

Building Bridges

Connecting the Overlapping Goals, Resources, and Institutions of Gulf of Mexico Restoration and Conservation

State Plans and Programs

On April 20, 2010, a blowout occurred on the *Deepwater Horizon* drilling rig located off of the coast of Louisiana, triggering one of the worst oil spills in the nation's history. Before the well was capped 87 days later, millions of barrels of oil would flow into the Gulf of Mexico. Nearly six years later, the economic and environmental impacts of the spill are still being determined. Several restoration and recovery processes have been initiated in order to address these impacts. Billions of dollars have already been obligated to these processes, and billions more are expected.

These spill-related processes are not taking place in a vacuum, but within an existing framework. This framework includes a degrading ecosystem that is facing multiple threats – from coastal land loss to an extensive dead zone to habitat loss and destruction. It also includes a set of laws, plans, and programs in place at the federal, state, and local levels. Many of these were developed long before the *Deepwater Horizon* oil spill and were intended to address the multiple threats facing the Gulf ecosystem. Many of them therefore have goals and objectives that overlap with the restoration and recovery processes initiated in response to the oil spill.

In this report, we focus on Gulf of Mexico state plans (including regional plans) and state programs. As oil spill restoration efforts move forward, these plans and programs may be important to consider for a number of reasons. These include:

Coordination



Many plans and programs have goals and objectives that overlap with those of the oil spill restoration and recovery processes. It is therefore essential that these efforts are coordinated – not only to avoid duplication, but also to maximize the impact of these efforts. If properly coordinated, funds from the oil spill restoration and recovery processes may also be used to fill gaps in funding that have been created by any misalignment between state and federal program funding cycles.

Informing Processes



Numerous plans and programs have been developed over the years. These efforts could provide an important foundation for the development of oil spill plans, programs, and projects. For certain oil spill processes, projects that are contained in existing plans may also be given priority for funding.

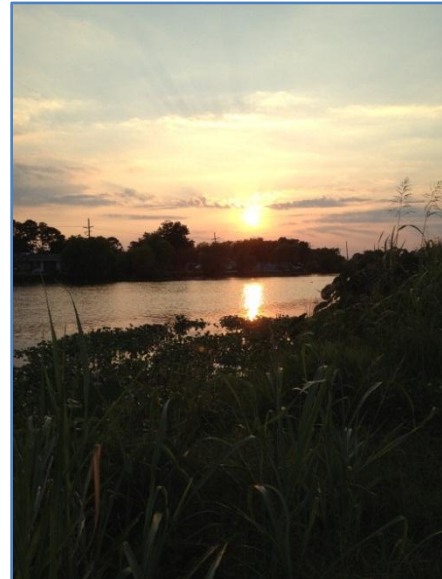
EXECUTIVE SUMMARY

For a copy of the full report, please visit www.eli-ocean.org/gulf/building-bridges

Building Bridges¹

The Building Bridges—State Plans and Programs report identifies state plans (including regional plans) and state programs that may be important to the oil spill restoration and recovery processes.² Since there are numerous plans and programs, we used certain criteria to determine which ones to include. For state plans (including regional plans), we focused primarily on plans developed by governmental entities. We narrowed down those plans to include those that:

- Are intended to help guide the spill-related processes;
- Have similar goals or objectives as the spill-related processes;
- Focus on similar resources as the spill-related processes;
- Focus on similar geographic areas as the spill-related processes; and/or
- Could be considered “existing Gulf Coast State comprehensive plans for the restoration and protection of natural resources...of the Gulf Coast ecosystem” for purposes of receiving funding priority from the Gulf Coast Ecosystem Restoration Council (under Pot 2 of the RESTORE Act).³



In narrowing down state programs, we focused on those that:

- Fund projects similar to those funded by the spill-related processes; and/or
- Provide rules, policies, guidelines, or information that may be important in planning and/or implementing spill-related projects.

While this report focuses on key plans and programs, there are numerous other ones that could be important to the spill-related processes. We have compiled many of these, as well as the ones highlighted in this report, in a new online resource called the “Gulf State Plans and Programs Search Tool,” which is available at eli-ocean.org/gulf/tool. This tool provides links to more than 120 state plans (including regional plans) and state programs.

Recovery from the *Deepwater Horizon* disaster will take decades. When added to the other threats facing the Gulf of Mexico, the time, capacity, and funding required to restore the Gulf becomes even greater. It is unlikely that this task will be accomplished with spill-related funding alone. By building bridges to connect existing plans and programs with efforts underway for the spill-related processes, we can maximize the chances of achieving a healthy, thriving Gulf.

