

## Table Of Contents

Applicant: Bay County Board of County Commissioner  
Application Number: RDC2018000089  
Project Title: Bay County East Pass Environmental Impact Statement (EIS) and Inlet  
and Beach Mgmt Plan (IBMP)  
Status: Work in Progress

Grant Announcement

Online Forms

Additional Information to be Submitted

1. [EXPIRED] RESTORE Act Direct Component - Non-Construction Activities [07.17.2017 - 12.15.2017]
2. SF-424 Application for Federal Assistance Version 2
3. SF-424A Budget Information - Non-Construction
4. SF-424B Assurances - Non-Construction
5. SF-LLL Disclosure of Lobbying Activities
6. Restore Act Direct Component Applicant Certifications
7. Restore Act Direct Component Application Narrative
8. Restore Act Environmental Checklist
9. Restore Act Milestones Report
10. Restore Act Status of Performance Report
11. Environmental Checklist Documentation
12. Authorized Official Designation Letter Upload
13. Indirect Cost Rate Agreement Upload
  - (Upload #1): Indirect Cost Rate ltr
14. Location Map Upload
  - (Upload #2): E Pass location map
15. Additional Information Upload

Note: Upload document(s) printed in order after online forms.

**Application for Federal Assistance SF-424**

Version 02

* 1. Type of Submission: <input type="checkbox"/> Preapplication <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application	* 2. Type of Application: <input checked="" type="checkbox"/> New <input type="checkbox"/> Continuation <input type="checkbox"/> Revision	* If Revision, select appropriate letter(s): <input type="text"/> * Other (Specify) <input type="text"/>
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* 3. Date Received: <input type="text"/>	4. Applicant Identifier: <input type="text"/>
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5a. Federal Entity Identifier: <input type="text"/>	* 5b. Federal Award Identifier: <input type="text"/>
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**State Use Only:**

6. Date Received by State: <input type="text" value="12/05/2017"/>	7. State Application Identifier: <input type="text"/>
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**8. APPLICANT INFORMATION:**

\* a. Legal Name:

* b. Employer/Taxpayer Identification Number (EIN/TIN): <input type="text" value="59-6000512"/>	* c. Organizational DUNS: <input type="text" value="010501120"/>
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**d. Address:**

* Street1:	<input type="text" value="840 W 11th St"/>
Street2:	<input type="text"/>
* City:	<input type="text" value="Panama City"/>
County:	<input type="text"/>
* State:	<input type="text" value="Florida"/>
Province:	<input type="text"/>
* Country:	<input type="text" value="UNITED STATES"/>
* Zip / Postal Code:	<input type="text" value="32401-2336"/>

**e. Organizational Unit:**

Department Name: <input type="text"/>	Division Name: <input type="text"/>
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**f. Name and contact information of person to be contacted on matters involving this application:**

Prefix: <input type="text"/>	* First Name: <input type="text" value="James"/>
Middle Name: <input type="text"/>	
* Last Name: <input type="text" value="Muller"/>	
Suffix: <input type="text"/>	

Title:

Organizational Affiliation:

* Telephone Number: <input type="text" value="850.248.8253"/>	Fax Number: <input type="text"/>
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\* Email:

**Application for Federal Assistance SF-424**

Version 02

**9. Type of Applicant 1: Select Applicant Type:**

County Government

Type of Applicant 2: Select Applicant Type:

Type of Applicant 3: Select Applicant Type:

\* Other (specify):

**\* 10. Name of Federal Agency:**

-Restore Act

**11. Catalog of Federal Domestic Assistance Number:**

21.015

CFDA Title:

Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast Sta

**\* 12. Funding Opportunity Number:**

GR-RDC-17-006

\* Title:

RESTORE Act Direct Component - Non-Construction Activities

**13. Competition Identification Number:**

GR-RDC-17-006-059221

Title:

RESTORE Act Direct Component - Non-Construction Activities

**14. Areas Affected by Project (Cities, Counties, States, etc.):**

**\* 15. Descriptive Title of Applicant's Project:**

Bay County East Pass Environmental Impact Statement (EIS) and Inlet and Beach Mgmt Plan (IBMP)

Attach supporting documents as specified in agency instructions.

**Application for Federal Assistance SF-424**

Version 02

**16. Congressional Districts Of:**

\* a. Applicant

\* b. Program/Project

Attach an additional list of Program/Project Congressional Districts if needed.

**17. Proposed Project:**

\* a. Start Date:

\* b. End Date:

**18. Estimated Funding (\$):**

* a. Federal	<input type="text" value="1193539.37"/>
* b. Applicant	<input type="text" value="0"/>
* c. State	<input type="text" value="0"/>
* d. Local	<input type="text" value="0"/>
* e. Other	<input type="text" value="0"/>
* f. Program Income	<input type="text" value="0"/>
* g. TOTAL	<input type="text" value="1193539.37"/>

**\* 19. Is Application Subject to Review By State Under Executive Order 12372 Process?**

- a. This application was made available to the State under the Executive Order 12372 Process for review on
- b. Program is subject to E.O. 12372 but has not been selected by the State for review.
- c. Program is not covered by E.O. 12372.

**\* 20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)**

- Yes
- No

**21. \*By signing this application, I certify (1) to the statements contained in the list of certifications\*\* and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances\*\* and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)**

**\*\* I AGREE**

\*\* The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.

**Authorized Representative:**

Prefix:  \* First Name:   
Middle Name:   
\* Last Name:   
Suffix:

\* Title:

\* Telephone Number:  Fax Number:

\* Email:

\* Signature of Authorized Representative:  \* Date Signed:

**Application for Federal Assistance SF-424**

Version 02

**\* Applicant Federal Debt Delinquency Explanation**

The following field should contain an explanation if the Applicant organization is delinquent on any Federal Debt. Maximum number of characters that can be entered is 4,000. Try and avoid extra spaces and carriage returns to maximize the availability of space.

**BUDGET INFORMATION - Non-Construction Programs****SECTION A - BUDGET SUMMARY**

Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1. Restore Act Direct Comp	21.015			\$1,193,539.37		\$1,193,539.37
2. Restore Act Direct Comp						
3. Restore Act Direct Comp						
4. Restore Act Direct Comp						
5. Totals				\$1,193,539.37		\$1,193,539.37

**SECTION B - BUDGET CATEGORIES**

6. Object Class Categories	GRANT PROGRAM, FUNCTION OR ACTIVITY				Total (5)
	(1) Restore Act Direct Comp	(2) Restore Act Direct Comp	(3) Restore Act Direct Comp	(4) Restore Act Direct Comp	
a. Personnel	\$128,170.45				\$128,170.45
b. Fringe Benefits	\$45,501.70				\$45,501.70
c. Travel					
d. Equipment					
e. Supplies					
f. Contractual	\$1,000,000.00				\$1,000,000.00
g. Construction					
h. Other					
i. Total Direct Charges (sum of 6a-6h)	\$1,173,672.15				\$1,173,672.15
j. Indirect Charges	\$19,867.22				\$19,867.22
k. TOTALS (sum of 6i and 6j)	\$1,193,539.37				\$1,193,539.37
7. Program Income					

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Prescribed by OMB Circular A-102

**SECTION C - NON-FEDERAL RESOURCES**

(a) Grant Program	(b) Applicant	(c) State	(d) Other Sources	(e) TOTALS
8				
9.				
10.				
11.				
12. TOTAL <i>(sum of lines 8-11)</i>				

**SECTION D - FORECASTED CASH NEEDS**

	Total for 1st Year	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter
13. Federal	\$1,193,539.37	\$5,000.00	\$5,000.00	\$5,000.00	\$1,178,539.37
14. Non-Federal					
15. TOTAL <i>(sum of lines 13 and 14)</i>	\$1,193,539.37	\$5,000.00	\$5,000.00	\$5,000.00	\$1,178,539.37

**SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT**

(a) Grant Program	FUTURE FUNDING PERIODS (Years)			
	(b) First	(c) Second	(d) Third	(e) Fourth
16.				
17.				
18.				
19.				
20. TOTAL <i>(sum of lines 16-19)</i>				

**SECTION F - OTHER BUDGET INFORMATION**

21. Direct Charges:	22. Indirect Charges:
23. Remarks:	

### ASSURANCES - NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0040), Washington, DC 20503.

**PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.**

**NOTE:** Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the awarding agency. Further, certain Federal awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

1. Has the legal authority to apply for Federal assistance and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States and, if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§4728-4763) relating to prescribed standards for merit systems for programs funded under one of the 19 statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§1681- 1683, and 1685-1686), which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. §§290 dd-3 and 290 ee- 3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. §§3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made; and, (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply, as applicable, with provisions of the Hatch Act (5 U.S.C. §§1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.



9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§276a to 276a-7), the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874), and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§327- 333), regarding labor standards for federally-assisted construction subagreements.
10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed pursuant to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplains in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.); (f) conformity of Federal actions to State (Clean Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended (P.L. 93-523); and, (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93- 205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. §470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. §§469a-1 et seq.).
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. §§2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§4801 et seq.) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations."
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing this program.
19. Will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act (TVPA) of 2000, as amended (22 U.S.C. 7104) which prohibits grant award recipients or a sub-recipient from (1) Engaging in severe forms of trafficking in persons during the period of time that the award is in effect (2) Procuring a commercial sex act during the period of time that the award is in effect or (3) Using forced labor in the performance of the award or subawards under the award.

