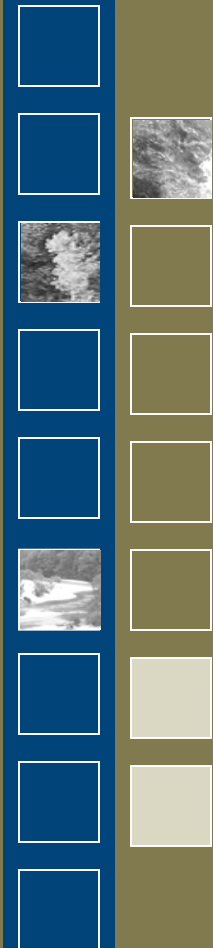


Request for Proposals: Natural Resources Restoration at Rocky Flats

Prepared by:
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Jamie Holmes, Stratus Consulting Inc.
Dan Miller, Colorado Department of Law

August 12, 2008



Summary

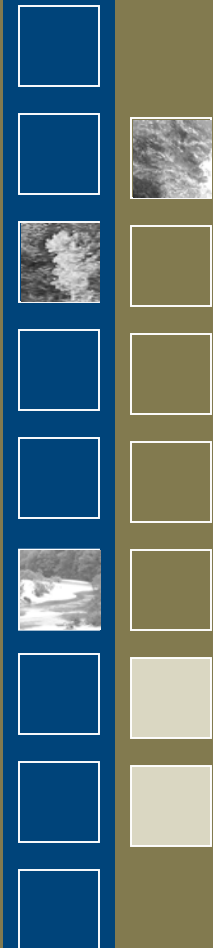
- The Rocky Flats Natural Resources Trustees have issued a request for proposals (RFP) for restoration of natural resources injured by releases of hazardous substances at Rocky Flats



Outline

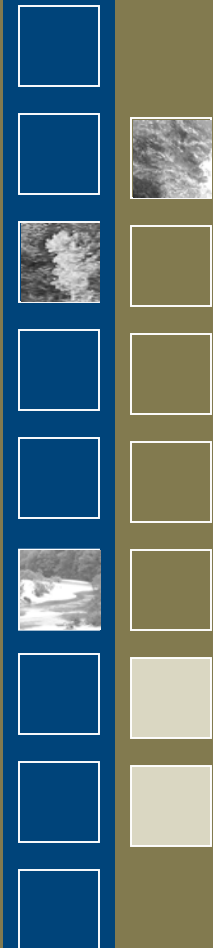
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 - RFP
 - Expectations
 - Timeline
 - Natural resource damages (NRD) settlement history at Rocky Flats
 - Restoration
 - Definitions
 - Examples

Request for Proposals Summary



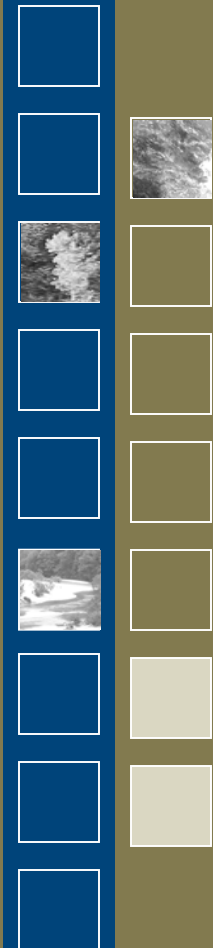
RFP Stages

- Three stages of RFP
 - Sketch proposal
 - 1-2 page overview
 - Meet screening criteria
 - Draft proposal
 - Detailed information
 - Final proposal
 - Incorporate suggested changes



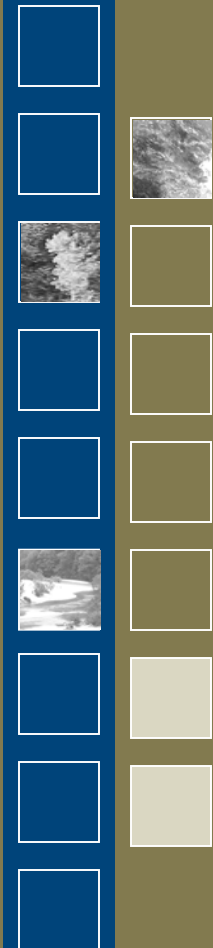
RFP Stages (cont.)

