award Guide (RPAG), for comprehensive guidance on all phases of the submission, application, and award implementation process. The Council's Grants Resources web page⁴ also contains downloadable guidance, worksheets, templates and other materials.

B. Freedom of Information Act Disclosure

The Freedom of Information Act (5 U.S.C. § 552) (FOIA) and the Council's implementing regulations at 40 CFR part 1850 set forth the rules and procedures to make requested material, information, and records publicly available. Unless prohibited by law and to the extent permitted under FOIA, contents of applications submitted by applicants may be released in response to FOIA requests. In the event that an application contains information or data that the applicant deems to be confidential commercial information, that information should be identified, bracketed, and marked as "Privileged, Confidential, Commercial or Financial Information." Based on these markings, the confidentiality of the contents of those pages will be protected to the extent permitted by law. On May 22, 2015, the Council published a rule that establishes its Procedures for Disclosure of Records Under the Freedom of Information Act and Privacy Act (79 FR 29539; <https://federalregister.gov/a/2015-12459>).

C. Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

On December 9, 2015, the Council adopted as a final rule, without change, a joint interim final rule published with the Office of Management and Budget (OMB) for all federal award-making agencies that implemented guidance on Uniform Administrative Requirements, Cost Principles,

⁴ The Council's Grants Resources web page contains resources for applicants - <https://www.restorethegulf.gov/gcerc-grants-office/gcerc-grants-resources>.

and Audit Requirements for Federal Awards (Uniform Guidance) (2 CFR part 200). The notice of the final rule (80 FR 76355; 2 CFR part 5900) is available at <https://federalregister.gov/a/2015-30922>. This rule brought into effect the Uniform Guidance as required by OMB for the Gulf Coast Ecosystem Restoration Council. The Uniform Guidance applies to awards made by the RESTORE Council. Applicants should familiarize themselves with the Uniform Guidance.