<p><b>* SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL</b></p> <p>William T. Dozier</p>	<p><b>* TITLE</b></p> <p>Chairman</p>
<p><b>* APPLICATION ORGANIZATION</b></p> <p>Bay County Board of County Commissioner</p>	<p><b>* DATE SUBMITTED</b></p> <p>12/05/2017</p>

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# RESTORE Act Environmental Checklist

## Department of the Treasury

OMB Number  
1505-0250

Directions: The following questions will aid the applicant in identifying the environmental laws that may apply to the eligible activity and the environmental documents that may be required from listed agencies and submitted with the grant application. Follow up to the questions should be listed in the table located on the last page of the checklist. Treasury will use the submittals to record the Applicant's assertion that it has complied with applicable environmental laws.

PROPOSED PROJECT NAME: Bay County East Pass Environmental Impact Statement (EIS)	APPLICANT NAME: Bay County Board of County Commissioner
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### FEDERAL LAWS

#### 1.1 NATIONAL ENVIRONMENTAL POLICY ACT (NEPA)

The NEPA of 1969 (42 U.S.C. 4321 et seq.) provides a national policy that encourages "productive and enjoyable harmony between man and his environment; to promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man . . ." The NEPA requires that all federal agencies use a systematic, interdisciplinary approach for protection of the human environment; this approach will ensure the integrated use of the natural and social sciences in any planning and decision-making that may have an impact upon the environment. The NEPA also requires the preparation of a detailed Environmental Impact Statement (EIS) on any major federal action that may have a significant impact on the environment. An Environmental Review may be required based on the answers to the following questions:

1)	Will the proposed activity be under the permitting authority of any federal agency? *	No
2)	Will the proposed activity receive federal assistance (other than RESTORE Act funding)? *	No
3)	Will the proposed activity be subject to any federal regulatory decision or approval? *	Yes

If the answer to any of these questions is "yes," contact the relevant federal agency or agencies for further guidance on environmental compliance. Additional information concerning NEPA can be found at: <https://ceq.doe.gov>

4)	Has any environmental review (e.g., NEPA documentation or state or tribal equivalent) been prepared for this proposed eligible activity? *	No
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If yes, please attach a copy of the documentation to this checklist.

#### 1.2. COASTAL ZONE MANAGEMENT ACT (CZMA)

A federal consistency determination or certification pursuant to Section 307 of the Coastal Zone Management Act may be required from the state coastal zone management program, based on the answers to the following questions:

1)	Will the proposed activity occur in or near the state designated coastal zone <a href="https://coast.noaa.gov/czm/media/StateCZBoundaries.pdf">https://coast.noaa.gov/czm/media/StateCZBoundaries.pdf</a> *	Yes
2)	Is the activity likely to have reasonably foreseeable effects on any land or water use or natural resource of the designated coastal zone? *	No

If the answer to either of these questions is "yes," contact the State Coastal Zone Management Program <https://coast.noaa.gov/czm/about/?redirect=301ocm> for further guidance on federal consistency requirements in your state. Further guidance on federal consistency can be found at: <https://coast.noaa.gov/czm/consistency>

#### 1.3 ENDANGERED SPECIES ACT (ESA)

A consultation pursuant to Section 7 of the Endangered Species Act and/or a permit and conservation plan pursuant to Section 10 may be required based on the answers to the following questions:

1)	Will the proposed activity occur in proximity to threatened or endangered species or critical habitat as defined by the ESA and under the jurisdiction of the National Marine Fisheries Service (NMFS), Species and Critical Habitat Found in the Southeast Region :: Southeast Regional Office ( <a href="http://sero.nmfs.noaa.gov">http://sero.nmfs.noaa.gov</a> ) or the U.S. Fish and Wildlife Service (USFWS), IPaC: Home ( <a href="https://ecos.fws.gov/ipac/">https://ecos.fws.gov/ipac/</a> ) *	No
2)	Will the proposed activity potentially affect threatened or endangered species or critical habitat as defined by the ESA and under the jurisdiction of NMFS or USFWS? See ( <a href="http://sero.nmfs.noaa.gov/protected_resources/section_7/effects_guidance/section_7_effects_guidance_endangered_species_act_section_7_effects_determination_web_guidance_final.pdf">http://sero.nmfs.noaa.gov/protected_resources/section_7/effects_guidance/section_7_effects_guidance_endangered_species_act_section_7_effects_determination_web_guidance_final.pdf</a> ) for further information. *	No

If the answer to either of these questions is "yes," or you are unsure, contact the appropriate ecological services field office of the USFWS, (<https://www.fws.gov/offices/>) and/or the Office of Protected Resources Program of the NMFS, (<http://www.nmfs.noaa.gov/pr/index.htm>), to determine if consultation is required. Most consultations are conducted informally with the federal agency or a designated non-federal representative. Non-federal representatives may be involved in the informal consultation process and may request and receive species lists, prepare the biological assessment, and provide information for the formal consultation. However, the action agency is required to formally designate the non-federal representative in writing. Moreover, the ultimate responsibility for Section 7 obligations remains with the federal action agency. Further guidance concerning Section 7 consultations can be found in the Endangered Species Act Consultation Handbook at Centralized Library, Final Section 7 Consultation Handbook: U.S. Fish and Wildlife Service (<https://www.fws.gov/policy/m0002.html>). Further guidance concerning Section 10 permits and conservation plans for activities involving threatened or endangered marine and anadromous species can be found at ([http://www.nmfs.noaa.gov/pr/permits/ESA\\_permits.html](http://www.nmfs.noaa.gov/pr/permits/ESA_permits.html)). For terrestrial or freshwater species or land-based sea turtle activities, further guidance concerning section 10 permits and habitat conservation plans can be found at (<https://www.fws.gov/endangered/esa-library/index.html>)

#### 1.4 MIGRATORY BIRD TREATY ACT AND BALD AND GOLDEN EAGLE PROTECTION ACT

The Migratory Bird Treaty Act makes it illegal for anyone to take, possess, import, export, transport, sell, purchase, barter, or offer for sale, purchase, or barter, any migratory bird, or the parts, nests, or eggs of such a bird except under the terms of a valid permit issued pursuant to Federal regulations. The migratory bird species protected by the Act are listed in 50 C.F.R. 10.13. The Bald and Golden Eagle Protection Act

prohibits anyone, without a permit issued by the Secretary of the Interior, from "taking" bald eagles [or any golden eagle], including their parts, nests, or eggs. The Act defines "take" as "pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb." A permit may be required based on the answers to the following questions:

1)	Will the proposed activity affect any migratory bird species protected by the Migratory Bird Treaty Act? *	No
2)	Will the proposed activity affect any bald or golden eagles protected by the Bald and Golden Eagle Protection Act? *	No

If the answer to either question is "yes" or you are unsure, contact the appropriate ecological services field office of the USFWS, (<https://www.fws.gov/birds/policies-and-regulations/permits/regional-permit-contacts.php>) More information can be found at (<https://www.fws.gov/birds/policies-and-regulations/laws-legislations/migratory-bird-treaty-act.php>) and (<https://www.fws.gov/birds/policies-and-regulations/laws-legislations/bald-and-golden-eagleprotection-act.php>)

#### 1.5 MAGNUSON - STEVENS FISHERY CONSERVATION AND MANAGEMENT ACT (FCMA)

Consultation with the NMFS may be required if Essential Fish Habitat (EFH) is present and based on the answers to the following questions:

1)	Will the proposed activity occur in proximity to Essential Fish Habitat as identified by the Protected Resources Program? ( <a href="http://www.fisherycouncils.org/">http://www.fisherycouncils.org/</a> and <a href="http://www.nmfs.noaa.gov/sfa/management/councils/">http://www.nmfs.noaa.gov/sfa/management/councils/</a> *	No
2)	Will the proposed activity potentially adversely affect EFH? *	No

If the answer to either of these questions is "yes" or you are unsure, contact the Office of Protected Resources Program of the NMFS, (<http://www.nmfs.noaa.gov/pr/index.htm>), or Regional Fishery Management Council, (<http://www.fisherycouncils.org/>), to determine if consultation is required. Further guidance concerning EFH can be found at, (<http://www.habitat.noaa.gov/index.html>) Information about consultations can be found in the Essential Fish Habitat Consultation Guidance at ([http://www.habitat.noaa.gov/pdf/efhconsultationguidancev1\\_1.pdf](http://www.habitat.noaa.gov/pdf/efhconsultationguidancev1_1.pdf)).

#### 1.6 MARINE MAMMAL PROTECTION ACT (MMPA)

A permit may be required if an activity will result in the "take" of a marine mammal. Taking is defined as "to harass, hunt, capture, or kill, or attempt to harass, hunt, capture, or kill any marine mammal." Permits for most marine mammals are issued by NMFS. Manatees, polar bears, sea otters, walruses, and dugongs, however, are under the jurisdiction of the USFWS.