- Interaction with Trustee Council
 - Present both sketch and draft proposals in public meetings
 - Council will provide feedback
 - Bidders will be able to refine their proposals
- Successful bidder(s) will contract with the Colorado Department of Public Health and Environment (CDPHE)
 - Reimbursement, grant-type



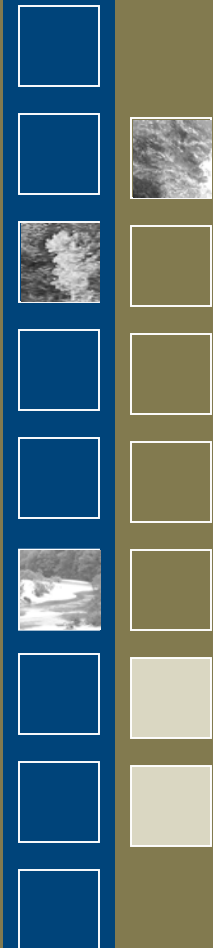
RFP Schedule

Release RFP	July 29, 2008
Public Info Meeting	August 12, 2008
Sketch Plans due	August 29, 2008
Draft Proposals due	October 17, 2008
Final Proposals due	December 12, 2008
Trustee Council decision	Spring 2009



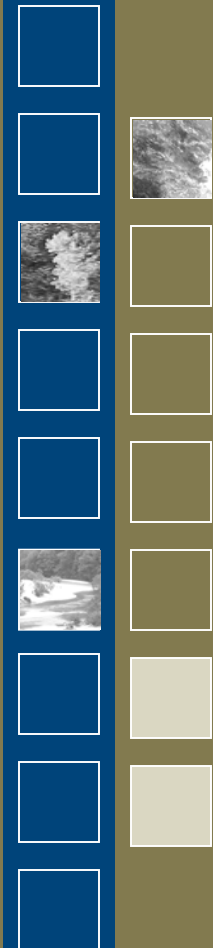
Matching Funds

- NRD funds to be used as leverage or seed money for larger projects
 - Proposals must include plan for at least 25% matching funds
 - More is better
- Describe funding source and timing
 - Summary of proposal to other funding source
 - Timing (grant cycle)



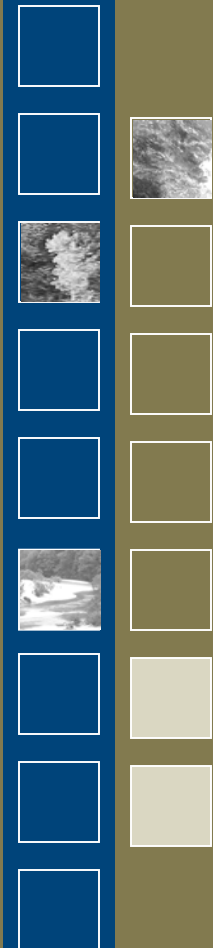
Selected Screening Criteria

- Restores the natural resources that were impacted (“injured”) by contaminant releases:
 - Groundwater
 - Surface water
 - Biota and associated habitat
 - Prairie
 - Wetland
 - Aquatic



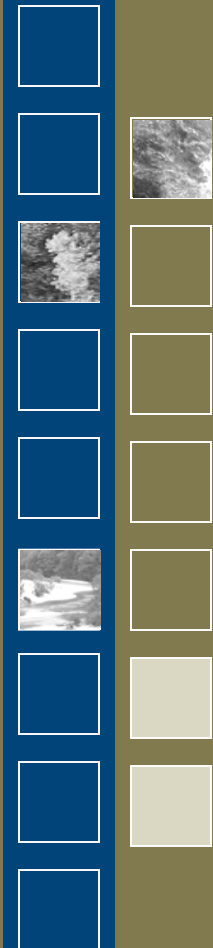
Selected Screening Criteria (cont.)

