

Request for Proposal

Natural Resource Damage Restoration Projects for Upland Habitat within Jasper and Newton Counties

I. INTRODUCTION

This Request for Proposal (RFP) is seeking applicants that can implement successful programs of environmental restoration projects in and around Jasper and Newton counties that will restore natural resources injured by the historical mining practices of ASARCO. For the purposes of this RFP, restoration project areas should be located near mine-affected areas (defined here as Jasper and Newton counties), but should not contain mine waste (presently or historically) that is subject to EPA clean-up.

A Natural Resource Injury

The Natural Resource Trustees (Trustees) have identified extensive natural resource injuries due to the releases of hazardous substances from ASARCO's mining activities throughout the 1900s. Terrestrial resources (e.g. soil and migratory bird habitat) are injured due to toxic concentrations of lead, zinc, and cadmium in abandoned mine/mill waste. Aquatic resources are injured (waterfowl, mussels, riffle fish, crayfish, other invertebrates) due to releases of heavy-metal contaminated water and sediment to area streams. Groundwater is contaminated with heavy metals due to mining activities, which has potentially limited the habitat of the federally threatened Ozark cavefish. Our priority with this RFP is to ameliorate the impacts of mining upon upland habitat. Upland habitat is generally considered to be prairie, but may also include glades and savannas. Other injured resources will be addressed in future RFPs.

B Natural Resource Damages

The securing of Natural Resource Damages (NRD) is a means of compensating the public for resources injured by a release of a hazardous substance. In this case, damages were calculated by estimating the area impacted by ASARCO's operations, and restoration funds were obtained through a legal settlement with ASARCO. A portion of the funds acquired by the Trustees are dedicated to acquiring lands equivalent to those injured for conservation and restoration purposes.

C Funds Available

\$750,000 is available for restoration programs. This amount represents the total amount available for all projects related to this RFP. Program proposals/projects that exceed this amount may still be considered for funding from other NRDA sources.

D Geographic Priority Areas for Restoration

The Trustees have prioritized these areas for restoration within Jasper and Newton counties in a tiered approach as a means of complying with the Springfield Plateau Regional Restoration Plan (SPRRP) preferred alternative and to provide restoration specific for the resources injured by

releases of hazardous substances from ASARCO's mining operations. See Figure 1 for a map of priority restoration areas. 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),
- Conservation Opportunity Areas (as determined by the Missouri Department of Conservation),
- areas that have been historically prairie.

E Restoration Goals

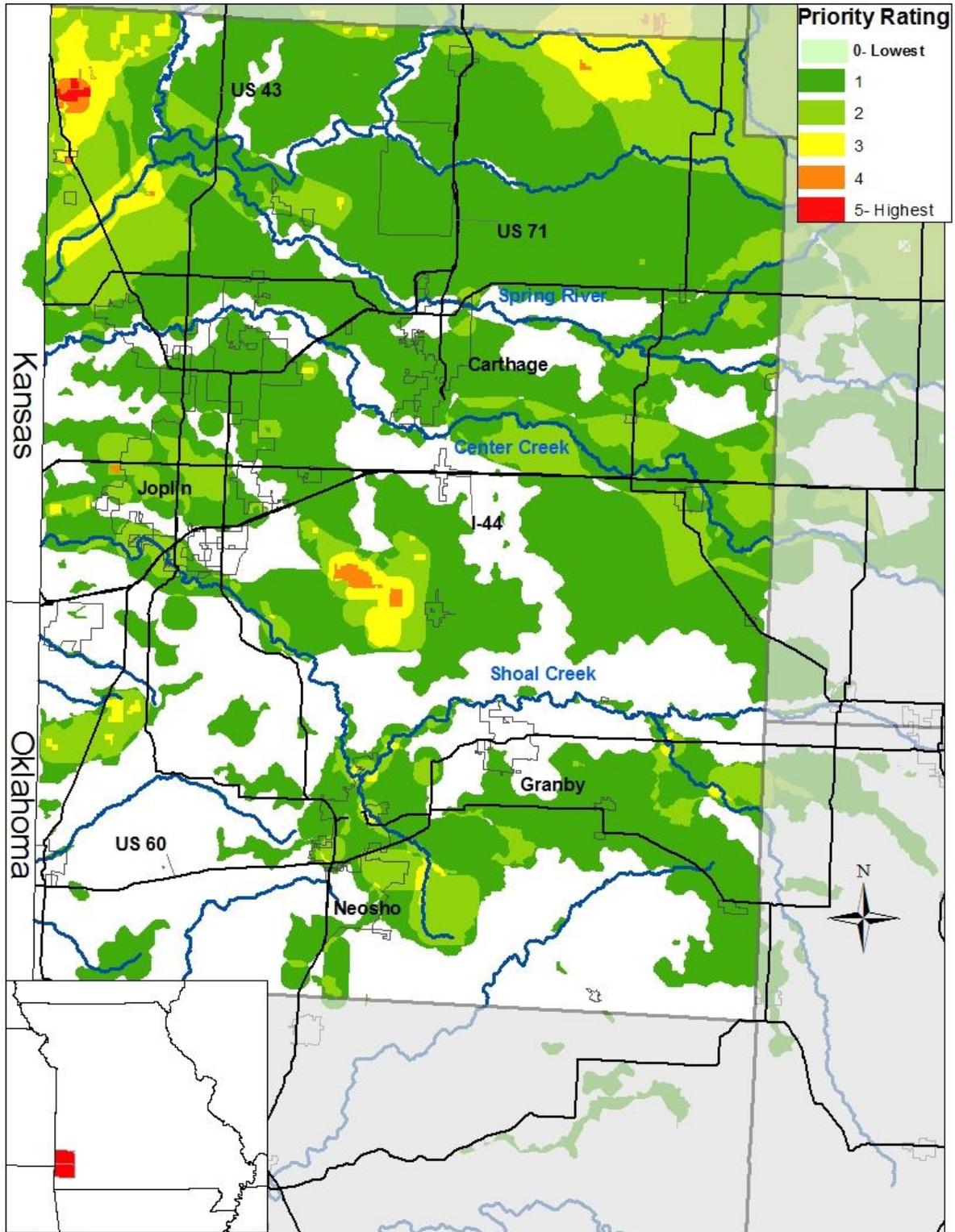
It is the intent of the Trustees to award funds to an entity or entities whose proposals can best improve or protect upland migratory bird habitat/prairie and other injured natural resources near the Jasper and Newton county ASARCO sites. These entities will carry out programs of property acquisition and ensure the long term viability of the restoration projects by providing conservation easements and prairie restoration.