1)	Will the proposed activity occur in proximity to any known marine mammals? ( <a href="http://www.nmfs.noaa.gov/pr/species/mammals/">http://www.nmfs.noaa.gov/pr/species/mammals/</a> ) or ( <a href="https://ecos.fws.gov/ipac/">https://ecos.fws.gov/ipac/</a> ) *	No
2)	Will the proposed activity likely result in the take of a marine mammal? *	No

If the answer to either of these questions is "yes" or you are unsure, contact the NMFS Office of Protected Resources Program (<http://www.nmfs.noaa.gov/pr/>) or the appropriate USFWS ecological services office (<https://www.fws.gov/offices/>) to determine if a permit is required. Further guidance concerning marine mammal permits can be found at ([http://www.nmfs.noaa.gov/pr/permits/mmpa\\_permits.html](http://www.nmfs.noaa.gov/pr/permits/mmpa_permits.html))

#### 1.7 MARINE PROTECTION, RESEARCH, AND SANCTUARIES ACT (MPRSA)

Titles I and II of the Marine Protection, Research, and Sanctuaries Act (MPRSA), also referred to as the Ocean Dumping Act, generally prohibits (1) transportation of material from the United States for the purpose of ocean dumping; (2) transportation of material from anywhere for the purpose of ocean dumping by U.S. agencies or U.S.-flagged vessels; (3) dumping of material transported from outside the United States into the U.S. territorial sea. A permit may be required based on the answers to the following questions:

1)	Does the proposed activity involve an activity covered by the MPRSA? *	No
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If the answer to this question is "yes," contact the Environmental Protection Agency's (EPA) Office of Wetlands, Oceans, and Watersheds/Oceans and Coastal Protection Division for further guidance (<https://www.epa.gov/aboutepa/about-office-water>) or (<https://www.epa.gov/aboutepa/about-office-water#wetlands>). Further guidance about permits under the MPRSA can be found at (<https://www.epa.gov/laws-regulations/summary-marine-protection-research-and-sanctuaries-act>)

#### 1.8 NATIONAL MARINE SANCTUARIES ACT

Each National Marine Sanctuary has its own unique set of regulations. There are some regulatory prohibitions that are typical for many sanctuaries: 1) discharging material or other matter into the sanctuary; 2) disturbance of, construction on or alteration of the seabed; 3) disturbance of cultural resources; and 4) exploring for, developing or producing oil, gas or minerals (with a grandfather clause for preexisting operations). A permit may be required from the National Oceanic and Atmospheric Administration (NOAA) based on the answers to the following questions:

1)	Is the proposed activity located in a National Marine Sanctuary ( <a href="http://sanctuaries.noaa.gov/about/regions.html">http://sanctuaries.noaa.gov/about/regions.html</a> )? *	No
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If the answer to this question is "yes" contact the nearest Regional Office of NOAA's National Marine Sanctuaries Program for further guidance (<http://sanctuaries.noaa.gov/about/southeast.html>)

#### 1.9 CLEAN WATER ACT (CWA)

A separate type of permit is required to dispose of dredge or fill material in the Nation's waters, including wetlands. Authorized by Section 404 of the Act, this permit program is administered by the U.S. Army Corps of Engineers (USACE), subject to and using environmental guidance from the EPA. Some types of activities are exempt from permit requirements, including certain farming, ranching, and forestry practices that do not alter the use or character of the land; some construction and maintenance; and activities already regulated by States under other provisions of the Act. A permit may be required from the USACE based on the answers to the following questions:

1)	Will the proposed activity result in any disposal of dredge or fill material to the nation's waters or wetlands? *	No
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If the answer to this question is "yes," contact the Regulatory Program of the nearest District Office of the USACE for further guidance on Section 404 permits at (<http://w3.saj.usace.army.mil/permits/HQAvatar/>)

A Water Quality Certification (Section 401) is required for activities that may result in a discharge into navigable waters, including wetlands, watercourses, and natural or man-made ponds. A National Pollution Discharge Elimination System (NPDES) permit may also be required for such discharges.

1)	Will the proposed activity result in any discharge to navigable waters? *	No
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If the answer to this question is "yes," contact your state water quality agency for additional guidance. Further guidance concerning Section 401 or NPDES requirements can be found at (<http://www.epa.gov/owow/wetlands/waterquality>) and (<https://www.epa.gov/npdes>)

#### 1.10 CLEAN AIR ACT (CAA)

Special conditions may be required on projects that could affect air quality, based on the answers to the following questions:

1)	Will the proposed activity result in any direct or indirect emissions within a non-attainment area? ( <a href="https://www.epa.gov/green-book/ozone-designation-and-classification-information">https://www.epa.gov/green-book/ozone-designation-and-classification-information</a> ) *	No
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If the answer to this question is "yes," contact the nearest state air quality agency at (<http://www.4cleanair.org/>) for further guidance on determining conformity with the state implementation plan.

#### 1.11 NATIONAL HISTORIC PRESERVATION ACT (NHPA) AND THE ARCHAEOLOGICAL AND HISTORIC PRESERVATION ACT (AHPA)

Special conditions may be required on projects that could affect historic resources, based on the answers to the following questions:

1)	Will the proposed activity occur near property listed or eligible for listing in the National Register of Historic Places ( <a href="http://www.nps.gov/nr">http://www.nps.gov/nr</a> ), or near property otherwise protected by section 106 of the National Historic Preservation Act ( <a href="http://www.achp.gov/work106.html">http://www.achp.gov/work106.html</a> ) or a similar State Preservation Act? *	No
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If the answer to this question is "yes," or you are unsure, contact your state historic preservation office (<http://www.ncshpo.org/>) for further guidance concerning compliance requirements.

#### 1.12 COASTAL BARRIER RESOURCE ACT (CBRA)

Federal funding may be prohibited for projects that occur on certain designated coastal barriers, based on the answer to the following questions:

1)	Is the proposed activity located on an undeveloped coastal barrier designated by the Coastal Barriers Resources Act? ( <a href="https://www.fws.gov/ecological-services/habitat-conservation/coastal.html">https://www.fws.gov/ecological-services/habitat-conservation/coastal.html</a> ) *	No
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If the answer to this question is "yes," contact the appropriate USFWS ecological services office for further guidance at ([https://www.fws.gov/ecological-services/habitat-conservation/cbra/PDF/field\\_offices\\_contact.pdf](https://www.fws.gov/ecological-services/habitat-conservation/cbra/PDF/field_offices_contact.pdf))

#### 1.13 RIVERS AND HARBORS ACT

A permit may be required from the USACE based on the answers to the following questions:

1)	Will the proposed activity involve any work (including structures) that will occur in, over or under navigable waters of the United States? *	No
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If the answer to this question is "yes," contact the Regulatory Program of the nearest District Office of the USACE (<http://w3.saj.usace.army.mil/permits/HQAvatar/index.htm>) for further guidance on Section 10 permits. The USACE can authorize activities by a standard individual permit, letter-of-permission, nationwide permit, or regional permit. The USACE will make the determination on what type of permit is needed.

#### 1.14 RESOURCE CONSERVATION AND RECOVERY ACT (RCRA)

A RCRA permit may be required from the EPA or designated state agency based on the answers to the following question:

1)	Will the proposed activity include the long-term storage, treatment, or disposal of hazardous materials or petroleum products? *	No
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If the answer to this question is "yes," contact the nearest RCRA Regional Office of the EPA or state authorized agency for further guidance on RCRA compliance at (<https://www.epa.gov/compliance/resource-conservation-and-recovery-act-rcra-compliance-monitoring>)

#### 1.15 COMPREHENSIVE ENVIRONMENTAL RESPONSE, COMPENSATION, AND LIABILITY ACT (CERCLA)

Special provisions and requirements may apply based on the answer to the following question:

1)	Will the proposed activity involve a Superfund site? ( <a href="https://www.epa.gov/superfund">https://www.epa.gov/superfund</a> ) *	No
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If the answer to this question is "yes," contact the nearest Regional Office of the EPA for further guidance on CERCLA requirements at (<https://www.epa.gov/aboutepa/visiting-regional-office>)

#### 1.16 WILD AND SCENIC RIVERS ACT

The Wild and Scenic Rivers Act prohibits federal support for actions such as the construction of dams or other instream activities that would harm the free-flowing condition, water quality, or outstanding resource values of a designated Wild and Scenic River. There are designated rivers in the Gulf Coast States and the Act may apply based on the answer to the following questions:

1)	Is the proposed activity located on a designated Wild and Scenic River ( <a href="http://www.rivers.gov/index.php?">http://www.rivers.gov/index.php?</a> )? *	No
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If the answer to this question is "yes," contact the appropriate USFWS ecological services office for further guidance at (<https://www.fws.gov/where/>)

#### 1.17 SAFE DRINKING WATER ACT

A permit may be required if the proposed activity will involve underground injection which may impact drinking water sources and based on the answer to the following question:

1)	Will the proposed activity involve underground injection which may impact drinking water sources? *	No
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If the answer to the question is "yes," contact the nearest state drinking water or underground injection control program at (<https://www.epa.gov/uic>). For further guidance, see (<https://www.epa.gov/uic/underground-injection-control-regulations-and-safe-drinking-water-act-provisions>)

#### 1.18 FARMLAND PROTECTION POLICY ACT (FPPA)

Projects are subject to FPPA requirements if they may irreversibly convert farmland (directly or indirectly) to nonagricultural use and are completed by a Federal agency or with assistance from a Federal agency. The project may be subject to the FPPA based on the answers to the following questions:

1)	Will the proposed activity irreversibly convert farmland (directly or indirectly) to nonagricultural use? *	No
If the answer to the question is "yes," contact your local office of the Natural Resources Conservation Service (NRCS) or USDA Service Center for further guidance at ( <a href="http://www.nrcs.usda.gov/wps/portal/nrcs/main/national/contact/local/">http://www.nrcs.usda.gov/wps/portal/nrcs/main/national/contact/local/</a> ) and ( <a href="http://www.nrcs.usda.gov/wps/portal/nrcs/main/national/landuse/fppa/">http://www.nrcs.usda.gov/wps/portal/nrcs/main/national/landuse/fppa/</a> )		
<b>EXECUTIVE ORDERS</b>		
Executive Orders are directives from the President of the United States to federal agencies and officials.		
<b>2.1 E.O. 11988 AND E.O. 13690 - FLOODPLAIN MANAGEMENT</b>		
Executive Order 11988, as amended by Executive Order 13690 requires that an eight-step process be followed for projects that may have potential impacts to or within floodplains.		
1)	Is the proposed activity located in a designated floodway or "V-zone" on a National Flood Insurance Program map: ( <a href="http://msc.fema.gov/portal/">http://msc.fema.gov/portal/</a> )? *	No
If the answer to this question is "yes," contact the nearest Regional Office of the Federal Emergency Management Agency for further guidance at ( <a href="http://www.fema.gov/national-flood-insurance-program-bureau-statistical-agent-regional-support-offices">http://www.fema.gov/national-flood-insurance-program-bureau-statistical-agent-regional-support-offices</a> )		
<b>2.2 E.O. 11990 and E.O. 12608-WETLAND PROTECTION</b>		
This Executive Order requires agencies to avoid providing assistance for new construction located in wetlands unless there is no practicable alternative to such construction, and that the proposed action includes all practicable measures to minimize harm to wetlands, which may result from such use. The Executive Order defines wetlands: "The term "wetlands" means those areas that are inundated by surface or ground water with a frequency sufficient to support and under normal circumstances does or would support a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands generally include swamps, marshes, bogs, and similar areas such as sloughs, potholes, wet meadows, river overflows, mud flats, and natural ponds." ( <a href="https://www.fws.gov/wetlands/Data/Mapper.html">https://www.fws.gov/wetlands/Data/Mapper.html</a> ) For further guidance, contact the appropriate ecological services field office of the USFWS ( <a href="https://www.fws.gov/wetlands/NWI/RWC.html">https://www.fws.gov/wetlands/NWI/RWC.html</a> )		
1)	Is any portion of the project proposing a new construction activity in wetlands? *	No
If the answer to this question is "yes," provide documentation in the grant application demonstrating that: (1) there is no practicable alternative, and (2) the proposed activity includes all practicable measures to minimize harm to wetlands.		
<b>2.3 E.O. 12898 - ENVIRONMENTAL JUSTICE</b>		
This Executive Order requires that "each federal agency shall make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations."		
1)	Will the proposed activity have disproportionately high and adverse human health or environmental effects on minority or low-income populations? *	No
If the answer to this question is "yes," see the Council on Environmental Quality website for further guidance on Environmental Justice: <a href="https://ceq.doe.gov/nepa_information/justice.html">https://ceq.doe.gov/nepa_information/justice.html</a>		
<b>2.4 E.O. 13089 - Coral Reef Protection</b>		
This Executive Order requires that any actions that are authorized or funded by federal agencies not degrade the condition of coral reef ecosystems. Some of the Gulf Coast States contain coral reef ecosystems and include National Marine Sanctuaries ( <a href="http://sanctuaries.noaa.gov">http://sanctuaries.noaa.gov</a> )		
1)	Will the proposed activity involve a coral reef ecosystem or National Marine Sanctuary? *	No
If the answer to this question is "yes," contact the National Oceanic and Atmospheric Administration Coral Reef Conservation Program for further guidance at ( <a href="http://coralreef.noaa.gov/">http://coralreef.noaa.gov/</a> ). Further guidance regarding Executive Order 13089 can be found at ( <a href="https://ceq.doe.gov/nepa/reg/cos/co13089.html">https://ceq.doe.gov/nepa/reg/cos/co13089.html</a> )		
<b>2.5 E.O. 13112 - INVASIVE SPECIES</b>		
This Executive Order requires agencies to prevent the introduction of invasive species and provide for their control.		
1)	Will the proposed activity have the potential to introduce or cause the spread of an invasive species? *	No
If the answer to this question is "yes," provide documentation demonstrating that the benefits of the activity clearly outweigh the potential harm caused by invasive species, and that all feasible and prudent measures to minimize risk of harm will be taken in conjunction with the actions. For further guidance on invasive species, see ( <a href="http://www.invasivespeciesinfo.gov/index.shtml">http://www.invasivespeciesinfo.gov/index.shtml</a> ) or ( <a href="https://www.fws.gov/invasives/">https://www.fws.gov/invasives/</a> )		
<b>2.6 E.O. 13186 - RESPONSIBILITIES OF FEDERAL AGENCIES TO PROTECT MIGRATORY BIRDS</b>		
This Executive Order requires the incorporation and promotion of migratory bird conservation considerations into all agency activities. The Gulf Coast States contain North American migration flyways.		
1)	Is the proposed activity likely to occur during a time of the year when migrating birds are in the vicinity? *	No
If the answer to this question is "yes," contact the appropriate USFWS ecological services office for further guidance at ( <a href="https://www.fws.gov/where/">https://www.fws.gov/where/</a> ). Further guidance regarding Executive Order 13186 can be found at ( <a href="https://www.fws.gov/birds/index.php">https://www.fws.gov/birds/index.php</a> ) and ( <a href="https://www.fws.gov/birds/policies-and-regulations/executive-orders.php">https://www.fws.gov/birds/policies-and-regulations/executive-orders.php</a> )		
<b>2.7 E.O. 13653 - PREPARING THE UNITED STATES FOR THE IMPACTS OF CLIMATE CHANGE</b>		
This Executive Order requires federal agencies to identify and support smarter, more climate-resilient investments by States, local communities, and tribes, including by providing incentives through agency guidance and grants.		

1) Will the proposed activity incorporate elements that promote climate-resilience (e.g., to rising sea levels)? \* No

If yes, include a brief description of the climate-resilient elements in the grant application proposed activity description. Executive Order 13563 can be found at (<https://www.gpo.gov/fdsys/pkg/FR-2015-03-25/pdf/2015-07016.pdf>) For further guidance, see (<https://www.whitehouse.gov/administration/eop/ceq/sustainability>)

**Tracking Report Status**  
Report the status of your contact with required agencies/tribes on the table below which coincides with the environmental laws outlined in the checklist. Provide the date of contact, name of agency/tribe contacted, location, and any necessary permit, certification, or other determination or mitigation proposed by the agency/tribe. If none, state so.

**Status of Contact Table**

Federal law as listed in checklist	Date of contact	Name of agency/tribe contacted	Location	Permit, certification, determination or mitigation required
1.2 CZM	12/01/2017	Florida Dept. of Environmental Protection, State Clearinghouse	Tallahassee, FL	State Clearinghouse response

**Certification**  
Signature of Authorized Certifying Official 

<b>Name</b> William Dozier	<b>Date</b> 12/01/2017
<b>Title *</b> Chairman, Board of County Commissioners	<b>Organization</b> Bay County Board of County Commissioner

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 1505-0250. Comments concerning the time required to complete this information collection, including the time to review instructions, search existing data resources, gathering and maintaining the data needed, and completing and reviewing the collection of information, should be directed to the Department of the Treasury, Office of Gulf Coast Restoration, 1500 Pennsylvania Ave., NW, Washington, DC 20220.

**RESTORE Act Status of Performance Report  
Department of the Treasury**

**OMB Number  
1505-0250**

**Instructions for Completing Form**

The purpose of this form is to report the status of progress toward reaching priority goals of the eligible Direct Component (DC) activity/Centers of Excellence (COE) discipline (i.e., measuring success, rather than listing milestones or tasks). Please focus on a discrete number of priority goals (1-3) and the corresponding performance measures (1-5). Complete boxes shaded in blue.

**Goal(s):** Anticipated result(s). State the priority goal(s) to be achieved with the grant award. Priority goal(s) should clearly identify with the eligible DC activity/COE discipline.

**Eligible Activity/Discipline #:** For a DC grant, select the DC number from the drop-down list that corresponds to the DC Eligible Activity associated with that measure. For a (COE) grant, select the COE number from the drop down list that corresponds to the COE Eligible Discipline associated with that measure. The DC numbers and COE numbers, along with the corresponding Eligible Activities and Disciplines, are listed directly below.