- Includes at least 25% matching funds
- Does not request planning or operations and maintenance (O&M) funds
- Is consistent with Rocky Flats National Wildlife Refuge Comprehensive Conservation Plan
- Complies with RFP requirements



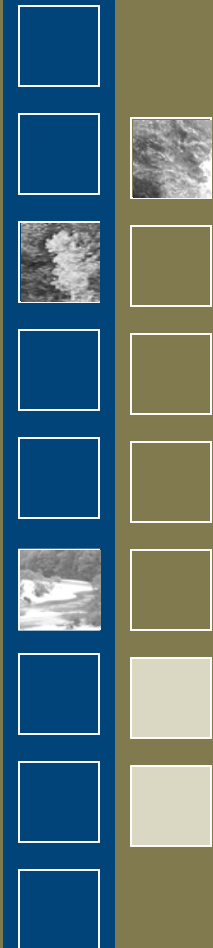
Information to Include in Proposal

- Objectives
- Natural resources that would benefit
 - Benefit to multiple resources?
- Methods to achieve objectives
 - Likelihood of success
 - Examples of similar projects elsewhere
 - Risks of failure
 - Climate change, humans, invasive species, etc.



Information to Include in Proposal (cont.)

- Quantification of natural resource benefits
 - Current conditions
 - Expected future conditions
 - Proposed “metric” for quantifying benefits
- Timing
 - How long before benefits are achieved
 - How long will benefits last



Information to Include in Proposal (cont.)

▫ Future

– O&M requirements

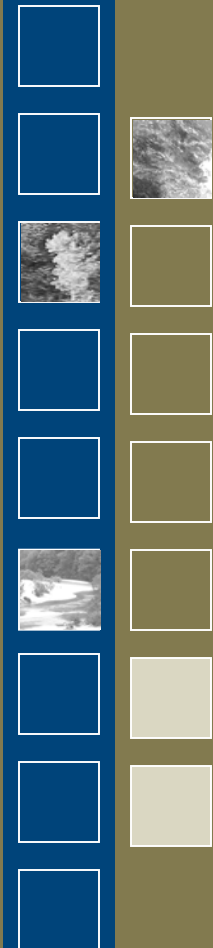
- Source of O&M funding

– Monitoring plan

- Ensure that resources are benefiting

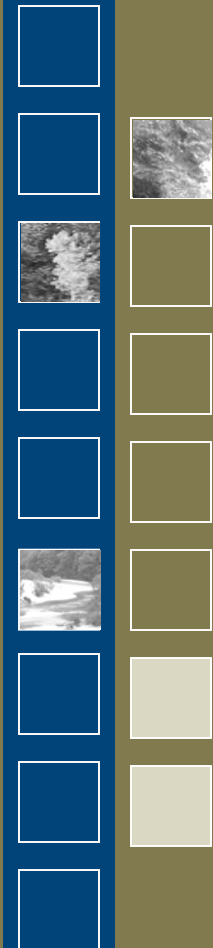
– Improvement

- “Adaptive management” plan if monitoring reveals problems



Information to Include in Proposal (cont.)

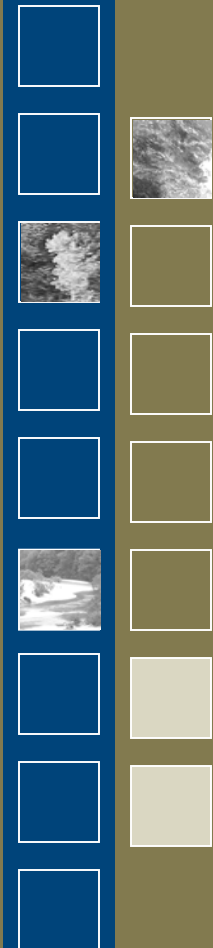
- Site management
 - Land ownership
 - Surrounding land uses
 - Public access
 - Plan for allowing public access while protecting target natural resources



Information to Include in Proposal (cont.)

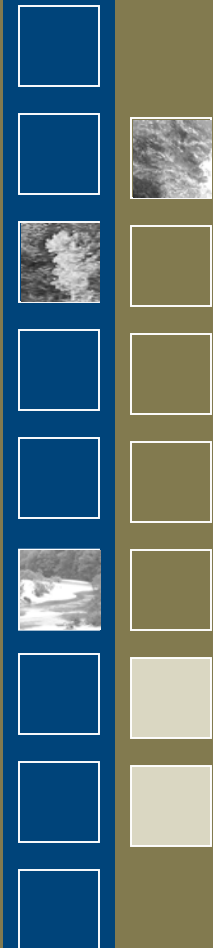
▫ Budget

- Basis for cost estimate
- Fully loaded labor rates
- Future costs (monitoring)
- Likelihood that project will be funded regardless of NRD funds



