

**Request for Proposals
Natural Resource Damage Restoration Projects for
Riparian, Wetland, and Floodplain Habitat within Big and Black River Watersheds
Southeast Missouri Lead Mining District
October 15, 2014**

INTRODUCTION

This Request for Proposal (RFP) for compensatory restoration projects relates to the natural resource damage assessment and restoration process undertaken by the State of Missouri and the U.S. Department of the Interior (collectively “Trustees”) in the Southeast Missouri Lead Mining District pursuant to the Comprehensive Environmental Response, Compensation and Liability Act (42 U.S.C. §§ 9601-9675) and implementing regulations (43 C.F.R. Part 11). The natural resource Trustees recovered monetary damages from the American Smelting and Refining Company (ASARCO, LLC) to settle certain legal claims concerning injuries to natural resources and their services. Monies recovered from a Natural Resource Damage Assessment and Restoration (NRDAR) settlement are being made available for public proposals by the Missouri Trustee Council in accordance with the Southeast Missouri Ozarks Regional Restoration Plan (SEMORRP). The Missouri Trustee Council is comprised of the Missouri Department of Natural Resources and U.S. Department of the Interior represented by the U.S. Fish & Wildlife Service. The SEMORRP provides a process framework that governs the approach for restoration project identification, evaluation, selection and implementation presented within this RFP.

This RFP is seeking applicants that can implement successful programs and projects of compensatory environmental restoration within tributaries of the Big and Black River watersheds. The targeted riparian, wetland, and floodplain habitat programs and projects will compensate for natural resources injured by the release of hazardous substances associated with the historical mining activities of the ASARCO, LLC. For the purposes of this RFP, restoration project areas should be located near but not within contaminated areas of the Big and Black River watersheds.

A. Southeast Missouri Ozarks Regional Restoration Plan

The SEMORRP was developed under the NRDAR regulations implementing the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA, commonly known as the federal “Superfund” law) to describe the process that will be used by the Trustees to identify appropriate actions to restore, rehabilitate, replace, and/or acquire natural resources equivalent to those injured by hazardous substance releases. The SEMORRP fulfills requirements under the National Environmental Policy Act of 1969 by taking a “hard look” at the environmental consequences of proposed federal actions, to disclose pertinent information about the actions to the public and provide public review and comment on federal actions that affect environmental resources. This RFP is part of the public review process.

The SEMORRP was a joint effort among state and federal natural resource Trustees and is coordinated with the public. The SEMORRP is jointly administered by the Trustees to assist in carrying out their natural resource trust mandates under CERCLA, the Oil Pollution Act,

and the Clean Water Act. Natural resource damages received, either through negotiated or adjudicated settlements, must be used to restore, rehabilitate, replace and/or acquire the equivalent of those natural resources injured and services lost.

This document can be found at:

<http://dnr.mo.gov/env/hwp/sfund/nrda.htm> and

<http://www.fws.gov/midwest/es/ec/nrda/SEMONRDA/index.html>

This RFP is compliant with the preferred alternative selected in the SEMORRP. The preferred alternative (SEMORRP, Section 5, Alternative D) is a combination of primary and compensatory restoration. As identified in the SEMORRP, priority is given to primary restoration, whenever feasible. However, the Trustees will implement compensatory restoration when distinct advantages in cost-effectiveness or unique opportunities in protecting or enhancing important natural resources arise.

B. Site, Claim, and Settlement Information

The Southeast Missouri Lead Mining District (SEMOLMD) remains one of the largest lead producing regions of the world. The mining district covers multiple counties located from 40 to 90 miles south-southwest of the City of St. Louis.

As a result of the contamination of natural resources in SEMOLMD from mining wastes, the federal and state natural resource trustees initiated ongoing Natural Resource Damage Assessment and Restoration activities at numerous sites within SEMOLMD. Natural Resource Damage Assessments have shown heavy metal contamination injuring thousands of acres of land, dozens of miles of streams, and terrestrial and aquatic life that depend on these habitats. ASARCO, LLC, and/or its predecessors owned and operated mining leases, mills and smelters in the Old and New Lead Belts; therefore the Trustees filed and settled a claim against ASARCO, LLC for injury to natural resources and their services.

