

## Frequently Asked Questions

### CPRA-Parish RESTORE Act Matching Opportunities Program

#### **(1) What is the matching program?**

This matching program has been developed by the Coastal Protection and Restoration Authority (CPRA) and funded in an amount of up to \$100 million over a 15-year period from CPRA's RESTORE Act<sup>1</sup> Spill Impact Component funds. CPRA elected to develop this program as a way to recognize (i) the importance of parish-state partnerships in working together to achieve comprehensive integrated coastal protection as identified in Louisiana's Coastal Master Plan, as well as (ii) the fact that because Louisiana's Coastal Master Plan is a resource-limited approach to coastal restoration and protection, it is not possible to include every beneficial project in the Coastal Master Plan. In total, CPRA's matching program will nearly double the amount of the funds the parishes will receive under the Direct Component over a 15-year period ending in 2031.

#### **(2) Who is eligible to apply for the program?**

The purpose of this matching program is to (i) help coastal parishes that receive RESTORE funds under the Direct Component prioritize Coastal Master Plan projects with those funds, and (ii) recognize and respond to the needs of parishes to implement projects that may not be specifically contained in the Master Plan, but are nevertheless consistent with the Coastal Master Plan. As a result, the only eligible applicants for this program are coastal parishes that are receiving RESTORE funds under the Direct Component (i.e. those parishes identified in 33 U.S.C. §1321(t)(1)(D)(i)(II)) and are putting some or all of their Direct Component funds towards a project proposed for the matching program. However, a parish is free to submit proposals on behalf of other entities, such as levee districts, so long as the parish is also putting forth RESTORE Act funds.

For example, if a levee district wants to build a project with RESTORE funds, the levee district can propose that project to its parish. If the parish agrees to put some of its RESTORE funds towards the project, the parish could then submit the project for consideration to the state for funding under the matching program.

#### **(3) How much is the first round of funding?**

The initial solicitation for the matching program will be up to \$20 million. The solicitation will open on July 3, 2017.

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<sup>1</sup> Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies (RESTORE) of the Gulf Coast States Act of 2012 (31 U.S.C. 1321(t)).

**(4) How often will the CPRA open the matching program for solicitation?**

The matching program will provide matching funding of up to approximately \$100 million over a 15-year period ending in 2031. CPRA has no predetermined number of solicitations that it will use for the matching program, but will provide notice prior to the opening of any subsequent rounds of solicitation.

**(5) How will projects be selected/evaluated?**

The [State's First Amended RESTORE Plan](#) describes the selection criteria, solicitation and selection process. Proposals for an initial solicitation of funding totaling up to \$20 million for parish matching projects will be solicited by CPRA from July 3, 2017 through August 31, 2017. CPRA will issue a solicitation for projects for the matching program through a formal announcement posted on CPRA's website and distributed via email to each eligible parish. Subsequent rounds of matching program solicitations will be announced in the future with dates to be determined.

Once proposals have been formally solicited and submitted to CPRA, a selection committee composed of CPRA staff will evaluate the proposals using the criteria listed in the [State's First Amended RESTORE Plan](#). The State's RESTORE Plan will be updated and amended, as approved by the CPRA Board, as projects proposed under the matching program are selected for funding. Any projects selected for funding under the matching program as an amendment to the Plan will be subject to a forty-five (45) day public comment period before their selection is finalized by CPRA.

**(6) How many projects may a parish submit for consideration?**

At this time there is no limit for the number of projects a parish may submit. However, we strongly encourage parishes to prioritize the projects they submit for consideration.

**(7) May two or more eligible parishes join together to submit a joint proposal?**

Yes, multiple parishes may join together to submit a joint proposal so long as each parish is also putting forth an amount of RESTORE Act Direct Component matching funds.

**(8) Are nonstructural projects eligible for funding under the matching program?**

Yes, nonstructural projects are eligible for funding under the matching program.

**(9) Do proposed matching projects have to be included in the Master Plan?**

No. The matching program may include projects that may not be specifically contained in Louisiana's Coastal Master Plan, but are consistent with the goals and objectives of the Coastal Master Plan. However, CPRA anticipates that those projects or programs that are identified in Louisiana's Coastal Master Plan in effect at the time of the proposal will be more competitive than those projects that are not identified in the Coastal Master Plan.

**(10) How will the CPRA determine consistency with the Coastal Master Plan for purposes of the matching program?**

To be considered consistent with the goals and objectives of the Coastal Master Plan, the proposed project must strive to achieve one or more of the Coastal Master Plan's objectives, and must not detrimentally affect, significantly diminish or otherwise conflict with integrated coastal protection projects or the benefits of projects intended to protect, conserve or enhance coastal areas. This consistency determination will be made by CPRA on a case-by-case basis and at the sole discretion of CPRA.

