

**Gulf Coast Ecosystem Restoration Council
Public Notice of Proposed Funding Approvals**

The Gulf Coast Ecosystem Restoration Council (Council) is seeking public comment on proposals for multiple ecosystem restoration activities located in Texas under Funded Priorities List (FPL) 3b. Specifically, the Council is planning to vote on whether to approve the following:

Proposed FPL 3b Amendments for Texas Shoreline Protection Through Living Shorelines Program

- \$753,750 in planning funds to complete necessary living shoreline planning components (originally budgeted for living shoreline program implementation).
- \$12,859,851 in implementation funding for the Dagger Point Stabilization project (includes \$8,150,000 originally budgeted for living shoreline program implementation and reallocation of \$4,709,851 originally budgeted for the Texas Coastal Water Quality Program).

Proposed FPL 3b Amendment for the Texas Coastal Water Quality Program

- \$426,312 in planning funds to complete necessary water quality planning components (originally budgeted for water quality program implementation)

Proposed FPL3b Amendments for the Texas Chenier Plain Ecosystem Restoration Program

- \$645,996 in planning funds to complete necessary Chenier Plains restoration planning components (originally budgeted for Chenier Plain restoration implementation).
- \$4,237,070 in implementation funding for the McFaddin National Wildlife Refuge Shoreline Breakwater project (originally budgeted for Chenier Plain restoration implementation).
- \$3,562,230 in implementation funding for the J.D. Murphree Wildlife Management Area Levee project (originally budgeted for Chenier Plain restoration implementation).

These proposed funding approvals are independent of each other; the Council can vote to approve all of the proposed amendments listed above, a subset of them, or none. Background on these proposed approvals is provided below. Before voting on whether to approve funding, the Council is publishing these proposed FPL amendments for a 30-day public comment period beginning on May 22, 2025 and concluding at 11:59 pm (CST) on June 21, 2025. You may submit comments using one of the two methods below:

By Email: To restorecouncil@restorethegulf.gov
Email submission of comments ensures timely receipt.

By U.S. Mail: Gulf Coast Ecosystem Restoration Council

Attn: TX FPL 3b Amendment Comments

500 Poydras Street, Suite 1117

New Orleans, LA 70130

Mail must be posted no later than June 21, 2025 to be included in this public comment period.

Background:

Pursuant to the *Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012* (33 U.S.C. § 1321(t) and *note*) (RESTORE Act), the Council is responsible for administering portions of *Deepwater Horizon* oil spill settlement funds for the purpose of restoring the environment and economy of the Gulf coast. The Council administers two funding programs, one of which is the Council-Selected Restoration Component, or "Bucket 2." Under Bucket 2, the Council votes to approve Gulf ecosystem restoration projects and programs proposed by the Council members. Bucket 2 projects and programs approved for funding by the Council are included in what is referred to as a Funded Priorities List.

FPLs include activities in two categories. Category 1 activities are approved for Bucket 2 funding. Such approval requires a Council vote as set forth in the RESTORE Act. To be approved in Category 1, a project or program must have documentation demonstrating that all applicable environmental laws have been addressed. For example, a construction project would need documentation demonstrating compliance with the National Environmental Policy Act (NEPA) and other applicable laws.

Category 2 activities are Council priorities for potential future funding, but are not currently approved for funding. As appropriate, the Council reviews the activities in Category 2 in order to determine whether to move the given activity to Category 1 and approve it for funding via a Council vote. Such funding approvals are done via amendments to the FPL containing the given project(s) or program(s). FPL amendments are also required for other changes to listed projects (e.g., material changes in scope or cost, transfer of sponsorship to another Council member).

Description of Proposed Implementation Projects

The Council is proposing to approve funding for both planning and implementation activities under FPL amendments for three Texas FPL 3b restoration programs. Within these programs, there are three specific projects under consideration by the Council for approval of restoration implementation funds. Project descriptions for these proposed implementation activities and relevant supporting environmental compliance documentation are provided below.

Dagger Point Stabilization Project (Living Shoreline Program)

The Council is proposing to approve a total of \$12,859,851 in implementation funding for the Dagger Point Stabilization project, which is part of the Texas Shoreline Protection Through

Living Shorelines Program sponsored by the Texas Commission on Environmental Quality (TCEQ). This total amount consists of \$4,709,851 to be reallocated from the Texas Coastal Water Quality Program and \$8,150,000 originally budgeted in Category 2 for the Texas Shoreline Protection Through Living Shorelines Program of the Council's approved FPL 3b. Since the publication of FPL 3b, all environmental compliance necessary for a Council vote to approve implementation funding for the Dagger Island project has been completed.

The Dagger Point project will construct a five-mile living shoreline consisting of an offshore segmented rock breakwater, armored toe protection at eroded bluffs, a groin field, and sand placement to protect an eroding, highly vulnerable bay shoreline located at Dagger Point within the Aransas National Wildlife Refuge (ANWR) in San Antonio Bay, Aransas County, Texas. This living shoreline will protect approximately 240 acres of existing estuarine marsh and shoreline habitat and will be implemented in partnership with the Texas General Land Office, the Coastal Bend Bays and Estuaries Program, the U.S. Fish and Wildlife Service (USFWS), and the Matagorda Bay Mitigation Trust. The constructed breakwater will dampen wave action and provide shoreline stabilization to support marsh habitat that is critical to wildlife including federally engaged colonial nesting birds and whooping cranes.

