

October 8, 2015

Commissioner Toby Baker
Texas Commission on Environmental Quality
P.O. Box 13087
Austin, TX 78711-3087

Dear Commissioner Baker:

The undersigned organizations commend and congratulate Texas Commission on Environmental Quality (TCEQ) and the Texas RESTORE Advisory Board (TxRAB) for producing *Conserve, Restore, Renew: Framework for Implementing the RESTORE Act on the Texas Gulf Coast*. In the coming months, we look forward to seeing a list of restoration priorities that will serve as the foundation for RESTORE funding decisions in Texas. We also welcome the opportunity to help shape these priorities by drawing on the individual and collective expertise of restoration and conservation organizations working in Texas. We make several recommendations below for prioritizing RESTORE funding decisions in Texas, focusing on strengthening the criteria for scoring RESTORE-funded projects in Texas.

We are encouraged to see the inclusion of environmental benefits in the PRIORITIES FOR RESTORE FUNDED PROJECTS as an indication that projects aiming to restore the natural resources will be considered for RESTORE Act Pot 1 funding alongside projects focused solely on economic benefits. Environmental restoration projects serve the twin benefits of improving the health of the Texas coast **and** generating economic benefits by employing local firms and supporting industries such as tourism and fishing. We urge the TxRAB to give priority to projects that restore the Texas Coast, benefit coastal communities and support the local economy-- the triple bottom line approach.

We also applaud the competitive grants approach outlined in the PRIORITIES FOR RESTORE FUNDED PROJECTS document. A well designed process provides Texas an opportunity to implement and model best practices for RESTORE-related decisions. This document, and how it is applied, is a critically important step toward establishing a competitive grants process for awarding RESTORE funds under both the Direct Component (Pot 1) and Oil Spill Component (Pot 3). While we are generally pleased with the suite of proposed criteria, we provide several recommendations below that would strengthen their use, and thus help ensure the RESTORE competitive grants program in Texas is credible and transparent.

- In addition to the inter-agency review of projects, we highly recommend the Governor or his designee integrate non-agency scientists into the review of proposals. Three to five relevant experts could be added to the inter-agency panel or asked to review independently. The state's designated Center of Excellence (Texas One Gulf) is well positioned to advise the Governor or his designee on how to best integrate independent science review. External review offers valuable third-party involvement, resulting in stronger proposals and outcomes. In addition, external feedback would give the public increased confidence in the process and would help the Governor or his designee ensure the most competitive projects are funded, supporting the program's overall standing.
- We highly recommend that the criteria *Likelihood of Success, Success Criteria & Monitoring, Based on Best Available Science* and *Cost-Effectiveness* be elevated as priorities and treated as threshold criteria, which all projects would be required to meet before further consideration.

Projects suffering from deficiencies such as a low likelihood of success, no or inadequate success criteria & monitoring, little or no basis in science or inflated/inexplicable costs should not move forward. In addition, the final rankings for each project should ultimately be disclosed to the public in the interest of transparency.

- Add the additional criterion of *Commitment to No or Negligible Environmental Impacts* to the list of threshold criteria. In cases where environmental impacts are likely, require applicants to describe these impacts and how these impacts will be lessened or mitigated.
- Develop definitions for each of the criteria under each of the five categories and include these definitions in application materials so that applicants can provide sufficient supporting information in proposals to meet relevant criteria.

We appreciate the opportunity to provide feedback on the decision making process for allocating RESTORE Pot 1 (and potentially Pot 3) funds in Texas. Texas is in a position to establish an exemplary RESTORE competitive grants program based on the principles of science, merit and transparency, and our recommendations are offered in the spirit of cementing this important program's legacy. In the coming months and year, we look forward to providing additional input on priorities and plans for restoring Texas coastal and marine resources.

Sincerely,

Audubon Texas
Coastal Bend Bays & Estuaries Program
Gulf Restoration Network
Ocean Conservancy
Texas Conservation Alliance
Turtle Island Restoration Network
Student Conservation Association