



Notice of Funding Availability: Council-Selected Restoration  
Component 2017 Funded Priorities List for Comprehensive Plan  
Commitment and Planning Support

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

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

**Funding Opportunity Title:** Council-Selected Restoration Component 2017 Funded Priorities List for Comprehensive Commitment and Planning Support Financial Assistance

**Announcement Type and Date:** Initial; effective date January 24, 2018

**Funding Opportunity Number:** GCC-FPL-18-001

**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 April 30, 2018.

**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 financial assistance available through the Council-Selected Restoration Component 2017 Funded Priorities List for Comprehensive Plan Commitment and Planning Support (2017 CPS FPL or CPS FPL<sup>1</sup>), including application submission requirements and

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<sup>1</sup> The 2017 CPS FPL was finalized in September 2017 and was officially approved by the Council in the January 24, 2018 vote. The CPS FPL is available on the Council website at <https://www.restorethegulf.gov/council-selected-restoration-component>.

review procedures. Through awards made under the CPS FPL, the Council will provide its members with funding to enhance collaboration, coordination, public engagement and use of best available science needed to make efficient use of Gulf restoration funds resulting from the Deepwater Horizon oil spill. These awards will support the Council's commitment to a coordinated approach to ecosystem restoration, as called for in the Comprehensive Plan Update 2016: Restoring the Gulf Coast's Ecosystem and Economy.

## **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 to enhance collaboration, coordination, public engagement, and use of best available science 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.

A major challenge to Gulf-wide ecosystem restoration is coordinating efforts within each state, among Council members, among stakeholders, and across Gulf restoration funding streams. In addition, there is no designated funding to support Council member efforts to plan and coordinate restoration activities under the Council-Selected Restoration Component. Historically, Council members have relied upon general, tax-generated, or appropriated funds to support their involvement in the Council-Selected Restoration Component, including the development and updates of Funded Priorities Lists (FPLs) and the Comprehensive Plan Update 2016: Restoring the Gulf Coast's Ecosystem and Economy (2016 Comp Plan Update). The CPS FPL will provide Council members with funding to support planning, collaboration, and

leveraging efforts, with the ultimate goal of producing the most effective on-the-ground restoration results possible.

To effectively and efficiently address the commitments of the Comprehensive Plan, the Council is providing funds necessary for members to:

- Strengthen ecosystem restoration proposals for future FPLs under the Council-Selected Restoration component of the RESTORE Act.
- Enhance the efficiency of future FPL development processes.
- Facilitate long-term planning and leveraging efforts across funding streams.

## 2. Program Authority

The statutory authority for the CPS FPL 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 state Council members must apply for a grant through the Council’s Restoration Assistance and Awards Management System (RAAMS) to receive funding. All federal agency Council members must submit an application in RAAMS before the Council can enter into an interagency agreement (IAA) to provide funding to the federal agency.

### A. Funding Availability

Each of the 11 Council members may apply for **up to** \$500,000 per year for up to 3 years and **up to** \$300,000 per year for 2 years thereafter (a maximum of \$2.1 million per Council member over 5 years), resulting in a total of up to \$23.1 million between all Council members, as detailed in Table 1 (below). This represents 1.44% of the total funds available, not including interest that may be accrued, in the Council-Selected Restoration Component.

**Table 1.** *Funding for the Commitment and Planning Support activities*

Annual per member (maximum)	Annual Total Council Cap	Per Member 5-Year Maximum based on Annual Cap	Total 5-Year Investment Maximum based on Annual Cap
\$500K for 3 years	\$5.5M/year for 3 years	\$2.1 M	\$23.1M
\$300k for 2 years	\$3 3M/year for 2 years		

The Council will review the effectiveness of this funding at year four and consider the need to continue the CPS awards beyond the 5-year initial period of performance. Based upon this evaluation, the Council will determine whether there is a need to undertake follow-on awards or agreements to continue this work. The timing of this review during year four is intended to avoid a lapse in funding. If the need for CPS funding extends beyond 5 years, future awards would use the same FPL amendment process requiring public notice and a formal Council vote.