The ANWR received authorization under Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act under the Department of Army Corps of Engineers (USACE) permit SWG-2018-00279. To comply with NEPA, the Council is proposing to adopt the environmental assessment included in the statement of findings for permit SWG-2018-00279 approved on June 27, 2024. The USACE and the ANWR also completed additional environmental compliance coordination for the Fish and Wildlife Coordination Act (FWCA), Endangered Species Act (ESA), the Magnuson-Stevens Act (MSA) and the National Historic Preservation Act (NHPA) in coordination with the U.S. Fish and Wildlife Service (USFWS), National Marine Fisheries Service (NMFS), the State Historic Preservation Office, and the Texas Historical Commission. The Council has reviewed the applicable environmental compliance documentation. To ensure compliance with FWCA, ESA, MSA, NHPA, and other relevant laws, the Council will require that the sponsor of the project adhere to all applicable conditions in the USACE permit authorization and the associated environmental compliance documents.

McFaddin National Wildlife Refuge Shoreline Breakwater Project (Chenier Plains Program)

The Council is proposing to approve a total of \$4,237,070 in implementation funding for the McFaddin National Wildlife Refuge (McFaddin NWR) Shoreline Breakwater Project, which is part of the Texas Chenier Plain Ecosystem Restoration Program sponsored by TCEQ. This funding was originally budgeted for in Category 2 for the Chenier Plains Program of the Council's approved FPL 3b. Since the publication of FPL 3b, all environmental compliance necessary for a Council vote to approve implementation funding for the project has been completed.

This project will involve the construction of approximately one mile of segmented rock breakwaters within the McFaddin NWR located along the shoreline of the Gulf Intracoastal Waterway in Chambers County and Jefferson County, Texas. The constructed breakwaters will prevent shoreline erosion and further loss of coastal emergent wetlands and allow for sediment accretion and re-establishment of emergent wetlands in previously eroded areas thus protecting adjacent coastal marsh and prairie grasslands.

To comply with NEPA, the Council is proposing to adopt the Anahuac & McFaddin National Wildlife Refuges GIWW Breakwaters Final Environmental Assessment (EA) dated October 2022 (Finding of No Significant Impact signed December 6, 2023). The USFWS has received authorization for the project under permit SWG-2020-00644 pursuant to Section 404 of the Clean Water Act and 10 of the Rivers and Harbors Act of 1899. Additional environmental compliance coordination was completed for the FWCA, ESA, MSA, and NHPA in coordination with the USFWS, NMFS, SHPO, and the THC. The Council has reviewed the applicable environmental compliance documentation. To ensure compliance with relevant environmental laws, the Council will require that the sponsor of the project adhere to all applicable conditions in the EA, USACE permit, and the associated environmental compliance documents.

J.D. Murphree Wildlife Management Area Levee Project (Chenier Plains Program)

The Council is proposing to approve a total of \$3,562,230 in implementation funding for the J.D. Murphree Wildlife Management Area Levee Project, which is part of the Texas Chenier Plain Ecosystem Restoration Program sponsored by TCEQ. This funding was originally budgeted in Category 2 for the Chenier Plains Program of the Council's approved FPL 3b. Since the publication of FPL 3b, all environmental compliance necessary for a Council vote to approve implementation funding for the project has been completed.

This project will involve regrading/rebuilding levees and maintaining interior ditches within the Big Hill Unit of the J.D. Murphree WMA located south of Port Arthur, in Jefferson County, Texas. The purpose of the project is to allow the Texas Parks and Wildlife Department (TPWD) to better manage water levels within the wetland compartments to benefit wildlife, fish, amphibians, and reptiles with more sustained water levels. Refurbished levees will be more resilient during storms and higher tides. The project will be implemented by Ducks Unlimited in partnership with TPWD and the Salt Bayou Watershed Working Group.

TPWD received authorization under Section 404 of the Clean Water Act under the Department of Army Corps of Engineers (USACE) permit SWG-2024-00349 to conduct the proposed maintenance activities within the J.D. Murphree WMA under Nationwide Permit 3. To comply with NEPA, the Council is proposing adopting the environmental assessment included in the [2021 Nationwide Permit 3 - Final Decision Document](#). Additional environmental compliance coordination was completed for the FWCA, ESA, MSA, and NHPA in coordination with the USFWS, NMFS, SHPO, and the THC. The Council has reviewed the applicable environmental compliance documentation. To ensure compliance with relevant environmental laws, the

Council will require that the sponsor of the project adhere to all applicable conditions in the USACE permit and the associated environmental compliance documents.

To learn more about the RESTORE Council visit us at www.restorethegulf.gov or send questions to restorecouncil@restorethegulf.gov.