

**Gulf Coast Ecosystem Restoration Council
Funded Priorities List Amendments Summary
Bahia Grande Wetland System Restoration project and River Reintroduction into
Maurepas Swamp**

On March 29, 2023, the Gulf Coast Ecosystem Restoration Council (Council) voted to approve amendments to its 2015 Initial Funded Priorities List (Initial FPL) and 2020 Funded Priorities List 3a (FPL 3a). Specifically, the Council approved:

- \$968,863 in implementation funding for the Bahia Grande Wetland System Restoration project in Texas (included in Initial FPL)
- \$130,000,000 in implementation funding for the River Reintroduction into Maurepas Swamp project in Louisiana (included in FPL 3a)

On February 2, 2023, the Council published a notice on its website seeking public comment on the proposal to approve implementation funding for these two projects. The Council also informed interested stakeholders of this comment period via an email to individuals and organizations that had previously registered with the Council for such communications. The public comment period was 32 days and ended on March 6, 2023. The Council received five comments, all of which were supportive of approving funding for one or both of the proposed projects. The Council received no comments objecting to the proposed funding approvals. The Council thanks the commenters for their interest in and support of these two projects. The comments received by the Council are provided in the appendix to this document.

Background

Pursuant to 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) and *note*), 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). The projects that are the subject of these FPL amendments are described below.

Bahia Grande Wetland System Restoration

On March 29, 2023, the Council voted to approve \$968,863 in implementation funding for the *Bahia Grande Wetland System Restoration* project (Bahia Grande project) located in Cameron County, Texas and sponsored by National Oceanic and Atmospheric Administration (NOAA). These implementation funds were budgeted in Category 2 of the Council's Initial FPL. NOAA has since completed required environmental compliance and engineering design utilizing Initial FPL Category 1 approved funding for planning. In addition, any previously approved RESTORE planning funds not necessary to complete final planning activities will also be available for use during restoration implementation.

The Bahia Grande Wetland project is part of NOAA's Connecting Coastal Waters initiative. The approved implementation funding will be used to restore freshwater flows to 600 acres of aquatic habitat (wetlands and shallow openwater) by re-routing freshwater flow north of Highway 100 into the Bahia Grande wetland system. The Bahia Grande is a large coastal wetland ecosystem that has been greatly affected by hydrological modifications such as channelization, ditching, and road construction. This project will implement restoration activities, conduct monitoring to assess restoration outcomes, and engage in outreach and education with restoration practitioners and stakeholders. The restoration of freshwater flows will be accomplished by installing properly sized and located culverts under Highway 100, diverting water flow through the culverts, and excavating a conveyance channel to direct the water into the northern portion of the Bahia Grande system.

To comply with NEPA, the Council has adopted the [Deepwater Horizon Oil Spill Texas Trustee Implementation Group Final Restoration Plan/Environmental Assessment #2: Restoration of Wetlands, Coastal, and Nearshore Habitats; Nutrient Reduction; Oysters; Sea Turtles; and Birds](#) dated July 2022 (Final RP/EA #2). This Final RP/EA #2 tiers off of the Deepwater Horizon Oil Spill: Final Programmatic Damage Assessment and Restoration Plan and Final Programmatic Environmental Impact Statement (Final PDARP/PEIS). The Final RP/EA #2 analyzes the environmental impacts of and alternatives for a portfolio of projects, including the Bahia Grande project, to address the diverse suite of injuries that occurred at both regional and local scales from the *Deepwater Horizon* spill.

NOAA has also completed additional environmental compliance coordination for the Endangered Species Act (ESA), the Magnuson-Stevens Fishery Conservation and Management Act (MSA), and the National Historic Preservation Act (NHPA) in coordination with

the National Marine Fisheries Service (NMFS), U.S. Fish and Wildlife Service (USFWS), and the Texas State Historic Preservation Office. To ensure compliance with ESA, MSA, NHPA, and other relevant laws, the Council requires that the sponsor of the project adhere to all applicable conditions listed in the Final RP/EA #2 and [the associated environmental compliance documents](#).

River Reintroduction into Maurepas Swamp

On March 29, 2023, the Council also approved \$130,000,000 for implementation of the *River Reintroduction into Maurepas Swamp* project (Maurepas project), sponsored by Louisiana. In 2020, these implementation funds were budgeted for the Maurepas project in Category 2 of FPL 3a. The Council previously approved \$14,190,000 for planning, engineering and design, and permitting for the Maurepas project in FPL 1. In 2022, the Council approved an additional \$60,000,000 in implementation funds for the Maurepas project in an amendment to the Louisiana State Expenditure Plan, which is funded under the RESTORE Act Spill Impact Component (Bucket 3). Council approval of this FPL 3a amendment brings the total amount of RESTORE Act funds approved for this project to \$204,190,000.