The Trustees' priority with this RFP is to compensate the public for injury to riparian, wetland, and floodplain habitat. Riparian and floodplain forest habitat is generally defined as forest, wetland or wet prairie communities adjacent to streams or within floodplains. Other injured resources and their services will be addressed in future RFPs.

C. Funds Available

Up to \$1,000,000 is available for restoration programs and projects proposed under this RFP. To meet the goals of this RFP, the Trustees reserve the right to award a portion of the available funds to multiple entities or the entire amount to a sole recipient. Program proposals and projects that exceed this amount may still be considered for funding from other NRDAR sources.

D. Geographic Priority Areas for Restoration

The Trustees have prioritized restoration goals within the Big and Black River watersheds in a tiered approach as a means of ensuring funds are expended with a clear nexus to the injury. The geographic prioritization of desired projects conforms to Trustees preferred Alternative D for restoration presented in the SEMORRP, finalized July 25, 2014.

The attached figures 1 and 2 represent maps of the Trustees priority restoration areas for this RFP. The highest priority sites are those that are closest to:

- Large areas of existing valuable natural resources (as determined by the Trustees and partner organizations), such as existing state, federal, or private conservation areas or preserves
- Conservation Opportunity Areas (as determined by the Missouri Department of Conservation)
- Areas of importance to Threatened and Endangered Species
- Uncontaminated portions of the Big and Black River watersheds
- Historic wetlands

E. Restoration Goals

It is the goal of this RFP to improve or protect water quality, the quality of aquatic and riparian habitats, and the species and communities dependent on those natural resources. Restored wetlands and riparian corridors improve water quality by preventing erosion of silt and soil into streams through bank stabilization and runoff filtration. The re-vegetated floodplain also provides important habitat for migratory birds, amphibians, and other trust species.

It is the intent of the Trustees to award funds to an entity or entities whose proposals can best improve or protect riparian, wetland, and floodplain habitat within the target watersheds. The entities receiving funds will carry out programs and projects which should include one or more of the following activities: promoting and implementing riparian conservation practices among landowners, restoring degraded riparian areas and stream banks, property acquisition of high quality riparian corridors and placement of easements or other institutional controls on restored or acquired areas.

RESTORATION PROJECT DESCRIPTIONS

This RFP is soliciting proposals from entities that are able to implement a successful program or project serving to restore, acquire, or protect riparian forests, wetlands and/or floodplains. Since part of the goal is to “improve” the condition of riparian habitat, it is desirable for a restoration program to locate lands that are not currently in pristine condition, but have restoration potential (e.g. a stream running through an agricultural area upstream of a conservation area). Restoration of riparian areas might include planting trees, fencing cattle out of the stream corridor, or stabilizing erodible stream banks. The Trustees also seek to locate healthy riparian forest, wetland areas that have been minimally disturbed, but are threatened with development and preserve them. In both cases, an integral part of the project should be to prevent further

degradation to the stream corridor, by either establishing a contract or easement with landowners, or purchasing the title to the land to ensure the corridor remains intact and restored.

In order to be acceptable, all NRDAR restoration projects proposed by entities must 1) be compliant and consistent with federal and state laws, 2) be technically feasible, and 3) address or compensate for injured natural resources. Projects cannot be used for response actions under CERCLA, mitigation measures under the Clean Water Act, nor can they be proposed by responsible parties as a means to eliminate or reduce their liability for NRDAR.

All proposals received under this RFP will be evaluated and scored by the Trustees using the attached scoring matrix (Appendix A of the SEMORRP) to prioritize the funding of projects and determine the best use of restoration funds.

F. PROPOSAL SPECIFICATIONS

Proposals must include:

Name of group submitting proposal - Name the group or individuals submitting the restoration project proposal. Include name of project coordinator, address, telephone and facsimile number and e-mail address.

Description of proposed restoration projects - Please provide details on any projects (acquisitions, riparian restoration actions on currently owned land, etc.) that are in need of funding in order for them to be implemented. Include any specifics on likely target areas for restoration on parcels with interested land-owners. Please provide the expected stream miles and acres that will be protected and restored for riparian corridor and groundwater resources

Amount of request and budget - Total amount of funding requested is not to exceed \$1,000,000 which is the total amount of funds available. Provide an approximate budget for the funding requested in descriptive summary categories such as personnel, materials, realty costs, operations and maintenance costs, monitoring etc. Proposals stating only a total cost with no budget breakdown will not be considered. It is not expected that the entities applying will have specific projects "in hand". However, if an entity already has specific projects in mind and knows some of those costs; then please include this information as well. Please include information pertaining to any types of cost sharing, such as other funding sources or in-kind services that will add to possible restoration projects.