¹ Complete citations for this Executive Summary are available in the full report.

² Federal programs are reviewed in a companion report. See Environmental Law Institute, *Building Bridges: Federal Programs* (April 2014), <http://eli-ocean.org/gulf/building-bridges>.

³ RESTORE Act, § 1603(t)(2)(D)(iii)(III).

The following tables provide an overview of the plans and programs that are highlighted in the full *Building Bridges—State Plans and Programs* report:

Regional Plans			
Plan	Author	Purpose	Highlights
Gulf of Mexico Regional Ecosystem Restoration Strategy (2011)	Gulf Coast Ecosystem Restoration Task Force	“[T]o drive action and guide the long-term collaboration... necessary to...address... environmental degradation and to ensure a healthy... future for the Gulf” ⁴	Strategy included four main goals to restore the Gulf, as well as numerous actions to help achieve those goals. ⁵
Gulf of Mexico Research Plan (2009)	Gulf of Mexico Sea Grant College Programs	“[T]o identify priority research needs for the Gulf of Mexico through broad constituent input and to implement strategies to address those needs” ⁶	Plan identifies five research themes for the Gulf, along with “17 top-tier...priorities.” ⁷
Governors’ Action Plan II (2009)	Gulf of Mexico Alliance	To “set[] a course for actions designed to improve the health of coastal ecosystems and economies of the Gulf...” ⁸	Five-year plan sets out six priorities, with focus areas and action steps for each priority.
Vision for a Healthy Gulf of Mexico Watershed (2013)	U.S. Fish & Wildlife Service	“[T]o serve as a catalyst for discussions with partners on how and where to focus [their] collective restoration efforts in the wake of the [<i>Deepwater Horizon</i>] oil spill” ⁹	Vision sets out eight strategies and 16 geographic areas for conservation, with the goal of “guid[ing] collaborative conservation planning and delivery for large-scale Gulf restoration with the states, local communities, other federal agencies and the entire conservation network...” ¹⁰
Gulf Hypoxia Action Plan 2008 (2008)	Mississippi River/Gulf of Mexico Watershed Nutrient Task Force	“[T]o track progress, update the science, and adapt actions to improve the effectiveness of the efforts throughout the [Mississippi River] Basin” so as “to reduce the size and impact of the Gulf hypoxic	Plan sets out 11 actions that are divided into two main categories: (1) actions to accelerate the reduction of nitrogen and phosphorus; and (2) actions to advance the science, track progress, and raise awareness.

⁴ Gulf Coast Ecosystem Restoration Task Force, Gulf Coast Ecosystem Restoration Strategy ES-3 (2011), *available at* http://archive.epa.gov/gulfcoasttaskforce/web/pdf/gulfcoastreport_full_12-04_508-1.pdf.

⁵ *See id.* at 3-4.

⁶ S.H. Sempier et al., Gulf State Sea Grants, Gulf of Mexico Research Plan ES-1 (2009), *available at* <http://masgc.org/assets/images/GMRP.pdf>.
⁷ *Id.* at 1.

⁸ Gulf of Mexico Alliance, Governors’ Action Plan II 7 (2009), *available at* www.gulfofmexicoalliance.org/pdfs/ap2_final2.pdf.

⁹ U.S. Fish & Wildlife Service, Vision for a Healthy Gulf of Mexico Watershed 4 (2013), *available at* www.fws.gov/gulfrestoration/pdf/VisionDocument.pdf.
¹⁰ *Id.*

A Strategy for a Healthy Gulf of Mexico: Resilience through Ecosystem Restoration (2015)	NOAA	zone and improve water quality in the Basin” ¹¹ To “identif[y] general priorities and actions...to help restore the Gulf ecosystem and economy and extend [NOAA’s] commitment to a Gulf-wide, ecosystem-scale approach to recovery and restoration” ¹²	Strategy outlines four objectives to achieve goal of “realiz[ing] a healthy, functional ecosystem that sustains resilient and thriving marine and coastal resources, communities and economies in the Gulf...” NOAA emphasizes that the goal and objectives “cannot be achieved by NOAA alone, but...will require a robust collaborative effort...” ¹³
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¹¹ See EPA, Gulf Hypoxia Action Plan 4 (2008), *available at* http://www.epa.gov/sites/production/files/2015-03/documents/2008_8_28_msbasin_ghap2008_update082608.pdf.

¹² NOAA, A Strategy for a Healthy Gulf of Mexico: Resilience through Ecosystem Restoration 2 (2015), *available at* www.habitat.noaa.gov/pdf/healthy_gulf_of_mexico_april2015.pdf.