**(11) Is there a set match percentage that CPRA will allocate or a set amount that the parishes must contribute?**

Because each project and each eligible parish has its own unique set of circumstances there will be no predetermined match percentage, and the matching percentage allocated to projects will be determined on a case-by-case basis by CPRA. However, as referenced in FAQ #9, CPRA anticipates that if a project is expressly listed in the Coastal Master Plan, it will be more competitive than a project that is not identified in the Coastal Master Plan.

**(12) May a parish use funds other than RESTORE Direct Component funds as part of the match?**

Yes, a parish may use funds, such Gulf of Mexico Energy Security Act (GOMESA) funds or other eligible funds, in addition to Direct Component RESTORE funds as part of its contribution. The more funds a parish has to put forth for projects it proposes under the matching program, the more competitive the project will be. It is the parish's responsibility to determine whether any such funds in addition to Direct Component RESTORE funds may be eligible to be used for this matching program.

**(13) Is a parish required to put a project in their RESTORE Act Direct Component Multiyear Implementation Plan in order to apply for the program?**

A parish must include a proposed project in their RESTORE Act Direct Component Multiyear Implementation Plan (MYIP) in order to receive funds under this matching program. However, while a Parish MYIP does not need to be formally accepted by the U.S. Department of Treasury at the time a project is submitted for consideration under the matching program, a parish that does not already have an existing MYIP containing the proposed project(s) must (i) publish a MYIP, or an amendment to a MYIP, containing any project(s) proposed for matching funds in accordance with 31 C.F.R. §34.303(a)(8) by no later than the date the CPRA publishes its State Expenditure Plan amendment in accordance with 31 C.F.R. §34.503(g) to include the projects selected for the matching program; and (ii) finalize parish approval of the MYIP for submission to the U.S. Department of Treasury by no later than the day before the CPRA Board is scheduled to approve the suite of projects selected for funding under the matching program. The purpose of this timeframe is to ensure that the CPRA Board only

approves projects for the matching program that the parish has also formally approved for Direct Component funding.

If a parish has an existing MYIP that has already been accepted by the U.S. Department of Treasury and contains projects proposed for the matching program that are identified as needing additional funds from other third party sources, CPRA will not require the parish to undergo additional public comment for those projects.

**(14) How soon will parishes need to use any Matching Funds that are awarded?**

CPRA expects the matching funds to be used in a timely manner. As such, for each project proposal, an applicant will be required to provide a description regarding the readiness to proceed with a proposed project, indicating any work that has already been done and any additional work that will need to be done. This discussion of readiness for each project application will include, without limitation, a description of the following:

- For planning projects, a description of how the proposed planning activities will advance the project toward implementation.
- A list of any data needs or identified data gaps, and a process for addressing them.
- A description of any permits and landowner agreements that will be required, if applicable.
- A discussion of the status of cost share efforts, including the leveraging of the matching funds provided by CPRA. Please note that the more secure and stable all identified funding sources are, the more competitive the project will be.

CPRA also understands that different time frames may apply for different projects. Accordingly, CPRA will work directly with each parish who is awarded matching funds to ensure that funds are used in a timely manner given the individual circumstances needs of each project. However, as required by Section N.02.b of the RESTORE Council’s Standard Terms and Conditions, prior to dispersing funds under the matching program projects, CPRA and those parishes with selected projects under the matching program must first execute an Intergovernmental Agreement (IGA) in accordance with the requirements in 31 C.F.R. § 34.803(c). The terms and conditions for use of the funding under this matching program will be specified in the IGA. CPRA expects that any applicable IGA(s) will be executed with the appropriate parishes in a timely manner.

**(15) Who ultimately approves the matching projects?**

Once proposals have been formally solicited and submitted to CPRA, a selection committee composed of CPRA staff will evaluate the proposals using the criteria listed in the [State’s First Amended RESTORE Plan](#) as well as any additional information requested in the solicitation. Projects selected for funding under the matching program will be included as an amendment to the State RESTORE Plan and will be subject to a forty-five (45) day public comment period before the selection is finalized by CPRA, as approved by the Board.

**(16) How will CPRA provide the matching funds to the parishes that are awarded matching funds?**

According to the RESTORE Council's Standard Terms and Conditions (Aug. 2015), the reimbursement method of payment is used under Spill Impact Component grant awards. This means that funding will be provided on a reimbursement basis to a parish for a selected project upon submittal and approval of invoices and deliverables as described under the terms and conditions of an Intergovernmental Agreement between CPRA and the parish.