Ranking Criteria

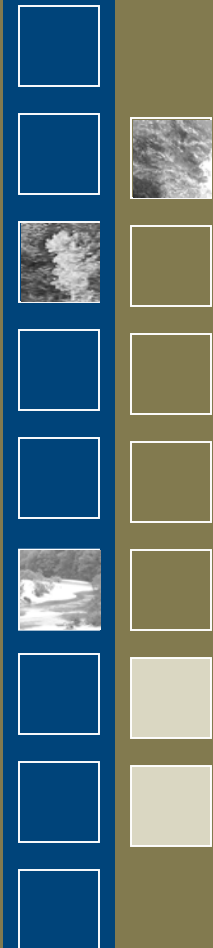
- Benefit and proximity to injured Rocky Flats natural resources (35%)
- Project feasibility and technical expertise/experience of the bidder (25%)
- Project cost-effectiveness and relative cost/benefit (25%)
- Project sustainability (15%)



Project Selection

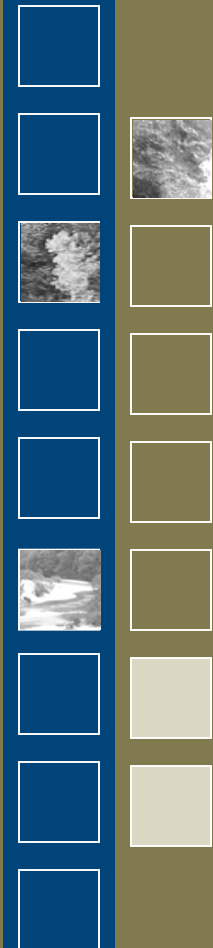
- Final proposals due December 12, 2008
 - Public comments due January 16, 2009
 - Decision in Spring 2009
- Trustees have flexibility
 - Could fund one or multiple proposals
 - Could reject all proposals
 - Could spend all, some, or none of the remaining ~\$4.5 million

History of Rocky Flats NRD



History of Rocky Flats NRD

- FY 2006 Defense Reauthorization Act
 - \$10 million to settle Rocky Flats claims for NRD
- Department of Energy (DOE) required to:
 - Purchase “essential mineral rights,” or
 - Pay \$10 million to Trustees, or
 - Some combination of the two



Rocky Flats Natural Resources Trustees

- Federal Trustees

- DOE

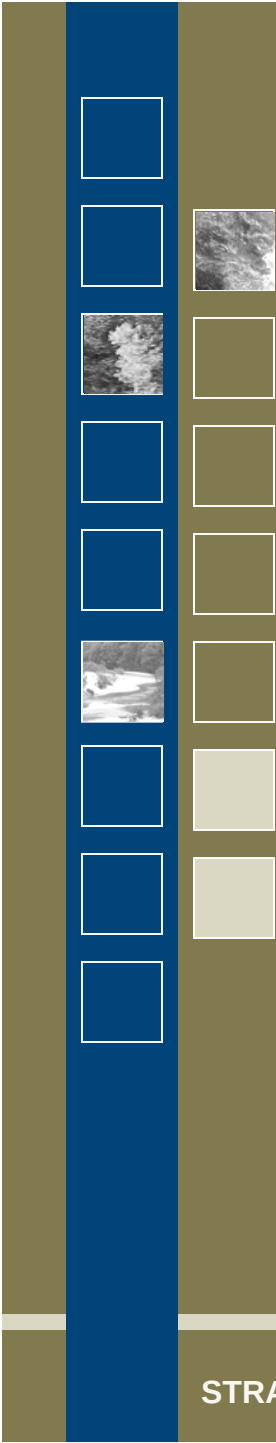
- U.S. Fish & Wildlife Service

- State Trustees

- Colorado Attorney General

- Executive Director, CDPHE

- Director of Reclamation, Mining & Safety
in Colorado Dept. of Natural Resources



Use of NRD Funds to Date

- Purchased 3 of 4 targeted “essential mineral rights” parcels
 - Owner of 4th parcel unwilling to sell
- \$5.5 million spent
 - About \$4.5 million remains