**Direct Component (DC) Eligible Activities**

- DC - 1 Restoration and protection of the natural resources, ecosystems, fisheries, marine and wildlife habitats, beaches, and coastal wetlands of the Gulf Coast region.
- DC - 2 Mitigation of damage to fish, wildlife, and natural resources.
- DC - 3 Implementation of a federally approved marine, coastal, or comprehensive conservation management plan, including fisheries monitoring.
- DC - 4 Workforce development and job creation.
- DC - 5 Improvements to or on State parks located in coastal areas affected by the Deepwater Horizon oil spill.
- DC - 6 Infrastructure projects benefitting the economy or ecological resources, including port infrastructure.
- DC - 7 Coastal flood protection and related infrastructure.
- DC - 8 Planning assistance.
- DC - 9 Promotion of tourism in the Gulf Coast Region, including recreational fishing
- DC - 10 Promotion of consumption of seafood harvested from the Gulf Coast Region

**Centers of Excellence (COE) Eligible Disciplines**

- COE - 1 Coastal and deltaic sustainability, restoration and protection, including solutions and technology that allow citizens to live in a safe and sustainable manner in a coastal delta in the Gulf Coast Region.
- COE - 2 Coastal fisheries and wildlife ecosystem research and monitoring in the Gulf Coast Region.
- COE - 3 Offshore energy development, including research and technology to improve the sustainable and safe development of energy resources in the Gulf of Mexico.
- COE - 4 Sustainable and resilient growth, economic and commercial development in the Gulf Coast Region.
- COE - 5 Comprehensive observation, monitoring, and mapping of the Gulf of Mexico.

**Measure #:** Starting with 1, number each performance measure.

**Measure:** An indicator of success toward reaching a goal. This should reflect "how the applicant will evaluate success" from the narrative of an accepted multiyear plan.

**Baseline:** The starting point of the measure. It is the status quo without the grant award.

**Target:** The anticipated result of the measure. It is the anticipated new status with the grant award.

**Date:** It is the anticipated date for reaching the target.

**Progress toward target (reporting period/cumulative):** Leave blank on the initial report. For subsequent reports, record progress made during the reporting period and the progress made from the start date of the grant award through the current reporting period.

**Status/Next Steps:** Briefly describe specific progress and/or challenges related to the measure.

<b>Applicant/Grantee:</b>	Bay County Board of County Commissioner	
<b>Title: *</b>	Bay County East Pass Environmental Impact Statement (EIS)	
<b>Reporting Period Ending *</b>	Initial Report	Year *2018
<b>Goal(s): *</b>	Completion of EIS and IBMP for the re-opening of East Pass	

A- Eligible Activity/ Discipline #	B- Measure #	C- Measure	D- Baseline	E- Target	F- Target Date		G- Progress toward target (reporting period)	H- Progress toward target (cumulative)	I- Status/Next Steps
					Month	Year			
DC-8	1	Number of planning deliverables completed	0	2	Aug	2023	0	0	Letter of intent for partnership has been sent to United States Army Corps of Engineers in April, 2017. Waiting on a reply. Planning deliverables: Inlet and Beach Management Plan, est Feb 2021; Environmental Impact Study, est Feb 2023

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 1505-0250. Comments concerning the time required to



complete this information collection, including the time to review instructions, search existing data resources, gathering and maintaining the data needed, and completing and reviewing the collection of information, should be directed to the Department of the Treasury, Office of Gulf Coast Restoration, 1500 Pennsylvania Ave., NW, Washington, DC 20220.

**RESTORE Act Milestones Report  
Department of the Treasury**

**OMB Number  
1505-0250**

<b>Applicant/Grantee:</b>	Bay County Board of County Commissioner	
<b>Title: *</b>	Bay County East Pass Environmental Impact Statement (EIS) and Inlet and Beach Management Plan (IBMP)	
<b>Reporting Period Ending *</b>	Initial Report	Year *2018

**INSTRUCTIONS FOR COMPLETING FORM**

Please complete Columns B-E in the initial report submitted as part of an application package. After a grant is awarded, complete Columns F-G for each milestone as applicable and submit as part of the performance reports described in the Standard Terms and Conditions. Columns E and G will calculate automatically, and will show an error message unless the values in each column total 100%. These milestones should reflect what is in the applicant's scope of work as described in the applicable RESTORE Act Direct Component or Centers of Excellence Application Narrative.

**TO COMPLETE**

A- Milestone Number	B- Milestone Description	C- Estimated Completion Timeframe of Milestone (Format: award + # of months)	D- Is milestone contingent upon completion of another milestone (Y/N)?  If yes, which milestone is it contigent upon (# from Column A)?	E- What percentage of the Scope of Work is estimated to be completed with this milestone?	F- Actual Completion Date of Milestone (Format: Month-Year)		G- Estimated percentage of budget for the awarded Scope of Work spent on milestone
					Month	Year	
# 1	Develop and execute cooperative agreement with USCOE	12		5.00%			0.00%
# 2	Development of Detailed Scope of Work	15	1	5.00%			0.00%
# 3	Preparation of NEPA Document to include (environmental resource industry, possible impacts, project assessments, environmental hydrodynamic Model)	42	1,2	10.00%			14.00%
# 4	Biological Assessment	42	1,2	10.00%			6.00%
# 5	Fish & Wildlife Coordination Act Report	42	1,2	10.00%			4.00%
# 6	State Water Quality Certification	42	1,2	10.00%			10.00%
# 7	Coastal Zone Consistency Determination	42	1,2	10.00%			1.00%
# 8	104 (b) Report (compliance with Clean Water Act)	42	1,2	10.00%			1.00%
# 9	Cultural Resource Report	42	1,2	10.00%			4.00%
# 10	Strategic Beach Management Plan and Inlet Management Plan	42	1,2	10.00%			10.00%
# 11	Preparation of Preliminary draft Environmental Impact Statement (EIS) for review by cooperating agencies, Federal Register notice and press release	51	1-10	4.00%			25.00%
# 12	Preparation of the EIS	57	1-11	4.00%			25.00%
# 13	Closeout of co-op agreement and grant award	60	12	2.00%			0.00%
<b>TOTAL</b>				100.00%			100.00%

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 1505-0250. Comments concerning the time required to complete this information collection, including the time to review instructions, search existing data resources, gathering and maintaining the data needed, and completing and reviewing the collection of information, should be directed to the Department of the Treasury, Office of Gulf Coast Restoration, 1500 Pennsylvania Ave., NW, Washington, DC 20220.

**Directions:** These certifications are required by federal law and Department of the Treasury (Treasury) regulations to be submitted with each application to Treasury for financial assistance under the RESTORE Act Direct Component. The certifications must be signed by an authorized senior official of the Applicant who can legally bind the entity and has oversight for the administration and use of the Direct Component funds.

**A. RESTORE Act Certification**

**1. Pursuant to the RESTORE Act, I certify that for any award agreement resulting from this application:**

- (a) Each activity funded under this agreement has been primarily designed to plan for or undertake activities to restore and protect one or more of the following: the natural resources, ecosystems, fisheries, marine and wildlife habitats, beaches, coastal wetlands, or economy of the Gulf Coast region.
- (b) Each activity funded under this agreement is designed to carry out one or more of the eligible activities for the Direct Component.
- (c) Each activity funded under this agreement was selected after consideration of all meaningful input from the public, including broad-based participation from individuals, businesses, Indian tribes, and nonprofit organizations, as described in the grant application. The certification in this paragraph (1)(c) does not apply to planning assistance funds to prepare and amend the Multiyear Implementation Plan.
- (d) Each activity funded under this agreement that protects or restores natural resources is based on the best available science, as that term is defined in 31 C.F.R. Part 34.
- (e) The Applicant has procedures in place for procuring property and services under this award that are consistent with the procurement standards applying to Federal grants. The Applicant will not request funds under this award for any contract unless this certification remains true and accurate.
- (f) Pursuant to 2 C.F.R. Â§ 200.303, the Applicant will establish and maintain effective internal control over all award agreements resulting from this application, and provide reasonable assurance that the Applicant will manage the award in compliance with Federal statutes, regulations, and the terms and conditions of the award. The Applicant knows of no material deficiencies in its internal controls. .
- (g) A conflict of interest policy consistent with 2 C.F.R. Â§ 200.318(c) is in effect and covering each activity funded under this Agreement. .
- (h) The Applicant will comply with Title VI of the Civil Rights Act of 1964, the Rehabilitation Act of 1973, and all other applicable federal laws and regulations concerning anti-discrimination.

2. I make each of these certifications based on my personal knowledge and belief after reasonable and diligent inquiry, and I affirm that the Applicant maintains written documentation sufficient to support each certification made above, and that the Applicant's compliance with each of these certifications is a condition of the Applicant's initial and continuing receipt and use of the funds provided under this Agreement.

**B. Certification Regarding Debarment, Suspension, and Other Responsibility Matters -- Primary Covered Transactions: Instructions for Certification**

- 1. By signing and submitting this Application, the prospective primary participant (the Applicant) is providing the certification set out below.
- 2. The inability of an Applicant to provide the certification required below will not necessarily result in the denial of participation in this covered transaction. The prospective Applicant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with Treasury's approval of the proposed application. However, failure of the Applicant to furnish a certification or an explanation shall disqualify such person/entity from participation in this transaction.
- 3. This certification is a material representation of fact upon which reliance is placed when Treasury determines to enter into this transaction. If it is later determined that the Applicant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal government, Treasury may terminate this transaction for cause or default.
- 4. The Applicant shall provide immediate written notice to Treasury if at any time the Applicant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
- 5. The terms "covered transactions," "debarred," "suspended," "ineligible," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal", and "voluntarily excluded," as used in this clause (certification), have the meanings set out in the Definitions and Coverage sections of the rules implementing Executive Order 12549. You may contact Treasury for assistance in obtaining a copy of those regulations (31 C.F.R. Part 19).
- 6. The Applicant agrees by submitting this Application that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by Treasury.
- 7. The Applicant further agrees by submitting this Application that it will not award any contract or subaward to any entity on the government-wide Excluded Parties List System (see 31 C.F.R. Part 19, Appendix).
- 8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List.
- 9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
- 10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal government, Treasury may terminate this transaction for cause or default.

