

Gulf Coast Ecosystem Restoration Council Funding Priority List Amendment

On September 14, 2022, the Gulf Coast Ecosystem Restoration Council (Council) amended Funded Priorities List 3b (FPL 3b) to expand the geographic boundary for the [Texas Land Acquisition Program for Coastal Conservation](#). Background on this amendment is provided below.

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 FPL.

Texas Land Acquisition Program for Coastal Conservation

The Council originally approved \$24,300,000 for planning and implementation activities for the Texas Land Acquisition Program for Coastal Conservation, sponsored by Texas, through the Texas Commission on Environmental Quality (TCEQ), as part of the Council’s FPL 3b. This program will acquire large, high quality coastal properties or purchase conservation easements to support the primary RESTORE Comprehensive Plan goal to restore and conserve habitat. Locations selected will provide the greatest value to the coastal environment now and in the future. The selection process utilizes specified criteria identified earlier through public meetings and as part of a stakeholder process and in coordination with the Texas RESTORE appointee and the Office of the Governor. Targeted habitats will include urban green corridors, riparian, prairie and other upland, wooded wetlands, or bay and chenier wetlands.

As originally approved in FPL 3b, land acquisitions under this program may take place within 18 Texas counties as opportunities arise. Based on earlier public meetings and public comments, TCEQ intends to seek acquisitions primarily from within 10 counties (Aransas, Brazoria, Calhoun, Cameron, Chambers, Galveston, Harris, Jefferson, Matagorda, and Refugio) as a subset of 18 eligible counties (Aransas, Brazoria, Calhoun, Cameron, Chambers, Galveston, Harris, Jackson, Jefferson, Kenedy, Kleberg, Matagorda, Nueces, Orange, Refugio, San Patricio, Victoria, and Willacy). On September 14, 2022, in response to a request by Texas and after an opportunity for public comment, the Council voted to amend FPL 3b to expand the geographic boundary for the location of this program to also include the possibility of acquisitions or conservation easements within Goliad County. Acquisitions and/or conservation easements will occur only within the portions of these counties that fall within the Gulf Coast Region as defined by 31 CFR Part 34.2.

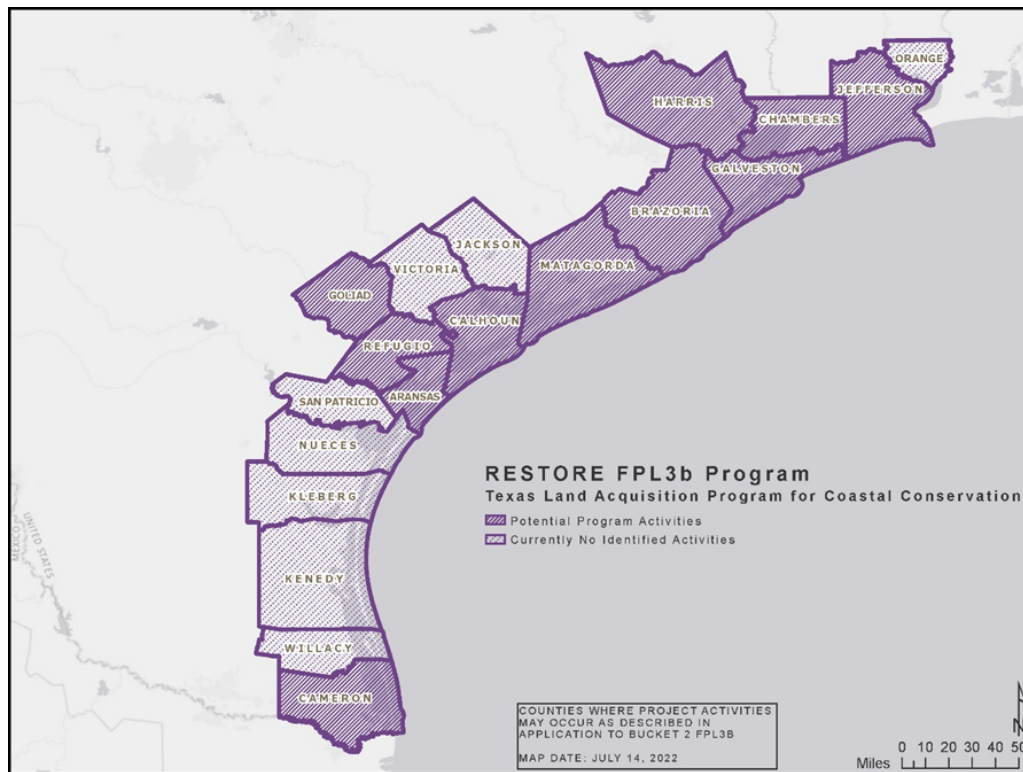


Figure 1. Map of eligible counties/potential program activities. (All acquisitions will occur within portions of the highlighted counties that also fall within the boundary of the Gulf Coast region as defined in 31 CFR Part 34.2).

The planning component of this program is covered by the Council's National Environmental Policy Act (NEPA) Categorical Exclusion (CE) for planning and related activities. The existing implementation component of this program is covered by use of a USDA Forest Service CE (36 CFR 220.6(d)(6)), consistent with Section 4(d)(4) of the Council's NEPA Procedures, which enables the Council to use member CEs, where appropriate. In making this decision, the Council considered potential extraordinary circumstances, including potential negative effects to threatened and endangered species, essential fish habitat, tribal interests and historic properties, where applicable. The Council has coordinated with the USDA regarding expansion of the project location to include Goliad County. The USDA has advised that adding Goliad County to the program location poses no resource concerns that were not already reviewed in the original environmental compliance documentation, they authorize the continued use of the CE for acquisition within the proposed expanded geographic area, and that the entire project has met NEPA requirements for project scoping. The Council has also coordinated with the U.S. Fish and Wildlife Service who has advised no additional Endangered Species Act coordination is necessary. Associated environmental compliance documentation can be found [here](#).

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