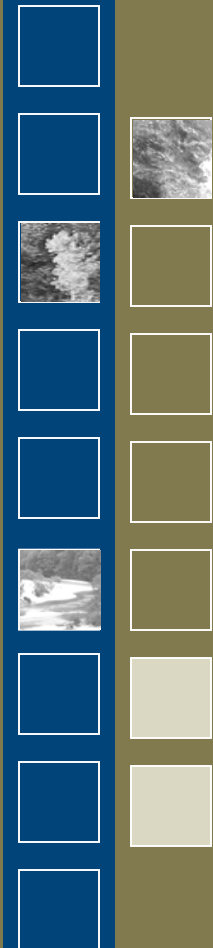


How to Use Remaining NRD Funds

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- State and Federal Trustees to jointly determine use
 - CERCLA (“Superfund”) requirement:
 - NRD funds must “restore, replace, or acquire the equivalent of” injured natural resources (“restoration,” for short)



NRD Restoration



NRD Restoration

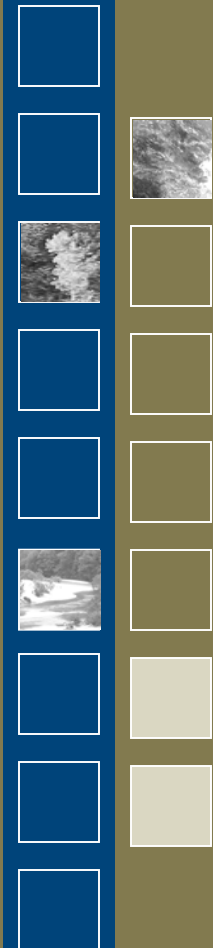
- Restoration
 - Actions taken to return injured resource to its “baseline” condition (or better)
 - On- or off-site
 - Over and above remedial actions
- Replacement or acquisition of equivalent
 - Substitute new resource that provides the same or substantially similar services



NRD Restoration (cont.)

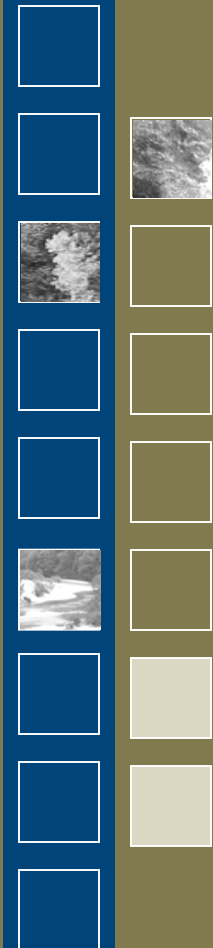
- Therefore

- Proposed restoration projects must enhance, replace, and/or acquire new groundwater resources; surface water resources; or wetland, riparian, or prairie habitat



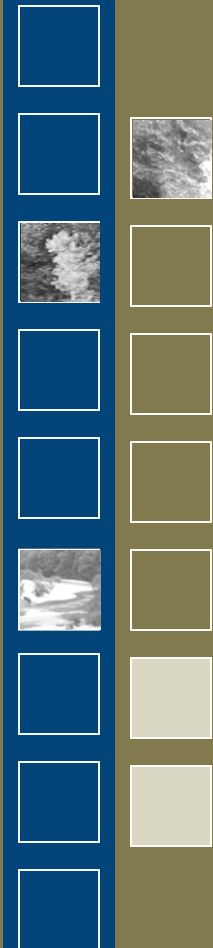
Elements of “Good” Restoration Projects

- Good restoration projects
 - Clearly restore injured resources and their lost services
 - Provide quantifiable benefits to resources
 - Have a high likelihood of success
 - Are cost-effective
 - Are not already funded
 - Are acceptable to the public
 - Have a clear ecological or geographical nexus to Rocky Flats



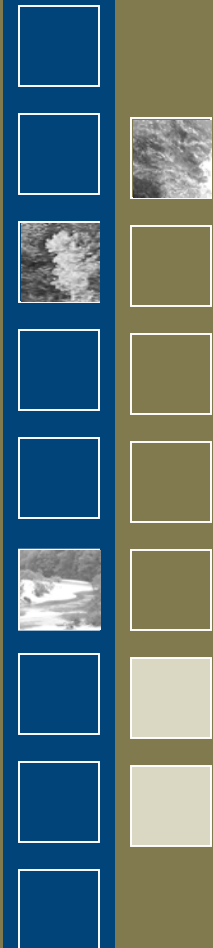
Example Projects that Restore Injured Groundwater Resources