¹³ *Id.* at 2-4.

Alabama Plans and Programs

Alabama Plans			
Plan	Author	Purpose	Highlights
A Roadmap to Resilience (2010)	Coastal Recovery Commission of Alabama	To “guide Alabama, regional, and national leaders in implementing policies that protect, preserve and enhance the assets that make Alabama’s Gulf Coast so important...” ¹⁴	The Roadmap addresses a number of broad issues, including a healthy environment, healthy society, and healthy economy.
Weeks Bay National Estuarine Research Reserve Management Plan (2007)	Weeks Bay NERR staff and Alabama Department of Conservation and Natural Resources	To “provide[] a framework to guide the activities of the Reserve” ¹⁵	The plan sets out the goals of the Reserve, as well as objectives and actions to achieve those goals. The objectives and actions are grouped under different programs (e.g. research and monitoring, public access, education).
Comprehensive Conservation & Management Plan for Alabama’s Estuaries & Coast (2013)	Mobile Bay National Estuary Program	To set out five-year strategies related to Alabama’s estuaries and coast ¹⁶	The plan sets out strategies in four areas: (1) estuary status and trends; (2) ecosystem restoration and protection; (3) technical assistance and capacity building; and (4) building community stewardship.
Alabama Programs			
Program	Lead Entity	Purpose	Highlights
Forever Wild Land Trust	Alabama Department of Conservation and Natural Resources	To acquire “natural lands and waters that are of environmental or recreational importance.” ¹⁷	“As of 2014, the program ha[d] acquired 111 tracts of wildlands and water areas[,]” totaling more than 240,000 acres. ¹⁸

¹⁴ Alabama Coastal Recovery Commission, *A Roadmap to Resilience: Towards A Healthier Environment, Society and Economy for Coastal Alabama 1.15* (2010), *available at* <http://crcalabama.org/wp-content/uploads/2011/02/CRC-Report-02-2011.pdf>.

¹⁵ Weeks Bay NERR Staff & Alabama Department of Conservation and Natural Resources, *Weeks Bay National Estuarine Research Reserve Management Plan ii* (2007), *available at* <http://www.weeksbay.org/mgmt/WeeksBayNERRManagementPlan.pdf>

¹⁶ Mobile Bay National Estuary Program, *Comprehensive Conservation & Management Plan for Alabama’s Estuaries & Coast 2013-2018* (2013), *available at* http://www.mobilebaynep.com/what_we_do/ccmp/.

¹⁷ Alabama Constitution, Amendment 543, § 1(c); *see also* Forever Wild Land Trust, *ENCYCLOPEDIA OF ALABAMA*, www.encyclopediaofalabama.org/article/h-1125 (last visited Dec. 10, 2015).

¹⁸ Forever Wild Land Trust, *supra* note 17.

Florida Plans and Programs

Florida Plans			
Plan	Author	Purpose	Highlights
Southwest Florida Regional Ecosystem Restoration Plan (2013)	Joint Florida National Estuary Programs	To set out “a regional vision for restoration needs” in southwest Florida ¹⁹	The plan includes “a 3-year priority plan, a 10-year plan and [a] list of project[s] recommended for other funding sources.” It “was developed to advise the [Council] and the State of Florida... as they make Gulf-wide decisions under the [RESTORE Act].” ²⁰
Florida Gulf Environmental Benefit Fund Restoration Strategy (forthcoming)	Florida Fish and Wildlife Conservation Commission and others	To develop “an overarching framework for restoring and conserving the natural resources of Florida’s Gulf Coast through the Gulf Environmental Benefit Fund” ²¹	The strategy will focus on six watersheds, and will involve technical experts and the public.
Apalachicola National Estuarine Research Reserve Management Plan (2014)	Florida Department of Environmental Protection	To “describe[] natural and cultural resources within the boundaries of ANERR, identif[y] priority issues...to adequately protect these resources, and the goals, objectives and strategies necessary to support ANERR’s mission” ²²	Six priority issues are identified in the plan: public use, habitat change, land use changes in the watershed, loss of cultural resources, impacts of regional and global processes, and community involvement.
Florida Programs			
Program	Lead Entity	Purpose	Highlights
Florida Forever	Florida Department of Environmental Protection	“[T]o conserve the state’s natural and cultural heritage” ²³	Since July 2001, Florida Forever has acquired more than 700,000 acres of land at a cost of nearly \$3 billion. ²⁴
Florida Communities	Florida Department of Environmental Protection	To “provide[] funding to local governments and non-profit organizations	Title to the land is held by the grantee, who is “responsible for land stewardship and implementing a formal management plan

¹⁹ Joint Florida National Estuary Programs, Southwest Florida Regional Ecosystem Restoration Plan 1 (2013), *available at* <http://www.longboatkey.org/docview.aspx?doctype=fd&docid=35329>.