The Maurepas project will restore natural 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. There are many ecological problems in this area, but probably the most significant is the current hydrologic regime, which is no longer conducive to sustain swamp forest habitat. Historically, the swamp received oxygenated water, sediment, and nutrient inputs from the Mississippi River during seasonal river flooding and via a smaller distributary, Bayou Manchac. That process was interrupted by the construction of local and eventually federal levees along the Mississippi River for flood control as well as the blockage of its connection with Bayou Manchac. This altered hydrologic regime has prevented natural connection of the swamp to the river's life-sustaining waters and resulted in oxygen-poor, stagnant water conditions that impair forest health and associated aquatic habitats. The reintroduction of river water will help revitalize the Maurepas Swamp by providing freshwater, nutrients, and sediments needed for healthy trees and long-term sustainability. This river reintroduction project (also known as a river "diversion") involves an intake and control structure on the Mississippi River, a channel to convey the river water to the swamp, and "guide levees" along the channel to ensure the water gets to the intended location and to prevent flooding.

To comply with NEPA, the Council has adopted the 2022 U.S. Army Corps of Engineers (USACE) [Final Supplemental Environmental Impact Statement \(SEIS\) to West Shore Lake Pontchartrain \(WSLP\) Hurricane and Storm Damage Risk Reduction Study](#). The WSLP risk reduction project is in the vicinity of the Maurepas project, and portions of the two projects geographically overlap. For efficiency, the state is consolidating elements of the engineering, design, and construction of the overlapping portions. The WSLP SEIS addresses the environmental impacts of and alternatives to the Maurepas project in the context of required compensatory mitigation for the wetland impacts of the WSLP project. While a portion of the

overall projected net ecological benefits of the Maurepas project will be used as such compensatory mitigation, no FPL funding will be used to accomplish this requirement. The compensatory mitigation portion of the Maurepas project is being entirely funded with \$60,000,000 approved for such purpose under the RESTORE Act Spill Impact Component (Bucket 3). FPL funding will be used only for the portion of the projected ecosystem restoration benefits that are in addition to and greater than the amount needed for WSLP compensatory mitigation. In addition to NEPA, the WSLP SEIS addresses the ESA, the MSA, the NHPA, Clean Water Act Section 404, and other relevant environmental laws. The Council has determined that the SEIS and associated compliance documents address the environmental effects of the activity to be funded. To ensure compliance with ESA, MSA, NHPA, and other relevant laws, the Council requires that the sponsor of the project adhere to all applicable conditions listed in WSLP SEIS 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.

Appendix: Record of Public Comments Received

1. Nicole Ekstrom, Friends of Laguna Atascosa National Wildlife Refuge

- Hello,

I am emailing to express the support by the Friends of Laguna Atascosa National Wildlife Refuge of the funding allocation of \$968,863 for the Bahia Grande Wetland System Restoration project in Texas.

The mission of the Friends of Laguna Atascosa National Wildlife Refuge is to educate the public regarding the flora, fauna, and natural environment of the Refuge, through functions and educational events, promote public support for the Refuge by encouraging and organizing volunteer services, and solicit public donations for use in supporting, assisting, and enhancing ongoing conservation projects on the Refuge.

As a supporter of the Laguna Atascosa National Wildlife Refuge, we are in favor of projects that will enhance and restore habitat on the Refuge for wildlife. The Bahia Grande restoration project has been a big success so far, but salinities still remain high in some areas and further monitoring, hydrological studies, and additional restoration may be needed to completely restore this wetland system.

thank you,

Nicole Ekstrom
Executive Director
Friends of Laguna Atascosa National Wildlife Refuge
Mailing: P.O. Box 13519, Port Isabel, TX 78578
Shipping: 22817 Ocelot Rd., Los Fresnos, TX 78566
Physical: 22688 Buena Vista Blvd. Los Fresnos, TX 78566
Mobile: 956-832-3905
Website: <https://flanwr.org>
Online Store: <https://flanwrnaturestore.square.site/>
Facebook: <https://www.facebook.com/VivatheOcelot/>

2. Bill Honker

- Given my extensive experience with coastal restoration efforts in Louisiana and Texas, I fully support funding of both of these projects. It's great to see them moving forward!
Bill Honker

3. Amanda Moore, Amanda Fuller, Alisha Renfro, National Wildlife Federation

- Please see attached letter.