**(17) May this program be used to pay for operations, maintenance, repair, replacement or rehabilitation?**

Parish matching program funds cannot be used to pay for operations, maintenance, repair, replacement or rehabilitation costs. The proposal should list the funding source(s) and amount(s) of available funding. A construction project without identified, dedicated funding for activities such as operations and maintenance will not be as competitive as a fully funded project.

**(18) May a parish submit a proposal to fund a portion of engineering and design, along with a request to fully fund construction of a project?**

Nothing precludes a parish from submitting a proposal for both a portion of engineering and design, as well as full funding for the construction of a project. However, when considering factors such as feasibility and constructability, the proposal will likely not be as competitive under CPRA's Scoring Criteria as a project with a greater degree of readiness in terms of feasibility/constructability. This is because without completed plans and specifications, there will be inadequate information to corroborate any claims of constructability.

**(19) If a project does not meet criteria 1 and 6 on CPRA's [Scoring Criteria](#) is it automatically disqualified from the matching program?**

Yes. If a project does not meet criterion 1, pertaining to consistency with the Coastal Master Plan, and criterion 6, which requires that a Parish include some of its RESTORE Act Direct Component funds as part of the match, then the project is not eligible for the program.

**(20) Will a parish's RESTORE Act Direct Component funds that have been expended on a project prior to the initial solicitation for projects beginning on July 3, 2017 (for example on E&D) be counted for purposes of criterion 6 on CPRA's [Scoring Criteria](#)?**

Yes. If a parish has already dedicated some of its RESTORE Act Direct Component funds to a project it proposes for funding under the matching program prior to the opening of solicitation for the parish

matching program on July 3, 2017, CPRA will consider those funds to be eligible for points under Scoring Criterion 6.

**(21) Will funds other than RESTORE Act Direct Component funds be counted for purpose of criterion 6 on CPRA's [Scoring Criteria](#)?**

Yes, in accordance with FAQ #12, a parish may use funds in addition to Direct Component RESTORE funds as part of its contribution. The more funds a parish has to put forth for projects it proposes under the matching program, the more competitive the project will be. It is the parish's responsibility to determine whether any such funds in addition to Direct Component RESTORE funds may be eligible to be used for this matching program.

**(22) If the project is already in the Parish MYIP, will the Parish MYIP need to be updated to reflect the funding sources?**

A parish MYIP must be updated only if the U.S. Department of Treasury requires that it be updated in order to apply for a grant to fund the proposed project. Please also see FAQ #13.

**(23) May a parish include future anticipated funds in the matching program application?**

Yes, a parish may include future anticipated funds as part of the matching program application, so long as this inclusion is consistent with the parish MYIP and the parish does not plan to spend any funds before they become available. However, under criterion 5 on CPRA's [Scoring Criteria](#), a project for which there are speculative sources of funding or sources of funding that are unclear will be less competitive than projects for which the sources of all funding is identified and secured.

**(24) Will the state be involved in procurement?**

Parishes selected to receive matching funds under this program will be considered subrecipients of the State. The State will not play a role in the procurement for parish projects funded with matching program funds. However, under 2 C.F.R. §200.317, parishes must follow §§200.318 General procurement standards through 200.326 Contract provisions.

**(25) May a parish use matching funds to reimburse other non-RESTORE funds expended on a project?**

Under certain circumstances, a parish may be able to use matching funds to reimburse other non-RESTORE funds expended on a project if the project is approved for inclusion in the matching program and the funds are not expended until after the RESTORE Council issues formal approved the State's State Expenditure Plan amendment including the parish project in question. Any such reimbursements will be determined on a case-by-case basis to determine whether they are eligible and allowable under this program and all applicable state and federal laws.

**(26) May matching funds be used to acquire land rights?**

Parish matching funds may be used to acquire land rights only from willing sellers. Parish matching funds may not be used to acquire land from unwilling sellers.

**(27) May matching funds be used to pay for litigation costs?**

Parish matching funds may not be used to pay for litigation costs.

**(28) May a parish use an outcome-based performance contracting arrangement for a project selected under this matching program?**

No, under La R.S. 49:214.7, outcome-based performance contracting arrangements may only be used for projects that are advertised and contracted by CPRA. The statutory authority does not currently exist for parishes to use outcome-based performance contracting arrangements.

**(29) May a parish include anticipated (future) Direct Component BP deposits in its matching program proposal or must a parish limit itself to the funds currently available to it in the RESTORE Trust Fund?**

A parish may include anticipated (future) Direct Component BP deposits in its matching program proposal beyond those currently available to it in the RESTORE Trust Fund. However, current and future funding pledged to a project must correlate/align with the associated timeline for the proposed project.

**Note:** CPRA reserves the right, subject to the RESTORE Act, 31 C.F.R. part 34 and La. R.S. 49:214.1 et seq., to update this program in order to meet the agency's needs and priorities for the coastal program as those change over time.