- Protect groundwater quality and quantity
 - Protect important recharge areas from development
 - Implement source control program to avoid future harm to aquifer
 - Implement conservation programs that reduce groundwater extraction
- Enhance existing groundwater quality or quantity
 - Cleanup of substances that are degrading an aquifer (e.g., petroleum, nitrates)



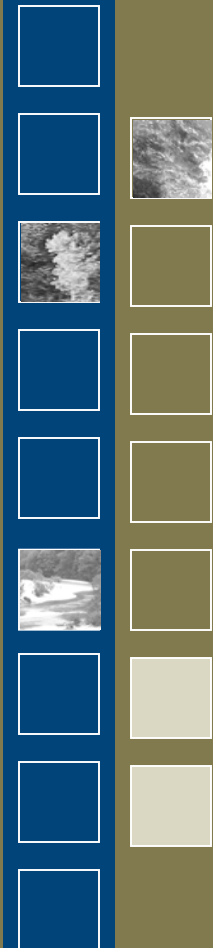
Example Groundwater Projects Not Appropriate for NRD Funding

- Acquisition of water rights for municipal use
- Cleanup of groundwater plumes where a viable responsible party is liable for the contamination
- Groundwater monitoring



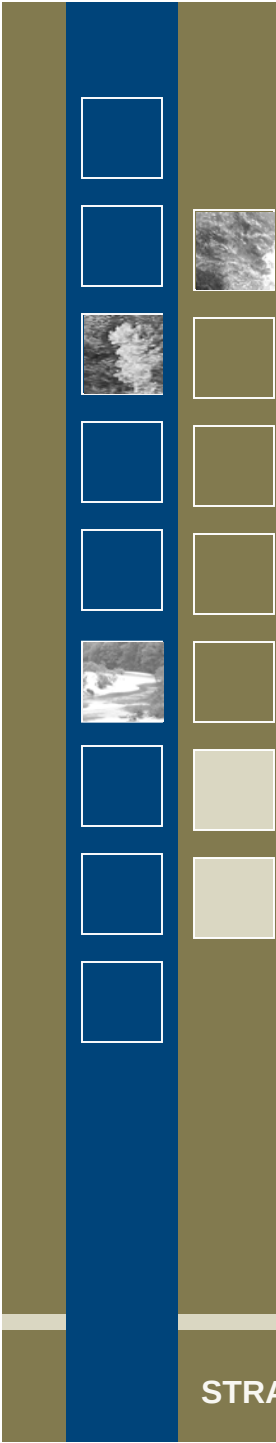
Example Projects that Restore Injured Surface Water Resources

- Protect surface water quality and quantity
 - Reduce non-point source pollution
 - Protect in-stream flow for fish and other aquatic organisms
- Enhance existing surface water resources
 - Restore natural hydrologic functions
 - Improve in-stream habitat



Example Surface Water Projects Not Appropriate for NRD Funding

- Implementation of fish stocking programs
- Development of a kayak course
- Surface water monitoring



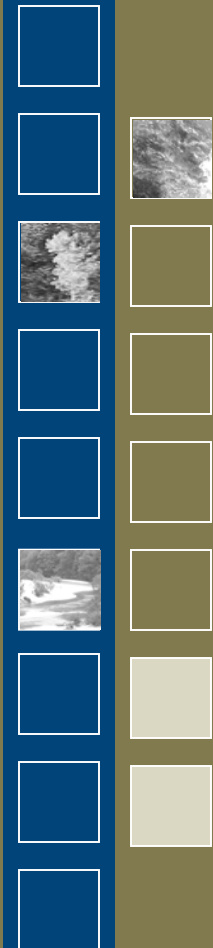
Example Projects that Restore Injured Wetlands, Riparian, or Prairie Habitat

- Protect threatened habitat
 - Acquire mineral rights
 - Acquire land at risk for development
- Enhance existing habitat
 - Restore ecological function
 - Revegetate degraded areas with native species
 - Remove invasive species

Projects that Do Not Restore Natural Resources Injured at Rocky Flats

- Trails
- Bike paths
- Dog off-leash areas
- Playgrounds
- Sports fields
- Campgrounds
- Visitor centers
- Environmental education programs