**C. Certification Regarding Debarment, Suspension, and Other Responsibility Matters -- Primary Covered Transactions**

**1. The prospective primary participant (the Applicant) certifies to the best of its knowledge and belief, that it and its principals:**

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- (b) Have not within a three-year period preceding this Application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
- (d) Have not within a three-year period preceding this Application had one or more public transactions (Federal, State or local) terminated for cause or default.

2. Where the Applicant is unable to certify to any of the statements in this certification, such Applicant shall attach an explanation to this proposal.

**D. Certification Regarding Drug-Free Workplace Requirements**

**1. The Applicant certifies that it will provide a drug-free workplace by:**


- (a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the Applicant's workplace and specifying the actions that will be taken against the employee for violations of such prohibition;
- (b) Establishing a drug-free awareness program to inform employees about:
  - (i) The dangers of drug abuse in the workplace;
  - (ii) The Applicant's policy of maintaining a drug-free workplace;
  - (iii) Any available drug counseling, rehabilitation, and employee assistance program; and
  - (iv) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace.
- (c) Making it a requirement that each employee to be engaged in the performance of the award be given a copy of the statement required by paragraph (a);
- (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment in such grant, the employee will:
  - (i) Abide by the terms of the statement; and
  - (ii) Notify the employer of any criminal drug use statute conviction for a violation occurring in the workplace no later than five calendar days after such conviction;
- (e) Notifying the granting agency in writing, within ten calendar days after receiving notice of a conviction under paragraph (d)(ii) from an employee or otherwise receiving actual notice of such conviction;
- (f) Taking one of the following actions, within 30 days of receiving notice under paragraph (d)(ii), with respect to any employee who is so convicted:
  - (i) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
  - (ii) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency; and
- (g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a) through (f).

**E. Certification Regarding Lobbying**

**1. The Applicant certifies, to the best of its knowledge and belief, that:**

- (a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the Applicant, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Application, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (c) The Applicant shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

2. This certification is a material representation of fact upon which reliance is placed when this transaction is made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by title 31 U.S. Code section 1352. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

<b>Certification</b>	
Signature of Authorized Certifying Official 	
Name William Dozier	Date 12/01/2017
Title * Chairman	Organization Bay County Board of County Commissioner

**According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information**

unless it displays a valid OMB control number. The valid OMB control number for this information collection is 1505-0250. Comments concerning the time required to complete this information collection, including the time to review instructions, search existing data resources, gathering and maintaining the data needed, and completing and reviewing the collection of information, should be directed to the Department of the Treasury, Office of Gulf Coast Restoration, 1500 Pennsylvania Ave., NW, Washington, DC 20220.

**RESTORE Act Direct Component Application Narrative  
Department of the Treasury**

**OMB Number  
1505-0250**

The Direct Component Funding Opportunity Announcements describe in detail the content and information required for your narrative. Please refer to the relevant Funding Opportunity Announcement when completing this form.

**GENERAL INFORMATION:**

<b>Applicant Name:</b>	Bay County Board of County Commissioner		
<b>Point of Contact (POC) for this Application:</b>	<b>POC Name: *</b>	Jim Muller	
	<b>POC Title: *</b>	Bay County RESTORE Act Coordinator	
	<b>POC Email: *</b>	jmuller@baycountyfl.gov	
	<b>POC Phone: *</b>	(850) 248-8253	
<b>Descriptive Title of Applicant's Project: (refer to SF 424) *</b>	East Pass Environmental Impact Study and Statement (EIS)		
<b>Activity Title from Multiyear Plan Matrix, Column #6 *</b>	Bay County East Pass Environmental Impact Statement (EIS)		
<b>Funding Opportunity Announcement #:</b>	GR-RDC-17-006		

**A. STATUTORY QUESTIONS**

Select Primary Activity	Qualifying Eligible Activity {Select All Others That Apply}	
	<input type="radio"/> Activity 1	<input type="checkbox"/>
<input type="radio"/> Activity 2	<input type="checkbox"/>	2. Mitigation of damage to fish, wildlife and natural resources
<input type="radio"/> Activity 3	<input type="checkbox"/>	3. Implementation of a federally approved marine, coastal, or comprehensive conservation management plan, including fisheries monitoring
<input type="radio"/> Activity 4	<input type="checkbox"/>	4. Workforce development and job creation
<input type="radio"/> Activity 5	<input type="checkbox"/>	5. Improvements to or on State parks located in coastal areas affected by the Deepwater Horizon oil spill
<input type="radio"/> Activity 6	<input type="checkbox"/>	6. Infrastructure projects benefitting the economy or ecological resources, including port infrastructure
<input type="radio"/> Activity 7	<input type="checkbox"/>	7. Coastal flood protection and related infrastructure
<input checked="" type="radio"/> Activity 8	<input type="checkbox"/>	8. Planning assistance
<input type="radio"/> Activity 9	<input type="checkbox"/>	9. Promotion of tourism in the Gulf Coast Region, including recreational fishing
<input type="radio"/> Activity 10	<input type="checkbox"/>	10. Promotion of the consumption of seafood harvested from the Gulf Coast Region

1. Qualifying eligible activity: Please select the primary eligible activity in the first column, and select all other eligible activities that apply in the second column.

2. Was this proposed activity included in any claim for compensation paid out by the Oil Spill Liability Trust Fund after July 6, 2012?  Yes  No

If "Yes," this activity is not eligible for a Direct Component grant.

<b>3. Location</b> (a) Please provide the actual location for the activity as street address, nearest intersection, or note boundaries on a submitted map. If there is more than one location for the activity, attach a list of the additional locations, city/town, county/parish, state, and zip code.	<b>Location:</b>	Please see location map
	<b>City/Town:</b>	Panama City
	<b>County/Parish:</b>	Bay
	<b>State:</b>	FLORIDA
	<b>Zip code:</b>	

This project entails the planning portion of re-opening the East Pass. Developing an Environmental Impact Study (EIS) and Inlet and Beach Management Plan (IBMP) are the first steps in the process of re-opening

**(b) Describe how the proposed activity will be carried out in the Gulf Coast Region as defined in 31 CFR 34.2. Attach a map to support your response.**

the East Pass. East Pass is in Bay County, FL. The project is within the Gulf Coast Region as defined in 31 CFR Part 34 - "Gulf Coast Region means: (1) In the Gulf Coast States, the coastal zones defined under section 304 of the Coastal Zone Management Act of 1972 that border the Gulf of Mexico; (2) Land within the coastal zones described in paragraph (1) of this definition that is held in trust by, or the use of which is by law subject solely to the discretion of, the Federal Government or officers or agents of the Federal Government; (3) Any adjacent land, water, and watersheds, that are within 25 miles of the coastal zone described in paragraphs (1) and (2) of this definition; and (4) All Federal waters in the Gulf of Mexico."

**B. DISCUSSION OF SPECIFIC ACTIVITY  
IF APPLICABLE, PLEASE FOLLOW SPECIFIC DIRECTIONS FOR NON-FEDERAL SHARE OF ANOTHER FEDERALLY FUNDED ACTIVITY and ACTIVITIES APPROVED PRIOR TO JULY 6, 2012 IN THE DIRECT COMPONENT APPLICATION GUIDANCE.**

**1. Proposed Scope of Work**

**(a) Directions: Provide a detailed scope of work that fully describes the project or program for which funding is requested, including:**

**- Need, purpose, and objectives;**

A combination of storms, hurricanes, and normal wave action have contributed to the closing of the historic East Pass in St. Andrews Bay. The historic channel was not maintained after completion of the existing Panama City Harbor Entrance Channel in 1934. Since the closure of the pass, water quality and biological resources have declined in the dead-end lagoon that was created between Tyndall AFB and Shell Island. Biologists from the National Marine Fisheries Service have observed a decline of water quality and clarity, impacting seagrass community in the area. The seagrass beds located within inlets are essential habitats for larval and postlarval gag grouper, gray and lane snappers, and shrimp upon entering the estuary. The closure converted the active inlet serving fisheries into a poorly flushed, stressed habitat within the 7-mile long dead-end lagoon (NMFS, 1999). The purpose of the project is to prepare planning documents required in the decision as to whether the East Pass can be re-opened. The objective is to produce an Environmental Impact Study and Statement and an Inlet and Beach Management Plan.

**- How the project/program meets the identified primary activity designated in A1;**

Direct Component funds will be used for planning assistance to prepare an Environmental Impact Statement and an Inlet and Beach Management Plan. The plans will be used in the consideration of re-opening East Pass.

**- Specific tasks, milestones and related timeframes (also captured in Milestones Report); and**

The requested funds will be used for the development of an environmental impact statement (EIS) and inlet and beach management plans (IBMP), which are required before design and permitting can begin in accordance with recommendations from the Army Corps of Engineers and Florida Dept. of Environmental Protection (FDEP). Due to the sensitive location and the size of the proposed project, conducting an EIS and IBMP are required to address required compliance with all Federal and State agencies regulation with the goal to produce a National Environmental Policy Act document in compliance with the Presidential Council of Environmental Quality Rules and Regulations. In addition, an Inlet and Beach Management Plan must be prepared for FDEP's Bureau of Beaches and Coastal Systems. These plans are required by the Corps of Engineers and FDEP as the first steps in the initiative to re-open the historical East Pass. The objective is to re-open the historical east pass and restore the historical flushing of the St. Andrew Bay System. Milestones, tasks and related time frame are identified in the milestone report with an anticipated total completion time of 5 years from initiation to completion.