²⁰ *Id.* at 1.

²¹ NFWF, Florida Gulf Environmental Benefit Fund Restoration Strategy (2015), www.nfwf.org/gulf/Documents/fl-restoration%20planning-15oc.pdf.

²² Florida Department of Environmental Protection, Apalachicola National Estuarine Research Reserve Management Plan, Executive Summary (2014), *available at* www.dep.state.fl.us/coastal/sites/apalachicola/pub/ANERR_Management_Plan.pdf.

²³ Florida Forever, FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, www.dep.state.fl.us/lands/fl_forever.htm (last visited Aug. 12, 2015).

²⁴ *Id.*

Florida Plans and Programs

Trust	Protection	to assist them with their local land conservation efforts” through, among other things, the acquisition of “lands for recreation, open spaces and working waterfronts” ²⁵	[that] must be approved by [the Trust].” The program is funded by Florida Forever. ²⁶
Local Government Land Acquisition Programs	Various local governments	To acquire land for conservation and other purposes ²⁷	“Local governments in Florida have raised more than \$2 billion and have been responsible for the purchase of approximately 375,000 acres of conservation and resource-based recreation lands...” ²⁸
Coastal Partnership Initiative	Florida Department of Environmental Protection	“[T]o promote the protection and effective management of Florida’s coastal resources” ²⁹	The Initiative focuses on four main priorities: resilient communities, coastal resource stewardship, access to coastal resources, and working waterfronts. ³⁰
Beach Management Funding Assistance Program	Florida Department of Environmental Protection	To work with all levels of government “to achieve the protection, preservation and restoration of the coastal sandy beach resources of the state” ³¹	The program funds up to 50% of local governments’ costs for shore protection projects. Since 1998, the state has contributed almost \$627 million to these projects. ³²

²⁵ Florida Department of Environmental Protection, Florida Communities Trust Annual Report, Fiscal Year 2013-2014, 4, 5 (Sept. 30, 2014), *available at* www.dep.state.fl.us/lands/fl_communities_trust/parksandopenspace/AnnualReport_1314.pdf.

²⁶ *Id.* at 5.

²⁷ See J. Farr & O.G. Brock, Florida’s Landmark Programs for Conservation and Recreation Land Acquisition, 15 (2006), www.dep.state.fl.us/lands/files/Florida_LandAcquisition.pdf (noting that “[l]ocal governments...have been responsible for the purchase of approximately 375,000 acres of conservation and resource-based recreation lands...”).

²⁸ *Id.* Note that this quote is taken from a 2006 article and numbers may be out of date.

²⁹ Coastal Partnership Initiative, FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, www.dep.state.fl.us/cmp/grants/fcpmgrants.htm (last visited Dec. 10, 2015).

³⁰ *Id.*

³¹ Beach Management Funding Assistance Program, FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, www.dep.state.fl.us/beaches/programs/becp/ (last visited Aug. 14, 2015).

³² *Id.*

Louisiana Plans and Programs

Louisiana Plans			
Plan	Author	Purpose	Highlights
Coastal Master Plan (2012)	State of Louisiana	To “mak[e] realistic, on the ground progress toward restoring coastal habitats and protecting communities” ³³	At an estimated cost of \$50 billion over 50 years, the plan identifies 109 projects intended to “strike a balance between providing immediate relief to hard hit areas and laying the groundwork for the large scale projects that are needed...to protect communities and sustain [the] landscape...” ³⁴
Louisiana Coastal Area Plan (2004)	U.S. Army Corps of Engineers	To “reverse the current trend of degradation of the coastal ecosystem” ³⁵	The plan identifies specific projects, many of which were authorized by the Water Resources and Development Act of 2007, but which are now suspended. ³⁶
LA Coastal Protection and Restoration (LACPR): Final Technical Report (2009)	U.S. Army Corps of Engineers	“[T]o develop [a] plan[] for hurricane risk reduction and coastal restoration” in Louisiana ³⁷	The report identifies a “final array of alternative plans” that could be implemented in five different planning areas in South Louisiana. ³⁸
Barataria-Terrebonne Comprehensive Conservation and Management Plan (1996)	Barataria-Terrebonne National Estuary Program	“[T]o serve as guidance for the preservation and restoration efforts throughout the Barataria-Terrebonne estuary over the next 25 years” ³⁹	The plan “recommends ‘priority corrective actions and compliance schedules’ that address problems identified in the Barataria and Terrebonne basins through numerous scientific and technical studies...” ⁴⁰ It includes 51 action plans. ⁴¹

³³ State of Louisiana, Louisiana Coastal Master Plan 28 (2012), *available at* <http://coastal.la.gov/a-common-vision/2012-coastal-master-plan/>.