Alisha Renfro, Ph.D.
Senior Manager for Science Policy
Gulf Program
National Wildlife Federation
3801 Canal St. Suite 400
New Orleans, LA 70119
Office: 504-943-1565
Cell: 504-512-1014
RenfroA@nwf.org

- March 6, 2023

Gulf Coast Ecosystem Restoration Council 500 Poydras Street, Suite 1117 New Orleans, LA 70130
Via Email: restorecouncil@restorethegulf.gov
RE: Maurepas and Bahia Grande FPL Amendment Comments

On behalf of our more than seven million members and supporters across the United States, the National Wildlife Federation's Gulf Program appreciates the opportunity to provide comments on the Gulf Coast Ecosystem Restoration Council's (Council) proposal to approve funding \$130,000,000 in funding for implementation of the River Reintroduction to Maurepas Swamp Project in Louisiana and \$968,863 for the implementation of the Bahia Grande Wetland System Restoration project in Texas. With staff on the ground across the Gulf, the National Wildlife Federation advances solutions to support ecosystems, healthy waters, and is deeply committed to the restoration of the habitats and waters of the Gulf Coast Region for the benefit of both people and wildlife. The National Wildlife Federation has identified both of these project as essential projects that are key to the near-term recovery and long-term resiliency of the Gulf of Mexico and urge the Council to approve funding for both of these projects. (https://www.nwf.org/~media/PDFs/Water/2014/NWF_Embargo_Dec-9_11am_C T_Restoring-the-Gulf-Projects-and-Priorities.pdf)

The River Reintroduction to Maurepas Swamp Project is a critical project needed to revitalize ecosystem health and function of 45,000 acres of one the nation's largest forested wetlands by reintroducing freshwater, nutrients, and some sediment, and mimicking the natural seasonal overflows of the Mississippi River that once built and sustained this region. This cypress-tupelo swamp provides critical habitat to breeding prothonotary warblers, as well as alligators, waterfowl, and other wildlife and storm-surge protection for nearby communities. By approving funding for implementation of this project, the Council is investing in sustaining this landscape for the long-term and is building off of previous investments by the Council, as well as investments from the Coastal Wetlands

Planning, Protection and Restoration Act, the State of Louisiana, and mitigation funding from the West Shore Lake Pontchartrain Levee Project.

The Bahia Grande Wetland project, once implemented, will restore freshwater flows to 600 acres of wetlands and shallow open water to an area in Cameron County, Texas, that has significantly been impacted by hydrological modifications including the construction of roads and large channelization projects. The National Wildlife Federation has advocated for restoration investments in the Bahia Grande complex since the inception of the RESTORE Act and other Deepwater Horizon oil spill-related restoration and funding programs. The Bahia Grande complex is a culturally significant part of South Texas and the Lower Texas Coast. Accounts of severely degraded wetlands and the impacts to the local community – including blowing dust under the doors of nearby schools – are compelling in their own right. The community’s experience combined with the ecological impacts of losing a valuable landscape makes this project a worthy recipient of Council funds and advancement.

The National Wildlife Federation supports the Council’s proposal to fund these two projects for implementation. These projects are important investments in restoring and sustaining coastal habitat and increasing the resilience of the Gulf of the Mexico. Thank you again for this opportunity to provide public comment.

Sincerely,
Amanda Moore
Director, Gulf Program
National Wildlife Federation

Amanda Fuller
Regional Executive Director, South Central Region
National Wildlife Federation

4. Stacy Ortego, Louisiana Wildlife Federation

- Good morning,
Attached are Louisiana Wildlife Federation's comments regarding the RESTORE Council's proposed amendment to FPL3a to approve \$130,000,000 in implementation funding for the River Reintroduction into Maurepas Swamp project.

Thank you,
Stacy Ortego
Coastal Policy Manager
Louisiana Wildlife Federation
PO Box 65239
Baton Rouge, LA 70896

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- March 6, 2023
Gulf Coast Ecosystem Restoration Council Attn: Maurepas and Bahia Grande
FPL Amendment Comments 500 Poydras Street, Suite 1117 New Orleans, LA
70130
via: restorecouncil@restorethegulf.gov
RE: Proposed Amendment to RESTORE Council's Funded Priorities List 3a (FPL
3a)

Dear RESTORE Council,

Louisiana Wildlife Federation (LWF) is supportive of the Council's proposed amendment to FPL 3a to approve \$130,000,000 in implementation funding for the River Reintroduction into Maurepas Swamp project (Maurepas project) in Louisiana.