## **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 June 30, 2023.

## **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 must be directly related to Council-Selected Restoration Component FPL development. A full list may be found in the CPS FPL, which is available on the Council's [web site](#)<sup>2</sup>. In summary, allowable activities may include:

- Planning and collaboration to develop submissions and/or conceptual, pre-submission options for the next FPL.
- Staffing in support of Council-Selected Restoration Component planning, collaboration, pre-submission environmental compliance coordination, and meeting other commitments from the Comprehensive Plan.
- Preparation of proposals in accordance with FPL submission guidelines, including entry of proposals into RAAMS.
- Evaluation activities, complementary to work undertaken through the Council Monitoring and Assessment Program, to determine the impact of the Council's FPL

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<sup>2</sup> The Council web site is available at <https://www.restorethegulf.gov>.

projects/programs and inform adaptive management strategies for future funding decisions.

- Financial support for Council-Selected Restoration Component outreach mechanisms relevant to planning and collaboration activities (printing, website maintenance, and other similar activities).
- Travel expenses that are reasonable and directly related to the Council-Selected Restoration Component projects/programs development.
- Preparation and execution of IAAs, grants, and other related items required by the Council prior to implementing the scope of work covered by project-specific interagency activities.

CPS funds are not available to conduct post-award, project-specific activities. Such activities are only funded after a separate grant or IAA for a project or program approved in an FPL is awarded. For example, allowable uses of CPS funds do not include engineering and design and environmental compliance activities beyond the pre-submission stage, such as preparation of environmental compliance documentation (e.g., NEPA documentation) or permit application costs.

### III. Application and Submission Information

Please refer to the Council’s Recipient Proposal and Award Guide ([RPAG](#)<sup>3</sup>), 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 in RAAMS. Council members can access the link to RAAMS and view related materials necessary to apply for funding through the Council website<sup>4</sup>.

#### B. Content and Form of Application

A complete application will include all of the information below, which is entered directly into RAAMS. 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. **Certifications:**
  - a. Council Applicant Certifications; and
  - b. Form SF-424B “Assurances – Non-Construction Programs”.

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<sup>3</sup> 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>.

<sup>4</sup> The link to access RAAMS is available on the Council’s Grants Office web page - <https://www.restorethegulf.gov/gcerc-grants-office>.

3. **CPS Activities Description**, including the following information:
  - a. The title of the request, i.e., “Commitment and Planning Support – [Member]”, replacing the word “Member” with the state or federal member submitting the application;
  - b. An abstract of the project describing the purpose/goal of the CPS activities, where activities will be located, and identifying the entity or entities that will undertake the activities;
  - c. Selection of applicable Project Categories and Activities;
  - d. Project Category Narratives;
  - 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; and
  - g. Acknowledgement of a metric regarding the number of types of collaboration actions implemented annually. For more information on the CPS metric and associated indicators, see section V.C, *Reporting*, below.
  
4. **Budget documentation**, on an annual basis for the 5-year award period, including:
  - a. Form SF-424A budget information.
    - i. Data equivalent to that provided on the Form SF-424A “Budget Information – Non-Construction Programs”;
    - ii. Budget data by Form SF-424A object classes for non-Council funding that is required to complete the objectives of the activity (i.e., “co-funding”);
    - iii. Where the applicant will “pass through” or otherwise provide funds to one or more subrecipients, a detailed budget using object categories from the Form SF-424A for each proposed subaward that is known at the time the application is submitted; and
    - iv. Any program (i.e., activity) income anticipated during the award period.
  
  - b. Budget Narrative, supporting Form SF-424A budget information.
    - 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 CPS FPL on October 5, 2017 are not allowable.

**5. Indirect Cost Rate Information.**

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

**6. Cash Forecasting.** Forecasting of cash requirements/draws throughout the life of the award in semi-annual increments.

**C. Organizational Self-Assessment**

Each state member (or the state's administrative agent) applicant must certify and submit the Council's Organizational Self-Assessment (OSA) worksheet, available on the Grants Resources web page<sup>5</sup>. The worksheet must be received by the Council no later than the application submission date of the entity's first grant application to the Council.

**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](http://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 April 30, 2018.

**F. Intergovernmental Review**

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

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<sup>5</sup> The OSA worksheet is available on the Council's Grants Resources web page - <https://www.restorethegulf.gov/gcerc-grants-office/gcerc-grants-resources>.

## **G. Funding Restrictions**

Of the amounts received by an eligible entity in a grant under this announcement, not more than three percent may be used for administrative costs (see 31 CFR 34.204). The three percent limit is applied to the total amount of funds received by a recipient under each grant. 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. “Administrative costs” means those indirect costs for administration incurred by the eligible entity that are allocable to activities authorized under the RESTORE 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. Additional instructions and an example of administrative cost calculations are available on the Council’s Grants Resources [webpage](#).<sup>6</sup>

In the application, each member is required to submit realistic annual budgets across the 5-year performance period that are consistent with the annual maximums specified in the CPS FPL and section II.A, *Funding Availability*, above. The Council expects that all CPS awards will proceed according to schedule; however, the member may carryover unexpended CPS funds between funding years to adjust for unanticipated schedule changes. While some carryover of funds is allowable, the bulk of funds may not be expended in the later funding years due to failure by the member to proceed with scheduled activities in earlier years.