³⁴ *Id.* at 178; *see also* 2012 Coastal Master Plan Projects, COASTAL PROTECTION AND RESTORATION AUTHORITY, <http://coastal.la.gov/a-common-vision/2012-coastal-master-plan/2012-coastal-master-plan-projects> (last visited Sept. 24, 2015).

³⁵ U.S. Army Corps of Engineers, Louisiana Coastal Area Ecosystem Restoration Study ii (2004), *available at* www.lca.gov/Library/ProductList.aspx?ProdType=0&folder=1125.

³⁶ *See, e.g.*, Terrebonne Basin Barrier Shoreline Restoration Project Description, LCA, www.lca.gov/Projects/3/Default.aspx (last visited Apr. 25, 2015).

³⁷ U.S. Army Corps of Engineers, Louisiana Coastal Protection and Restoration (LACPR) Final Technical Report 1 (2009), *available at* biotech.law.lsu.edu/la/coast/lacpr/FinalReport/03%20LACPR%20Final%20Technical%20Report.pdf.

³⁸ *Id.* at 170.

³⁹ Barataria-Terrebonne National Estuary Program, Comprehensive Conservation and Management Plan – The Executive Summary 8 (1996), *available at* www.btneep.org/BTNEP/about/theplan.aspx.

⁴⁰ *Id.*

⁴¹ *See id.* at 13-14.

Louisiana Plans and Programs

Comprehensive Management Plan for the Pontchartrain Basin (1995)	Lake Pontchartrain Basin Foundation	To “develop[] a road map for the restoration of the Lake Pontchartrain Basin” ⁴²	The plan includes recommendations to “address [three] major environmental challenges in the Basin”: sewage and agricultural runoff, stormwater runoff, and saltwater intrusion/wetland loss. ⁴³
Louisiana Programs			
Program	Lead Entity	Purpose	Highlights
Louisiana Coastal Resources Program	Louisiana Department of Natural Resources	To “regulate[] development activities and manage[] the resources” in Louisiana’s coastal zone ⁴⁴	Among other things, the program issues coastal use permits, ⁴⁵ assists parishes with their local coastal programs, ⁴⁶ and ensures government activities are “consistent with the... program...” ⁴⁷
Coastal Protection and Restoration Fund	Coastal Protection and Restoration Authority	“To provide a dedicated, recurring source of revenue for the development and implementation of a program to protect and restore Louisiana’s coastal area” ⁴⁸	The Fund “is subject to appropriations by the [state] legislature for the purposes of integrated coastal protection.” Funds can only be used for “projects and programs [that] are consistent with,” among other things, the Master Plan. ⁴⁹
Coastal Wetlands Planning, Protection and	CWPPRA Task Force	“[T]o identify, prepare, and fund construction of coastal wetlands restoration projects” ⁵⁰	A Task Force “evaluates projects proposed for inclusion in the CWPPRA program and prepares a ranked list of candidate projects annually...” It then selects a final set of projects from this list to implement. ⁵¹

⁴² Lake Pontchartrain Basin Foundation et al., Comprehensive Management Plan for the Pontchartrain Basin, vi (1995), *available at* www.saveourlake.org/management-plan.php.

⁴³ *Id.* at 1, 3.

⁴⁴ See About OCM, LOUISIANA DEPARTMENT OF NATURAL RESOURCES, <http://dnr.louisiana.gov/index.cfm?md=pagebuilder&tmp=home&pid=89&pnid=0&nid=39> (last visited Sept. 16, 2015).

⁴⁵ See Permits/Mitigation Division, LOUISIANA DEPARTMENT OF NATURAL RESOURCES, <http://dnr.louisiana.gov/index.cfm?md=pagebuilder&tmp=home&pid=90> (last visited Jan. 7, 2016); see also La. Admin. Code tit. 43, § 723.

⁴⁶ See Local Coastal Programs, LOUISIANA DEPARTMENT OF NATURAL RESOURCES, <http://dnr.louisiana.gov/index.cfm?md=pagebuilder&tmp=home&pid=111> (last visited Jan. 7, 2016); see also La. Admin. Code tit. 43, § 725.

