

RESTORE the Gulf Coast Act of 2011

*The Resources and Ecosystems Sustainability, Tourism Opportunities and Revived Economy of
the Gulf Coast Act of 2011*

Section-by-Section Summary

April 2011

Section 1. Short Title

Section 1 sets forth the short title of the Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economy of the Gulf Coast Act of 2011 (or the “RESTORE the Gulf Coast Act”).

Section 2. Congressional Findings

Section 2 sets forth findings that provide the rationale for the legislation.

Section 3. Establishment of Gulf Coast Restoration Trust Fund

- Section 3 would establish the Gulf Coast Restoration Trust Fund
- The legislation would credit to the Trust Fund amounts equal to 80 percent of all administrative, civil, and criminal penalties paid by a responsible party in connection with the Deepwater Horizon oil spill, together with any additional appropriations provided by law.

Section 4. Dedication and allocation of Clean Water Act penalties to the Gulf Coast

- Section 4 would create a new subsection in Section 311 of the Federal Water Pollution Control Act to govern the allocation of the penalties and to establish the conditions under which funds would be expended in the five Gulf Coast States to restore, protect, and make sustainable use of the natural resources, ecosystems, fisheries, marine habitats, coastal wetlands, and economy of the Gulf Coast.
- This section would establish three main areas for allocating the funds available in each fiscal year and until the funds are expended:
 - 35% of the total would be allocated in equal shares to the five Gulf Coast States;
 - 60% of the total would be allocated to the Gulf Coast Ecosystem Restoration Council;
 - 5% would be allocated to a Gulf Coast research, science and technology program.

35% State Allocation.

- The Governor of each of the Gulf Coast States, in consultation with specific state agencies, would have ultimate authority to award contracts to support projects and programs that would restore, protect, and make sustainable use of the natural resources, ecosystems, fisheries, marine habitats, coastal wetlands, and economy in his State.
- He would be required to solicit input from the public and get the advice of relevant State agencies, and would be authorized in awarding contracts to give a bidding preference to individuals and firms from the Gulf Coast region.
- All authorized projects and programs must address coastal wetlands and shoreline restoration, wildlife and coastal habitat, fisheries and marine habitat, travel and tourism, or commercial and recreational fisheries.
- To encourage large-scale projects, the bill would authorize the Governor to use money from this account to cover the non-Federal share of another federal

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program, such as WRDA, that provides funding for projects that would restore, protect, and make sustainable use of the natural resources, ecosystems, fisheries, marine habitats, and coastal wetlands in his State.

60% Federal/State “Task Force” Allocation.

- The legislation would establish the Gulf Coast Ecosystem Restoration Council, which would be comprised of eight Federal officials and five State officials and would be chaired by one of the members selected by the council, who would be appointed by the President.
- The Council would principally be tasked with developing a “Comprehensive Plan” to support projects and programs that would restore and protect the natural resources, ecosystems, fisheries, marine habitats, and coastal wetlands of the Gulf Coast ecosystem.
- The Comprehensive Plan will prioritize approved State comprehensive plans and large scale projects.
- As part of its mission, the Council would be tasked with coordinating the development of consistent policies, strategies, plans, and activities by Federal agencies, State and local governments, and private-sector entities for restoring and protecting the Gulf Coast ecosystem.
- The Council would be required to, among other things, prepare an integrated financial plan and recommendations for coordinated budget requests for the funds otherwise proposed to be expended by the Federal agencies represented on the Council for projects and programs in Gulf Coast States.

Section 5. Gulf Coast Centers of Excellence for Ecosystem Restoration Science, Monitoring and Technology

- Section 5 would establish a “Gulf Coast Ecosystem Restoration Science, Monitoring and Technology Program” within the National Oceanic and Atmospheric Administration.
- The Administrator would be authorized to provide grants to establish one center of excellence in each of the five Gulf Coast States.
- In awarding grants to support the centers, the Secretary would consider applications from nongovernmental entities and consortiums in the Gulf Coast region, including public and private institutions for higher education.
- The centers would focus their curriculum on science, technology, and monitoring in disciplines that include:
 - 1) Coastal wetland restoration and protection.
 - 2) Coastal and marine fisheries, ecosystem research, monitoring, mapping, and recovery.
 - 3) Offshore energy development, including research and technology to improve the safety in exploration and development of oil and gas resources.
 - 4) Sustainable economic and commercial development.
 - 5) Port, harbor, and waterway construction and maintenance.