**- Description of all funding sources included on the SF-424**

RESTORE Act Direct Component funds are the only anticipated funding source for this project.

**Projects designed to protect or restore natural resources must be based on best available science. Include a description of the methods to be used to achieve the protection or restoration objective(s). (Also complete Question B.6.)**

**(b) If the proposed project is part of a larger project outside the scope of this application, describe the larger project and the proposed project's relationship to it.**

The EIS and IBMP plans are Phase I of the project with Phase II engineering design and permitting estimated at \$2,000,000 and Phase III construction estimated at \$15,000,000. However, Phase II and Phase III depend on the completion of Phase I and will be refined based on Phase I recommendations.

**2. Budget Justification (See OMB Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards)**

**Directions: Explain in detail how the proposed budget supports the proposed scope of work. The budget justification should relate each budget category listed in the SF-424A and SF-424C to the specific tasks discussed in the response to B1. Provide specific justification for ALL budget categories that apply, including an explanation of the necessity, allowability, reasonableness, and allocability of proposed costs. Please refer to the relevant Funding Opportunity Announcement for descriptions of the budget categories.**

The total budget for the project is \$1,193,539.37. Contract. The proposed budget for a subrecipient agreement with the ACOE is \$1,000,000 and was established based on previous discussions with the ACOE and other permitting agencies. The objective is to produce an Environmental Impact statement for the project. This will require a number of tasks including: preparation of a NEPA document that includes environmental resource inventory, possible impact identifications, project assessment, environmental hydrodynamic model and draft review by cooperating agencies, federal register notice and press release. Other tasks required include biological assessment, Fish and wildlife Coordination Act Report, State Water Quality Certification, Coastal zone Consistency Determination, 401(b)(1) report, Cultural Resources Report, Inlet and Beach Management Plan. As outlined above, the county would enter into a subrecipient agreement with US ACOE for project management and execution. Personnel and Fringe Benefits. The project budget includes \$128,170.45 for county personnel costs and \$45,501.70 for county fringe benefit costs. This is to cover the time for county staff to interact with the subrecipient and subcontractors on the products of this grant, to monitor grant activities, and to interact with Treasury and produce required reports. Estimated time and costs: RESTORE Act Coordinator 460 hours @ \$45.40/hr (\$20,884.00), fringe 13.19/hr (\$6,067.40), total \$26,951.40 Chief Engineer, Public Works 633 hours @ \$45.03/hr (\$28,503.99), fringe \$11.84/hr (\$7,494.72), total \$35,998.71 County Stormwater Engineer 922 hours @ \$36.76/hr (\$33,892.72), fringe \$14.29/hr (\$13,175.38), total \$47,068.10 Environmental Coordinator, Public Works 2,062 hours @ \$21.77/hr (\$44,889.74), fringe \$9.10 (\$18,764.20), total \$63,653.94. Indirect Charges. 10% of Modified Total Direct Costs of \$198,672 is included: \$19,867.22

**3. The Applicant's Selection and Oversight of Contractors, if applicable**

**Directions: Indicate if the applicant plans to contract out any work described under the Budget Justification (see B2) including construction. If so, the applicant must describe the following:**

**(a) For State applicants:**

**- Nature of the work to be contracted out and the expected number of contracts to be awarded;**

- State procurement method(s) that will be used for the procurement of the contractor(s); and
- Applicant's plan for monitoring contractor performance and compliance.
<b>If a contractor already has been selected, also include the following:</b>
- Name of each contractor; - DUNS number of each contractor; - Date the applicant executed each contract; and - Amount of each contract award.
<b>(b) For non-State applicants:</b>
- Nature of the work to be contracted out and the expected number of contracts to be awarded;
Bay County is requesting to participate as the Sponsor for the East Pass Environmental Impact Study and Inlet and Beach Management Plan, in partnership with the U.S. Army Corps of Engineers (USACE), to cooperatively investigate the re-opening of the historical East Pass in St. Andrews Bay. Bay County intends to sign a Feasibility Cost Sharing Agreement (FCSA) to initiate the study with the USACE. The study will be conducted and managed by the USACE. One (1) subrecipient agreement will be issued by the County.
- Procurement method(s) allowable under 2 CFR 200.320 that will be used for the procurement of the contractor(s);
A subrecipient agreement will be made with the USACE to perform the Environmental Impact Study and Inlet and Beach Management Plan in accordance with their standard procedures.
- Justification under 2 CFR 200.320(f) for sole source procurement, if applicable; and
This item is available only through the USACE. Bay County intends to sign a Feasibility Cost Sharing Agreement (FCSA) to initiate the study with the USACE. The study will be conducted and managed by the USACE.
- Applicant's plan for monitoring contractor performance and compliance.
The project management will be done with Bay County's Engineering Division in-house staff. Ms. Natasha Lithway, P.E., the County's Stormwater Engineer, has more than 10 years of experience with managing projects for Bay County and will be the project manager. The project manager will act as a liaison between the USACE and the Bay County Board of County Commissioners (BCC). Subrecipient performance such as schedule, performance and compliance will be monitored through meetings and review of status reports on a monthly basis. The project manager will provide updates to the BCC on the feasibility study progress, track invoice expenditures, and respond to any requests for information from the USACE.
<b>If a contractor already has been selected, also include the following:</b>
- Name of each contractor; - DUNS number of each contractor; - Date the applicant executed each contract; - Amount of each contract award;
n/a
- Procurement method allowable under 2 CFR 200.320 that was used for the procurement of each contract; - Description of the procurement process, as implemented; and - Justification under 2 CFR 200.320(f) for sole source procurement, if applicable.
<b>4. The Applicant's Selection and Oversight of Subrecipients and Inclusion of Special Provisions relating to Subawards, if Applicable</b>
<b>Directions: Indicate whether the applicant plans to issue subawards for activities proposed in this application. If so, the applicant must provide ALL of the following:</b>
- Description of how the applicant selected or plans to select subrecipient(s);
- Description of the applicant's subrecipient monitoring and management plan that implements the requirements for pass-through entities at 2 CFR 200.331; and
- The means by which the applicant will assess each subrecipient's level of risk and monitor each subrecipient's progress, including any required reports.
<b>If a subrecipient already has been selected, also include the following:</b>
- Name of each subrecipient; - DUNS number of each subrecipient; - Date the applicant selected each subrecipient; and - Amount of funds to be provided to each subrecipient.
<b>5. Public Input for this Proposed Activity</b>
<b>Directions: Describe how the applicant considered the meaningful public input from individuals, businesses, Indian tribes, and nonprofit organizations relating to this proposed project, including input received during the preparation of the Multiyear Plan.</b>
At the onset of planning for RESTORE Act Direct Component funds, the Bay County Board of County Commissioners established the Bay County RESTORE Act Advisory Committee by resolution in January 2014, with members appointed in March 2014. The purpose of the Committee is to receive



public input, recommend Direct Component project selection criteria to the Board, draft a Multi-Year Implementation Plan, and recommend to the Board projects to be funded by Gulf restoration funds. Final approvals and decisions rest with the Board of County Commissioners. During the early stages of the plan preparation and the proposal selection process, the Committee met approximately monthly. Public comment opportunities are provided at the start and end of each meeting. Committee meetings are internet streamed and recorded (<http://www.baycountyfl.gov/bocc/meeting-live.php> Miscellaneous tab). All Committee meetings are noticed in multiple places online on the County's web pages ([http://co.bay.fl.us/calendar/view\\_1.php?id=7](http://co.bay.fl.us/calendar/view_1.php?id=7) and [http://www.baycountyfl.gov/cgi-bin/webdata\\_pro.pl?\\_cgifunction=Search&\\_layout=documents&documents.department=Restore](http://www.baycountyfl.gov/cgi-bin/webdata_pro.pl?_cgifunction=Search&_layout=documents&documents.department=Restore) ). An email list of approximately 200 individuals and organizations is maintained, and notices are sent of each meeting. Most meetings are also reported in the media. Proposals for projects were solicited at-large. The Committee recommended projects for funding based on each committee member's evaluation and ranking of each project, considering the criteria, goals and objectives, and meaningful public input. Three Committee votes were involved in the prioritization of potential projects/activities. Pre-proposals receiving six or more yes-votes from the Committee advanced to the full proposal stage. Full proposals receiving six or more yes-votes from the Committee advanced to the ranking stage. Full proposals approved for ranking were ranked independently by each Committee member, and the proposals were ordered from highest to lowest rank based on the ranks from each Committee member. The ranked list was presented to the Board of County Commissioners. The Commissioners added one project and directed that a draft Multi-Year Implementation Plan be prepared that included all 15 proposals, and that the draft Plan be brought back to them. The Board approved the draft Plan at the July 19, 2016 meeting, and a public comment period of 45 days was provided. Staff compiled the public comments, including a tally of comments for/against each proposed project, for the Board's consideration, posted all comments to the internet, and brought the draft Plan including the list of proposals and public comment compilation before the Board in a public hearing on October 4, 2016. After public comment during the meeting, the Board approved the final Multi-Year Implementation Plan, including a list of projects to be funded and projects to be given priority in the next funding cycle. The Board of County Commissioners made the final decision on which activities/projects to fund, considering the Committee's recommendations; the criteria, goals and objectives; meaningful public input; and other factors the Commissioners deemed relevant.