⁴⁷ La. Rev. Stat. 49:214.32.B; see also Consistency Section, LOUISIANA DEPARTMENT OF NATURAL RESOURCES, <http://dnr.louisiana.gov/index.cfm?md=pagebuilder&tmp=home&pid=104> (last visited Jan. 7, 2016); La. Admin. Code tit. 43, §§ 723, 724.

⁴⁸ La. Rev. Stat. § 49:214.5.4.A.

⁴⁹ *Id.* at § 49.214.5.4.G. See also State of Louisiana, RESTORE Act Multiyear Implementation and Expenditure Plan, 2 (2015), available at <http://cims.coastal.louisiana.gov/DocLibrary/FileDownload.aspx?Root=0&id=12111>.

⁵⁰ About CWPPRA, LACOAST.GOV, <http://lacoast.gov/new/About/Default.aspx> (last visited May 20, 2015).

⁵¹ Coastal Protection and Restoration Authority, Fiscal Year 2016 Annual Plan, 32-33 (2015), available at <http://coastal.la.gov/fy2016-annual-plan>.

Louisiana Plans and Programs

Restoration Act Program			
Atchafalaya Basin Program	Louisiana Department of Natural Resources	“[T]o implement and manage a comprehensive [s]tate [m]aster [p]lan for the Atchafalaya Basin” ⁵²	A plan is drafted annually that “identifies all projects or stages of projects...that will be proposed for funding in that fiscal year.” There are three categories of projects: “water quality/water management, access, and other projects consistent with the mission of the [basin master plan].” ⁵³
Natural Heritage Program	Louisiana Department of Wildlife and Fisheries	To gather, organize, and distribute “standardized, detailed information on the biological diversity in Louisiana” ⁵⁴	Information from the program has been “applied to land use decisions, environmental impact assessment, resource management, conservation planning, endangered species review, research, and education.” ⁵⁵

⁵² Atchafalaya Basin Program, Atchafalaya Basin Program Draft FY 2016 Annual Plan 14 (2015), *available at* http://dnr.louisiana.gov/assets/OCM/ABP/ABP_2016_plan.pdf.
⁵³ *Id.* at 16.

⁵⁴ Natural Heritage Program, LOUISIANA DEPARTMENT OF WILDLIFE AND FISHERIES, www.wlf.louisiana.gov/wildlife/louisiana-natural-heritage-program (last visited Dec. 10, 2015).
⁵⁵ *Id.*

Mississippi Plans and Programs

Mississippi Plans			
Plan	Author	Purpose	Highlights
GoCoast 2020 (2013)	GoCoast 2020 Commission	“[T]o set a foundation and road map of priorities for Mississippi” in allocating RESTORE Act funds ⁵⁶	While the plan does not lay out specific projects, it is intended to provide the “foundation for what will become the Mississippi Plan as envisioned by the RESTORE Act to fund as many Mississippi projects as possible.” ⁵⁷
Mississippi Coastal Improvements Program Comprehensive Plan (2009)	U.S. Army Corps of Engineers	“[T]o identify solutions to the hurricane and storm damage, saltwater intrusion, fish and wildlife, erosion, and other related water resource problems of coastal Mississippi” ⁵⁸	The plan envisions “a phased approach to occur over the next 30-40 years...” It recommends 12 structural, nonstructural, and environmental restoration projects for “immediate implementation (Phase I).” ⁵⁹
Mississippi Gulf Coast Restoration Plan (2015)	Mississippi Department of Environmental Quality	“[T]o provide an overarching strategy for restoration decision-making” ⁶⁰	The plan is being funded by the NFWF Gulf Environmental Benefit Fund. ⁶¹ It does not identify specific projects, but indicates that NFWF funds will be spent under three main programs: Land Resources, Coastal and Marine Living Resources, and Water Resources. ⁶²
Oyster Restoration and Resiliency Report (2015)	Governor’s Oyster Restoration and Resiliency	To present “recommendations, projects and programs for the restoration and resiliency of the oyster resource and industry” ⁶³	The Council’s recommendations were compiled into seven main topics, including improving water quality and quantity, enhancing public reefs, and conducting marketing. ⁶⁴

⁵⁶ Go Coast 2020, Go Coast 2020 Final Report 2 (2013), *available at* www.gocoast2020.com/wp-content/uploads/finalreport.pdf.

⁵⁷ About, Go Coast 2020, <http://www.gocoast2020.com/about/> (last visited Mar. 25, 2015). Mississippi’s draft RESTORE Act Direct Component Multiyear Implementation Plan notes that project ideas were reviewed “against the priorities and criteria identified by GoCoast 2020” to “develop[] recommendations for projects.” State of Mississippi, Draft RESTORE Act Direct Component Multiyear Implementation Plan 7 (Dec. 2015), *available at* www.restore.ms/mississippi-multiyear-implementation-plan-available-for-public-review-and-comment.