## **H. Other Submission Requirements:**

Applications will be completed and submitted electronically by way of RAAMS.

## **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.

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<sup>6</sup> Instructions for Calculating Allowable Indirect Costs under the 3% cap for administrative costs and examples of cost calculations are available on the Grants Resources web page - <https://www.restorethegulf.gov/gcerc-grants-office/gcerc-grants-resources>.



## **B. Review and Selection Process**

Upon receipt of an application through RAAMS, 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 CPS FPL;
3. Whether award activities are eligible and attainable;
4. Whether staff time is appropriate to perform proposed tasks;
5. Whether budget line items are allowable, allocable, and reasonable;
6. Whether budget line items are accurately calculated;
7. Whether any proposed procurement complies with applicable laws and policies;
8. Whether the period of performance requires an adjustment; and
9. 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 45 calendar days. The Council also anticipates providing IAAs to the federal member for review and approval within 45 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.

## **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 STCs<sup>7</sup> 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, technical progress, and performance reports. These reports are to be submitted electronically via RAAMS.
2. Council members utilizing CPS funds under the FPL will provide information on the progress of their respective efforts. The primary focus of reporting is to encourage further collaboration and share best practices/lessons learned, among Council members, the broader restoration community and the public. To that end, the following reporting elements of CPS funding include:
  - Semi-Annual Financial and Expenditure written reports, and annual progress summaries, submitted through the Council's RAAMS in adherence to federal financial assistance requirements (2 CFR part 200). The annual progress summaries should include, as appropriate:
    - Collaboration activities and partners,
    - Stakeholders and public engagement workshops/meetings held,
    - FPL-related Planning,
    - Lessons learned, and
    - Potential project/program concepts, which may include various scales such as:
      - Watershed, estuary or other geographic areas;

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<sup>7</sup> 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>.

- Specific resources or strategy; or
  - Council Goal(s) and Objective(s) addressed.
- Work with Council Staff to populate and regularly update project/program concept information in the internal online project/program mapping tool. The purpose is to facilitate pre-submission collaboration between members who may have preliminary interests in similar projects or programs.
  - Public-facing notifications and reports that could include:
    - Advance notifications of upcoming public meetings and other relevant activities;
    - Periodic updates on public meetings outcomes and planning progress;
    - Annual reports that describe each Council member's activities and expenditures.
3. Collaboration Actions and Indicator of Success: Annual performance reports will include reporting on collaboration actions. The following metric will be tracked for all CPS FPL awards: Number of types of collaboration actions implemented by the recipient annually. Each recipient will report annually on whether the following Collaboration Action Indicators have been implemented:
- Sponsor workshops, meetings, etc., related to future FPL submissions.
  - Participate in meetings, workshops, etc., with Council members and other potential funding partners related to future FPL submissions.
  - Participate in Council meetings regarding the Council-Selected Restoration Component.
  - Participate in technical meetings/focus groups related to future FPL submissions.
  - Public engagement activities for the purposes of developing FPL submissions.
  - Development of concepts, project scoping, pre-submission environmental compliance review/coordination, and technical assistance for potential future FPL projects.
  - Process-related activities to support development of FPL project/program options (e.g., decision support structure development, preparation of collaboration materials, Council workgroup participation, public comment review).
  - Evaluation activities to determine the impact of the Council's projects/programs and inform adaptive management.
  - Preparation of proposals developed collaboratively in accordance with FPL submission guidelines, including entry of proposals into the Council's FPL Collaboration Tool or RAAMS.
  - Collaborative preparation of applications for IAAs, grants and other related items required by the Council prior to implementing project-specific interagency activities.
  - Other (a brief description will need to be provided).

4. 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](http://www.FSRS.gov) on all sub-awards over \$25,000.
6. Federal Awardee Performance and Integrity Information System: If the award will include more than \$500,000 over the period of performance, 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](mailto: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 page<sup>8</sup> 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, 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.

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<sup>8</sup> The Council's Grants Resources web page contains resources for applicants - <https://www.restorethegulf.gov/gcerc-grants-office/gcerc-grants-resources>.