F Background

This RFP is an action that has been previously described as part of the SPRRP, which fulfills the requirement under the National Environmental Policy Act of 1969 to provide public review and comment on federal actions that affect environmental resources. This document can be found at: http://www.fws.gov/midwest/es/ec/nrda/MoTriState/pdf/FINAL_SPRestPlanEAMay2012.pdf

The development of the SPRRP was a coordinated effort among state and federal natural resource Trustees, governmental entities, and the public. The SPRRP was developed as an ecoregion-comprehensive plan to guide the Trustees in restoring natural resources injured by the release of hazardous substances, and is jointly administered by the Missouri Trustee Council (Trustees) to assist in carrying out their natural resource trust mandates under CERCLA and the Clean Water Act. The Trustee Council consists of the State of Missouri (represented by the Missouri Department of Natural Resources (MDNR)) and the United States Department of the Interior (DOI) (represented by the US Fish and Wildlife Service (Service)). Funds received through settlements must be used to restore, rehabilitate, replace and/or acquire the equivalent of those natural resources injured and services lost.

Figure 1. Geographic Priority Areas for Restoration



II. RESTORATION PROJECT DESCRIPTIONS

This RFP is soliciting proposals from entities that are able to implement a successful program of improving or protecting prairie and other injured natural resources. Since part of the goal is to “improve” the condition of upland habitat, it is desirable for a restoration program to locate lands that are not currently good habitat, but have an ideal location (a fescue field close to an existing remnant prairie, for example). Restoration on lands such as these would then consist of eradicating the fescue, planting native vegetation, and then maintaining the native vegetation. On the other hand, it is also desirable to locate remnant prairies that have been minimally disturbed, and then improve them (by conducting prescribed burns or eradicating exotic species, for instance). In both cases, an integral part of the project will be to acquire the land, or rights to the land, with the goal of assuring long term improvement by way of conservation easements or other form of institutional controls.

In order to be acceptable, all NRDA restoration projects proposed by funded entities must be 1) compliant and consistent with federal and state laws, 2) technically feasible and within the \$750,000 funding limit, and 3) address injured natural resources. Projects cannot be used for EPA response actions, nor can they be proposed by parties responsible for NRDA injury.

After an entity is awarded funds, the individual projects that the entity proposes will be scored by the Trustees based on the attached scoring matrix. If the Trustees are in agreement that the project has merit, the entity can then proceed with the project.

III. PROPOSAL SPECIFICATIONS

Proposals will 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.

Amount of request and budget- Total amount of funding requested is not to exceed the total amount of funds available, \$750,000. (other NRDA funds may be used for more expensive projects- contact via phone) 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 institutions applying will have specific projects “in hand”. However, if an institution already has specific projects in mind and knows some of those costs, 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 prairie management experience and capabilities- Please detail your experience with prescribed burning, mowing, seeding and seed harvesting, herbicide spraying, and plant identification. 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 costshare programs- Please detail your experience in helping landowners participate in costshare 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 any restoration projects currently being considered- Please provide details on any projects (acquisitions, prairie restoration actions on currently owned land, etc) that are in need of funding in order for them to be implemented.

Description of experience in biological monitoring- Please provide details on your experience with developing monitoring plans, your ability to monitor and identify prairie 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 salary rate.- 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.

IV. PROPOSAL EVALUATION AND PROCEDURES

Proposals will be evaluated by a state and federal technical committee. The technical committees may include members with technical expertise (e.g., Missouri Department of Conservation) critical to evaluation of this RFP in addition to the Trustees. Upon completion of the scoring, the committee 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 Offerors 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/MoTriState/index.html>

V. PROPOSAL SCHEDULE

Proposals will be due at 5:00pm CST on July 12th, 2013. The Trustees may extend this due date, if insufficient proposals are received or other circumstances arise that warrant granting more time.

The Trustees will 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.

VI. 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.

VII. CONTACTS

RFP submittals should be submitted electronically (preferred) to: Scott_Hamilton@fws.gov or Tim.Rielly@dnr.mo.gov, or mailed to:

Scott Hamilton
Missouri Ecological Services Field Office
101 Park DeVille Dr. Suite A
Columbia, Missouri 65203 , Or

Tim Rielly
Missouri Department of Natural Resources
PO Box 176
Jefferson City, MO 65102

If you have questions pertaining to this RFP, please contact Scott Hamilton by phone or email at (573) 234-2132 Ext. 122.