⁵⁸ U.S. Army Corps of Engineers, Mississippi Coastal Improvements Program Comprehensive Plan, S-5 (2009), http://www.sam.usace.army.mil/Portals/46/docs/program_management/mscip/docs/MSCIP%20Main%20Report%20062209-Errata.pdf.

⁵⁹ *Id.* at S-6, S-8, cover sheet.

⁶⁰ Mississippi Department of Environmental Quality, Mississippi Gulf Coast Restoration Plan 89 (2015), *available at* www.restore.ms/mississippi-gulf-coast-restoration-plan.

⁶¹ *Id.*

⁶² *Id.* at 2.

⁶³ The Governor’s Oyster Council Restoration & Resiliency Final Report, Foreword, 7 (2015), *available at* www.dmr.ms.gov/images/dmr/Oyster_Council/Governors%20Oyster%20Council%20Report.pdf.

⁶⁴ *Id.* at 12-15.

Mississippi Plans and Programs

Council			
Grand Bay National Estuarine Research Reserve Management Plan (2013)	Grand Bay National Estuarine Research Reserve (NERR)	To “chart the course of action” for the Grand Bay NERR over a five-year period (2013-2018) ⁶⁵	“The [plan] describes how the [reserve] will be managed...and presents specific actions relative to priority focus areas and the goals of the national [reserve] system.” ⁶⁶
Mississippi Programs			
Program	Lead Entity	Purpose	Highlights
Mississippi Coastal Improvements Program (MsCIP)	U.S. Army Corps of Engineers	To “conduct an analysis and design for comprehensive improvements...in the coastal area of Mississippi” ⁶⁷	The plan for the program, the Mississippi Coastal Improvements Program Comprehensive Plan, is described in more detail above in the “Plans” section.
Tidelands Trust Fund Program	Mississippi Department of Marine Resources	“[T]he conservation, reclamation, and preservation of Mississippi’s tidelands, while also...enhancing its current public access areas” ⁶⁸	Funds are to be used “for new and extra programs of tidelands management, such as conservation, reclamation, preservation, acquisition, education or the enhancement of public access...or public improvement projects...” ⁶⁹
Coastal Preserves Program	Mississippi Department of Marine Resources	“[T]o acquire, protect, and manage sensitive coastal wetland habitats along the Mississippi Gulf Coast...” ⁷⁰	Under the program, Mississippi “has title to approximately 30,000 acres of the designated 72,000 acres of crucial coastal wetland habitat within [the state’s] 20 coastal preserves sites.” ⁷¹

⁶⁵ Grand Bay NERR, Grand Bay National Estuarine Research Reserve Management Plan 2013-2018, 1 (2013).

⁶⁶ *Id.* at 2.

⁶⁷ See MsCIP, *supra* note 58, at S-1 (quoting direction from Congress).

⁶⁸ Tidelands Trust Fund History, MISSISSIPPI DEPARTMENT OF MARINE RESOURCES, www.dmr.ms.gov/index.php/tidelands-history (last visited Nov. 17, 2015).

⁶⁹ Miss. Code. Ann. § 29-15-9(2).

⁷⁰ Coastal Preserves, MISSISSIPPI DEPARTMENT OF MARINE RESOURCES, www.dmr.ms.gov/index.php/wildlife-a-plants/coastal-preserves (last visited Nov. 11, 2015).

⁷¹ *Id.*

Texas Plans and Programs

Texas Plans			
Plan	Author	Purpose	Highlights
Texas Conservation Action Plan (2012)	Texas Parks and Wildlife Department	“[T]o provide a statewide ‘roadmap’ for research, restoration, management, and recovery projects addressing Species of Greatest Conservation Need (SGCN) and natural communities” ⁷²	The plan includes 11 region-specific handbooks, as well as a statewide (multi-region) handbook. Among other things, the handbooks identify conservation issues and actions. ⁷³
Mission-Aransas NERR Final Management Plan (2006)	University of Texas at Austin Marine Science Institute	To “describe[] how the Mission-Aransas [NERR] will be managed” ⁷⁴	The plan sets out various objectives along with “specific actions or tasks,” which are intended to “lead[] to the accomplishment of the goals” described in the plan. ⁷⁵
The Galveston Bay Plan (1994)	Galveston Bay National Estuary Program	“[T]o address threats to the [B]ay resulting from pollution, development, and overuse” ⁷⁶	The plan includes “82 management initiatives to address 17 specific priority problems.” ⁷⁷
Texas Wetlands Conservation Plan (1997)	Texas Parks & Wildlife	To “guide...wetlands conservation efforts throughout the state” ⁷⁸	The plan “focuses on non-regulatory, voluntary approaches to conserving Texas’ wetlands.” ⁷⁹
Texas Artificial Reef Plan (1990)	Texas Parks & Wildlife	To guide the artificial reef program ⁸⁰	The plan addresses a number of issues, including siting, permitting, and constructing artificial reefs.
Seagrass Conservation	Texas Parks &	“To identify resource management problems,	The plan focuses on problems in three areas: research,