Timeline - Outline the estimated time and steps or phases needed to complete the project including an estimated completion date. Estimate how long the project will take to reach its full potential.

Description of riparian, wetland, and floodplain restoration and management experience and capabilities - Please detail your experience with tree planting, wetlands restoration, prescribed burning, mowing, seeding, herbicide spraying, plant identification, and any other appropriate activity. List any equipment that is currently owned that could be used in restoration projects.

Description of experience with easements and capabilities - Please provide information on any easements that have been managed by your organization, and provide details on the restrictions on those easements. Please describe your ability to draw up and file an easement, and legal ability to defend the easement.

Description of experience with enrollment in state and federal cost share programs - Please detail your experience in helping landowners participate in cost share programs such as the Conservation Reserve Program, or your organization's own experience in enrolling in these programs. Please detail how you would maximize the NRDA funds by matching funds from other sources.

Description of experience in biological monitoring - Please provide details on your experience with developing monitoring plans, your ability to monitor and identify riparian, wetland, and aquatic vegetation, your ability to monitor and identify birds, and your ability to monitor water quality parameters and identify macroinvertebrates.

Description of staff resources and hourly wage - Please provide details on the amount of staff that can work on projects, how they would work on projects, and the portion/amount of their hourly wage that would be covered by these NRDA funds.

G. PROPOSAL EVALUATION AND PROCEDURES

Proposals will be evaluated by a sub-group of the Missouri Trustee Council, including the Trustees and state and federal technical advisors (e.g., Missouri Department of Conservation). As described in the SEMORRP, compensatory restoration projects will be evaluated and selected using a matrix of factors ("Decision Matrix") to be considered including criteria to give appropriate weight to the factors used to rank the projects. Upon completion of the scoring, the restoration sub-group may recommend short listing the proposals that are potentially acceptable to the Trustee Council. At this point, the Trustee Council may request more information of the applicants, and carry out negotiations for the purpose of obtaining best and final offers on the short listed applicants. The Trustee Council will make the final selection for funding.

The Trustees reserve the right to withdraw this RFP at any time and for any reason and to issue such clarifications, modifications, and/or amendments as they may deem appropriate. Any additional information will be posted on the Trustee websites, and it will be the responsibility of the applicants to check for updates. These websites are:

<http://dnr.mo.gov/env/hwp/sfund/nrda.htm> and

<http://www.fws.gov/midwest/es/ec/nrda/SEMONRDA/index.html>

H. PROPOSAL SCHEDULE

Proposals will be due at 5:00 pm CST December 15, 2014. The Trustees may extend this due date if insufficient proposals are received or other circumstances arise that warrant granting more time. The Trustees may request additional information as necessary from proposal applicants within 30 days after the proposal due date. The Trustee will provide written notification of selection within 60 days after the deadline for proposal submission.

I. OTHER LEGAL CONTRACTING REQUIREMENTS

Successful projects will enter into a contractual agreement with the Missouri Department of Natural Resources or U.S. Fish and Wildlife Service. Additional contracting requirements may be applicable for successful projects. For example, professional services or certain construction activities may require proof of Errors and Omissions Insurance and securing of a Payment and Performance Bond. Successful applicants will be notified of contracting and cooperative agreement needs upon selection of proposals. Final approval of a project will occur at the completion of any necessary contracts or formalization of cooperative agreements.