**6. Best Available Science, if applicable**

**Directions: If the answer to the following question is "yes" complete this section. Is the proposed activity designed to protect or restore natural resources?**  Yes  No

The RESTORE Act requires activities designed to protect or restore natural resources to be based on the "best available science," which is defined in the Act as science that (a) maximizes the quality, objectivity, and integrity of information, including statistical information; (b) uses peer-reviewed and publicly available data; and (c) clearly documents risks and uncertainties in the scientific basis for such projects.

The applicant must make a determination that a project designed to protect or restore natural resources is based on the best available science. In order to support this determination, the applicant must clearly state the protection or restoration objective(s) of the project, describe the methods that will be used to achieve the objective(s), and explain how these methods are based on best available science. The response must be sufficiently detailed for Treasury to evaluate the reasonableness of the applicant's determination that the project is based on best available science. In addressing the three-pronged test in the definition of "best available science," the applicant must cite, when available, peer-reviewed, objective, methodologically sound literature sources that support the conclusion that the proposed scope of work is an effective way to achieve the stated objectives.

For each literature source cited, the applicant must provide sufficient citations, including:

- Title;
- Journal in which the literature source appeared, if applicable;
- Publication date;
- Author(s); and
- Web address if downloaded or available online.

The applicant must provide written answers to all of the following :  
(Submission of source materials will not satisfy the requirements for answering this question.)

- A summary of the peer-reviewed information that justifies the proposed objectives, including methods used for the proposed activity. If peer-reviewed literature sources are unavailable, the Applicant must explicitly State this and provide A brief explanation of what alternative scientific information sources were used. If the Applicant relied on publicly available data, the Applicant must cite the source of the data, the date of collection, and the size of the data set. Whenever possible, the Applicant should use publicly available data from sources such as State agencies and federal agencies, for example the U.S. Census Bureau, U.S. Fish and Wildlife Service, Environmental Protection Agency, National Oceanic and Atmospheric Administration, the Applicant must provide A link to each publicly available data source used.

- A summary of how the applicant's methods reasonably support and are adaptable to Gulf Coast Region if the information supporting the proposed activity does not directly pertain to the Gulf Coast Region.

- A summary of an evaluation of uncertainties and risks in achieving the project's best available science objectives over the longer term; e.g., is there an uncertainty or risk that in 5-10 years the project/program will be obsolete or not function as planned given projections of sea level rise or other environmental change such as in freshwater inflows to estuaries?

- A summary of the literature sources' conclusions and any uncertainties or risks in the scientific basis that would apply to the proposed activity, including any uncertainties or risks that were identified by the public or by a Gulf Coast Ecosystem Restoration Council member.

**7. Key Personnel**

**Directions: Key personnel should include the applicant's Authorizing Official who is authorized to sign the grant application and award, the Project Director who is responsible for the project, and the Financial Officer who is responsible for maintaining the accounting and financial records of the grant. The Direct Component Standard Terms and Conditions require the applicant to notify Treasury if there are any changes in key personnel.**

Key personnel will include: Authorizing Official - William T. Dozier, Chair, Bay County Board of County Commissioners Project Director - Jim Muller, Bay County RESTORE Act Coordinator Project Supervisor - Josee Cyr, Engineering Project Manager - Natasha Lithway, P.E. County Stormwater Engineer Financial Officer - Joey Rogers, Chief Deputy Clerk Administrative Services, Clerk of Court and Comptroller

**8. Consistency with the Applicant's Multiyear Plan**

<b>Directions: Describe whether the proposed scope of work differs from the corresponding project/program identified in the applicant's Multiyear Plan accepted by Treasury. If no differences exist, make an affirmative statement as to their consistency.</b>	
The proposed scope of work is consistent with the Multiyear Plan accepted by Treasury.	
<b>9. Possible Material Risks to Implement and Maintain the Proposed Activity</b>	
<b>Directions: List the possible material risks, e.g., operational, legal, regulatory, budgetary, or ecological risks, with a brief discussion of mitigation strategies that the applicant may need to address in order to implement and/or maintain the proposed activity. If the applicant determines that there are no material risks to implement and maintain the proposed activity, then put 'None' in the Risk column below.</b>	
<b>Risk</b>	<b>Mitigation Strategy</b>
Having the USACE agree to do the project and getting it done within the allotted time	set schedule for communicating with USACE and followup as necessary
<b>10. Permits, Land Acquisition, Construction, and Relocation Assistance</b>	
<b>Directions: Answer the following items concerning permits, construction, land acquisition, and relocation assistance, if applicable.</b>	
<b>(a) Permits</b>	
Does the proposed activity require any federal, tribal, state, or local permits? For potential federal permits needed, see: ( <a href="https://www.permits.performance.gov/tools/federal-environmental-review-and-authorization-inventory">https://www.permits.performance.gov/tools/federal-environmental-review-and-authorization-inventory</a> )	<input type="radio"/> Yes <input checked="" type="radio"/> No
If yes, list the specific federal, tribal, state, or local permits required for this project and the status of the permits:	
<b>(b) Land Acquisition and Construction Activities</b>	
Will land be improved?	<input type="radio"/> Yes <input checked="" type="radio"/> No
If yes, answer questions i-vi	
Will land or interest in land be acquired?	<input type="radio"/> Yes <input checked="" type="radio"/> No
If yes, answer questions i-vii	
<b>i. What are the legal rights that will be acquired?</b>	
Please explain 'Other'	
<b>ii. If an easement, what is the life of the easement?</b>	
<b>iii. Will the applicant hold title to the land?</b>	<input type="radio"/> Yes <input type="radio"/> No
<b>iv. What is the total acreage of the proposed property interest to be acquired (easement or fee title)?</b>	
<b>v. Has the applicant obtained a recent certified appraisal of the property? If yes, attach a copy of the appraisal.</b>	<input type="radio"/> Yes <input type="radio"/> No
<b>vi. Has the applicant obtained a recent title opinion or certificate? If yes, attach a copy of the title opinion or certificate.</b>	<input type="radio"/> Yes <input type="radio"/> No
<b>vii. Attach a signed statement from the seller(s) that he/she is a willing seller and has not been coerced into selling or conveying the property interest.</b>	
<b>viii. Attach the legal description of the property and the tax parcel number.</b>	
<b>(c) Relocation Assistance</b>	
Will the proposed project cause the displacement of any persons, businesses, or farm operations?	<input type="radio"/> Yes <input checked="" type="radio"/> No
If yes, as required by Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, explain: the number of displaced persons, including businesses and farm operations; what fair and reasonable relocation payments and advisory services will be provided to any displaced persons; and what provisions will be made to ensure that safe, decent, and sanitary replacement dwellings will be available to such persons within a reasonable period of time prior to displacement.	
According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 1505-0250. Comments concerning the time required to complete this information collection, including the time to review instructions, search existing data resources, gathering and maintaining the data needed, and completing and reviewing the collection of information, should be directed to the Department of the Treasury, Office of Gulf Coast Restoration, 1500 Pennsylvania Ave., NW, Washington, DC 20220.	

## Upload #1

Applicant: Bay County Board of County Commissioner  
Application Number: RDC2018000089  
Project Title: Bay County East Pass Environmental Impact Statement (EIS) and Inlet  
and Beach Mgmt Plan (IBMP)  
Status: Work in Progress  
Document Title: Indirect Cost Rate ltr

From: Joey Rogers, Finance Officer, Bay County, Florida



To: U.S. Department of the Treasury via Direct Component Grant Application

Re: Request for Establishment of an Indirect Cost Rate for Bay County, Florida for RESTORE Act Direct Component Grants

Date: April 13, 2016

Per the January 14, 2016 email from John Stutts, Grants Management Specialist, Office of Gulf Coast Restoration., U.S. Department of the Treasury to Jim Muller, Bay County Florida RESTORE Act Coordinator, Bay County hereby requests a *de minimis* indirect cost rate of 10% of Modified Total Direct Costs, per 2 CFR 200.414, for Direct Component Grants from the Gulf Coast Restoration Trust Fund.

Bay County was unable to obtain approval for the *de minimis* rate from its federal cognizant agency, as identified by Mr. Stutts from federal documents. Bay County has never received a negotiated federal indirect cost rate and receives less than \$35 million in direct Federal funding annually.

Bay County acknowledges that the RESTORE Act of 2012 states that "not more than 3 percent [of Direct Component funds] may be used for administrative costs" and that this limit takes precedence over the *de minimis* rate. The 3 percent limit is based on the total amount of a grant. Bay County also acknowledges that the requested *de minimis* rate only applies to a specific grant application, and that approval will be provided via a Notice of Grant Award.

## Upload #2

Applicant: Bay County Board of County Commissioner  
Application Number: RDC2018000089  
Project Title: Bay County East Pass Environmental Impact Statement (EIS) and Inlet  
and Beach Mgmt Plan (IBMP)  
Status: Work in Progress  
Document Title: E Pass location map



# Bay County East Pass Environmental Impact Study (EIS) Location