⁷² Texas Conservation Action Plan (2012-2022): A Roadmap for Conservation, TEXAS PARKS & WILDLIFE DEPARTMENT, http://tpwd.texas.gov/huntwild/wild/wildlife_diversity/nongame/tcap (last visited Nov. 19, 2015).

⁷³ Texas Parks & Wildlife Department, Texas Conservation Action Plan: Overview 1 (2012), *available at* http://tpwd.texas.gov/landwater/land/tcap/documents/tcap_overview_2012.pdf.

⁷⁴ University of Texas at Austin Marine Science Institute, Mission-Aransas NERR Final Management Plan 1 (2006), *available at* http://missionaransas.org/sites/default/files/manerr/files/management_plan_reserve_2006.pdf.

⁷⁵ *Id.* at 5.

⁷⁶ Galveston Bay National Estuary Program, The Galveston Bay Plan, ix (1994), *available at* <http://repositories.tdl.org/tamug-ir/handle/1969.3/25458>.

⁷⁷ About the Galveston Bay Plan, GALVESTON BAY ESTUARY PROGRAM, www.gbep.state.tx.us/about-the-galveston-bay-plan (last visited Nov. 22, 2015).

⁷⁸ Texas Parks & Wildlife Department, Texas Wetlands Conservation Plan 7 (1997), *available at* www.tpwd.state.tx.us/publications/pwdpubs/media/pwd_pl_r2000_0005.pdf.

⁷⁹ *Id.*

⁸⁰ Texas Parks & Wildlife Department, Texas Artificial Reef Plan, Executive Summary (1990), *available at* www.tpwd.state.tx.us/publications/pwdpubs/media/pwd_pl_v3400_0332.pdf.

Texas Plans and Programs

Plan for Texas (1999)	Wildlife, Texas General Land Office, Texas Commission on Environmental Quality	enumerate planning objectives, and develop long and short range strategies and actions to protect and preserve Texas seagrasses” ⁸¹	management, and education and outreach.” ⁸²
Texas Programs			
Program	Lead Entity	Purpose	Highlights
Texas Coastal Management Program	Texas General Land Office	To “help[] ensure the long-term environmental and economic health of the Texas coast” ⁸³	The program “serves as an umbrella for the management of coastal resources along the Texas coast.” ⁸⁴
Coastal Erosion Planning and Response Act (CEPRA) Program	Texas General Land Office	“[T]o implement coastal erosion response projects and related studies to reduce the effects of and to understand the processes of coastal erosion” ⁸⁵	“The CEPRA program partners with other state, federal, and local governments, as well as nonprofit organizations to develop and fund coastal erosion projects.” ⁸⁶

⁸¹ Texas Parks & Wildlife Department, Seagrass Conservation Plan for Texas 9 (1999), *available at* www.tpwd.state.tx.us/publications/pwdpubs/media/pwd_bk_r0400_0041.pdf.

⁸² *Id.*

⁸³ Coastal Management Program, TEXAS GENERAL LAND OFFICE, www.glo.texas.gov/coast/grant-projects/cmp/index.html (last visited Nov. 25, 2015).

⁸⁴ Texas General Land Office, Texas Coastal Management Program Biennial Report: 2013-2014, 6 (Dec. 2014), *available at* www.glo.texas.gov/coast/coastal-management/forms/files/CMP-Biennial-Report-2014.pdf.

⁸⁵ CEPRA, TEXAS GENERAL LAND OFFICE, www.glo.texas.gov/coast/grant-projects/cepra/index.html (last visited Nov. 25, 2015).

⁸⁶ Texas General Land Office, Coastal Erosion Planning & Response Act: A Report to the 84th Texas Legislature, 1 (2015), *available at* www.glo.texas.gov/coast/coastal-management/forms/files/CEPRA-Report-2015.pdf.

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Please contact our team any time with comments or suggestions. We warmly welcome the opportunity to discuss these critical issues.

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