J. CONTACTS

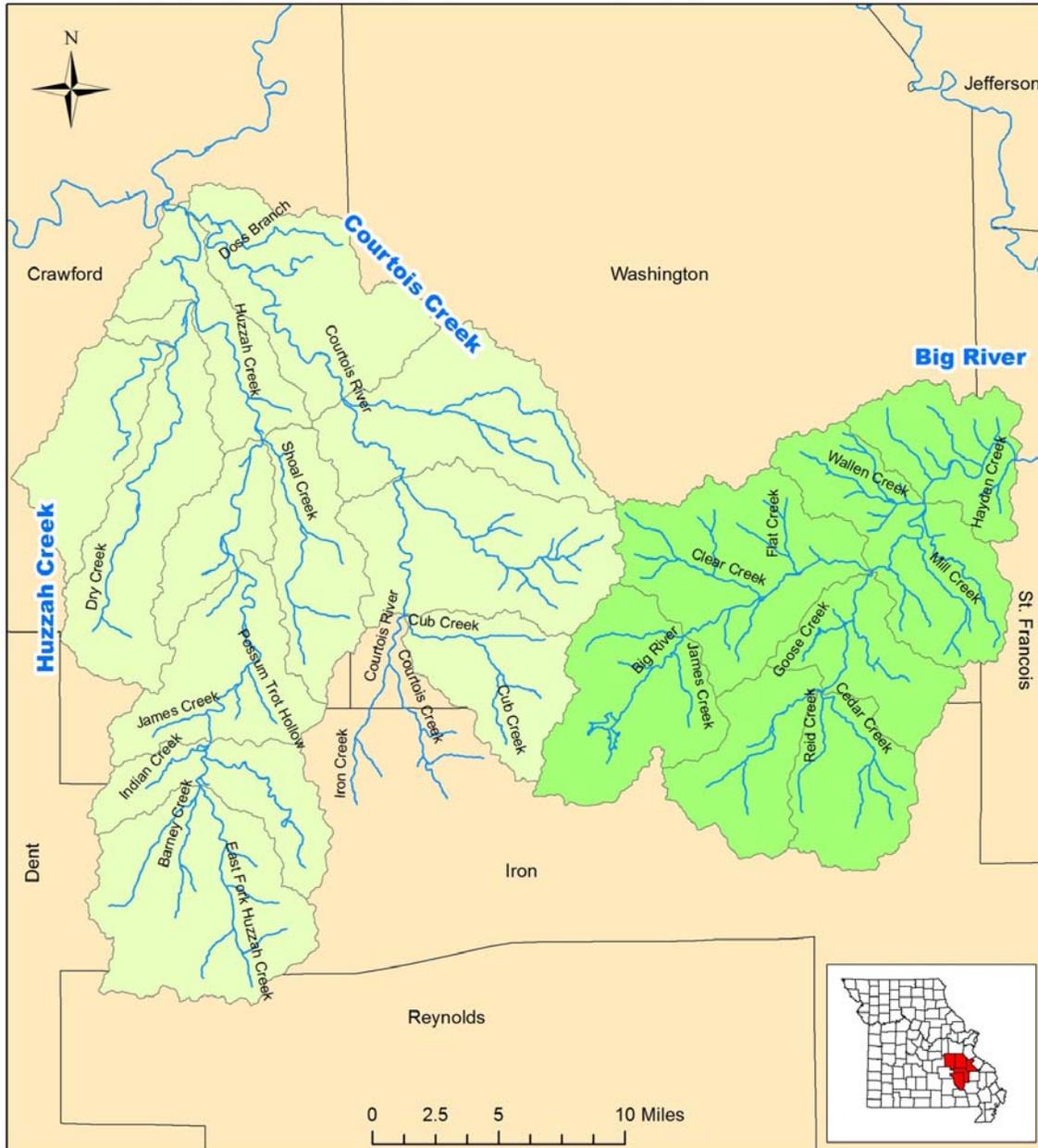
RFP submittals should be submitted electronically (preferred) to either:

Mr. John Weber
Environmental Contaminants Specialist
U.S. Fish and Wildlife Service,
101 Park DeVille Dr. Suite A
Columbia, MO 65203
573-234-2132 x177
Email: John_S_Weber@fws.gov

Mr. Tim Rielly
Assessment and Restoration Manager
Missouri Department of Natural Resources,
P.O. Box 176
Jefferson City, MO 65102-0176
573-526-3353
Email: Tim.Rielly@dnr.mo.gov

If you have additional questions pertaining to this RFP, please contact staff as provided above.