LWF has long been supportive of previous efforts by the Council to move this project forward, submitting our comments of support during various phases of this process including approval of \$14,190,000 for planning, engineering and design, and permitting for the Maurepas project in FPL 1 in 2021 and for the additional \$60,000,000 in implementation funds for the Maurepas project in an amendment to the Louisiana State Expenditure Plan in 2022.

Maurepas Swamp serves as critical habitat for both people and wildlife. This swamp protects surrounding communities from storms and helps store floodwaters. Maurepas Swamp is also a popular recreational destination. Wildlife benefits from this project include improved primary productivity and water quality, increasing food resources for freshwater fish – which themselves serve as food for other wildlife including wading and migratory birds, alligators and bald eagles.

LWF has long advocated for the restoration of the Maurepas Swamp region and championed the Maurepas project, hosting educational meetings, boat tours, and project milestone celebrations. LWF is excited to see continued progress on this long-awaited project, which is now modeled as being included on the landscape in the state's latest Coastal Master Plan update. Now that final approvals and permits have been secured for this project to advance, it is important for these critical implementation funds to be administered as quickly as possible so that this project can finally break ground and begin providing the benefits that are so desperately needed for Maurepas Swamp.

Louisiana Wildlife Federation is a statewide, nonprofit organization that represents 19 affiliate organizations and more than 8,000 members dedicated to the conservation of Louisiana's wildlife and natural resources. Thank you for the opportunity to submit these comments for consideration.

Sincerely,
Stacy Ortego
Coastal Policy Manager

5. Sharon Wilcox, Defenders of Wildlife

- To the Members of the Council: Defenders of Wildlife submits these comments in support of the amendment of the 2015 Initial Funded Priorities List to approve \$968,863 in implementation funding for the Bahia Grande Wetland System Restoration project in Texas.

Cheers,

Sharon

Sharon Wilcox, Ph.D. (she/her/ella)

Senior Texas Representative

- March 6, 2023
Gulf Coast Ecosystem Restoration Council
Attn: Maurepas and Bahia Grande FPL Amendment Comments
500 Poydras Street, Suite 1117
New Orleans, LA 70130
Submitted via email to: restorecouncil@restorethegulf.gov

To the Members of the Council:

Defenders of Wildlife submits these comments in support of the amendment of the 2015 Initial Funded Priorities List (Initial FPL) to approve \$968,863 in implementation funding for the Bahia Grande Wetland System Restoration project in Texas.

Founded in 1947, Defenders of Wildlife is a national non-profit conservation organization focused on native wildlife and habitat conservation across North America. Headquartered in Washington, DC, the organization maintains six regional field offices and represents more than 1.8 million members and supporters in the United States and around the world. Defenders' Texas program represents more than 98,500 members and supporters in the state. Protection of the ocelot and other endangered wildlife in South Texas is a key component of Defenders' work in the state, and Laguna Atascosa National Wildlife Refuge is a site critical to that work.

Bahia Grande is a part of one of the most biologically diverse areas in Texas—and one of its most imperiled. This region is home to a unique assemblage of wildlife and plants, including 17 threatened or endangered species including ocelots, aplomado falcons, and several sea turtle species. The Bahia Grande is a crucial link in the coastal corridor, connecting Laguna Madre to the Lower Rio Grande Valley. Restoration of Bahia Grande has been crucial to efforts to protect, conserve, and connect wildlife who are fighting to survive and adapt to the pressures of encroaching urbanization and habitat loss in the region.

Bahia Grande is the largest coastal restoration project in Texas and one of the largest in the United States. It is a shining example of cooperation between a diverse range of stakeholders. While the Bahia Grande restoration project has been a big success so far, there are still issues that must be addressed in order to restore this area. Specifically, salinities still remain high in some areas and further monitoring, hydrological studies, and additional restoration may be needed to completely restore this wetland system.

Due to the critical role this site plays in the connectivity of native habitats, and building on the great successes of this project thus far, we urge members of the Council to vote to amend its 2015 Initial Funded Priorities List (Initial FPL) to approve the \$968,863 in implementation funding for the Bahia Grande Wetland System Restoration.

Sincerely,

Sharon Wilcox, Ph.D.
Senior Texas Representative
Defenders of Wildlife