Figure 1: Priority Restoration Areas for the Big River and Courtois/Huzzah Creek Watersheds



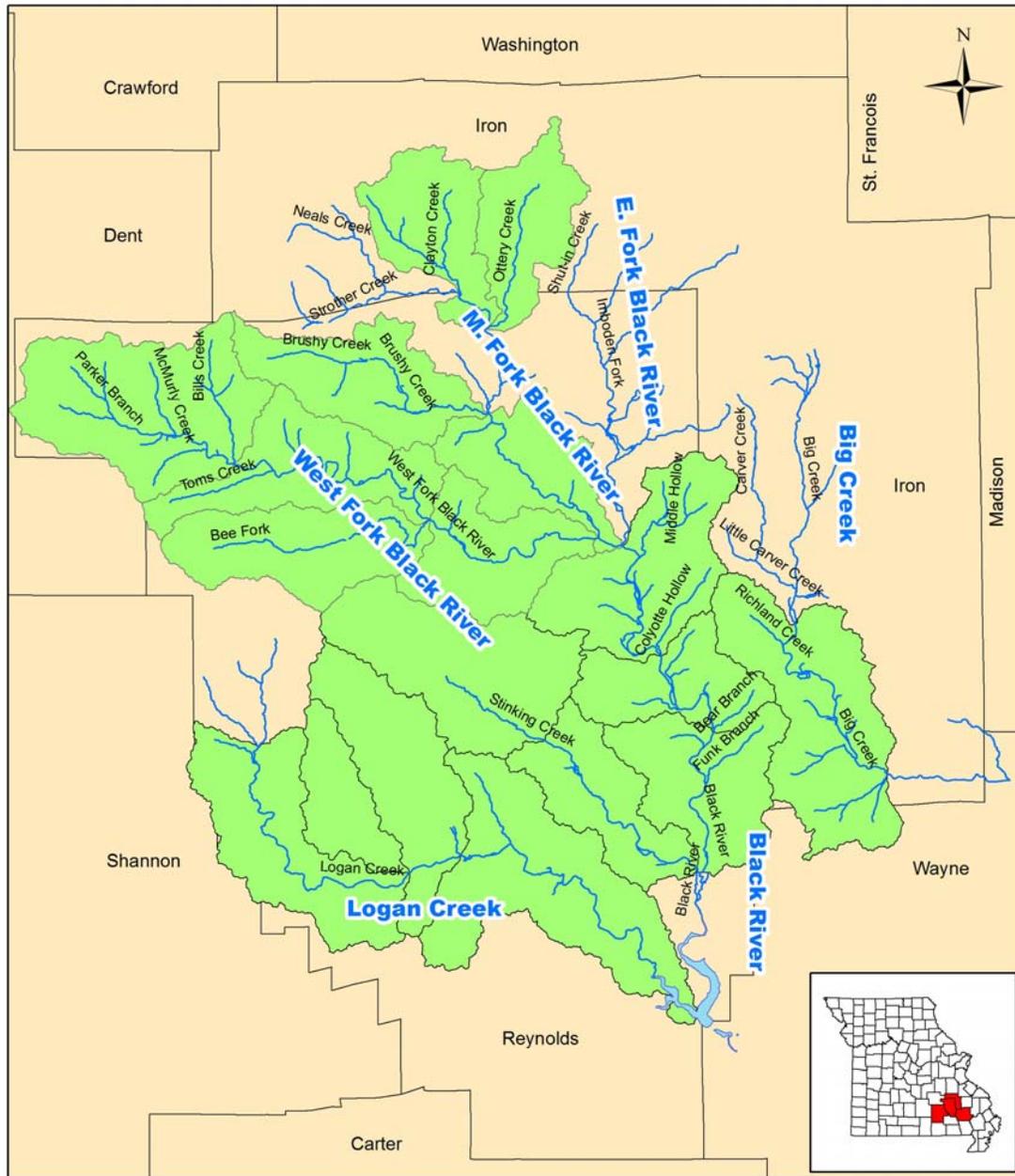
Legend

- Tier1_Priority
- Tier2_Priority



Map created by Kathy Rangen September 2014
 This map can be found at M:\Superfund\NRD\SEMO Restoration\RFP_BigRiver.mxd
 Although all data sets used to create this map have been compiled by the Missouri Department of Natural Resources, no warranty, expressed or implied, is made by the department as to the accuracy of the data and related materials. The act of distribution shall not constitute any such warranty, and no responsibility is assumed by the department in the use of these data or related materials.

Figure 2: Priority Restoration Areas for the Black River Watersheds



0 2.5 5 10 Miles

Legend

Tier1_Priority



Map created by Kathy Rangen September 2014
 This map can be found at M:/Superfund/
 NRD/SEMO Restoration/RFP_BlackRiver2.mxd
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