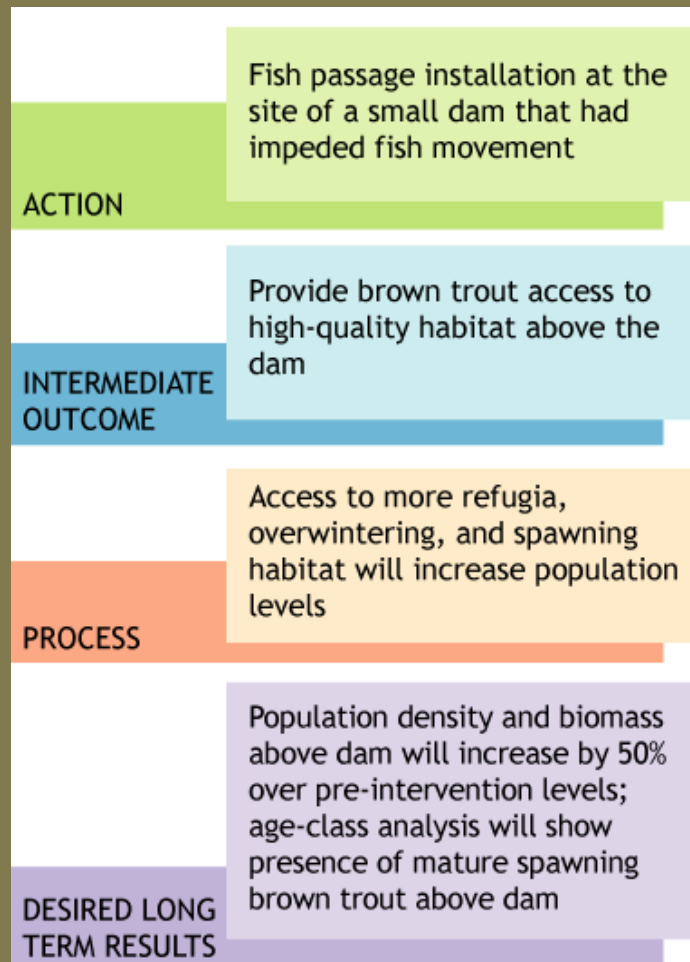




Quantifying Benefits to Resources

- Specify what resources will benefit
- Specify how the resources will benefit
 - What are the current conditions of the resources?
 - How will your project improve the condition of the resources?
 - How will the resources deteriorate if your project is not implemented?

Quantifying Benefits to Resources (cont.)



- Consider logical chain that links action to the desired long-term benefits for the resource

Land Acquisition/Conservation Projects

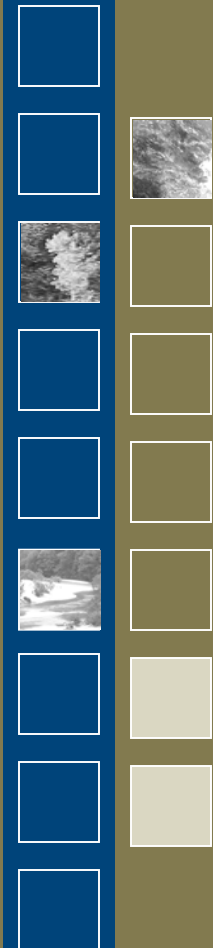
- What habitats are on the property?
 - Acreage of each
- What are the current conditions of the habitats?
 - Quantitative evaluation of habitat quality



Land Acquisition/Conservation Projects (cont.)

- What will happen to natural resources if the parcel is not acquired?





Land Acquisition/Conservation Projects (cont.)

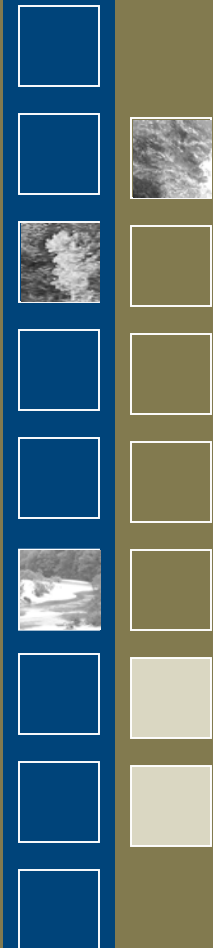
- Development threats

- Likelihood

- The more likely the threat, the greater the benefit to natural resources

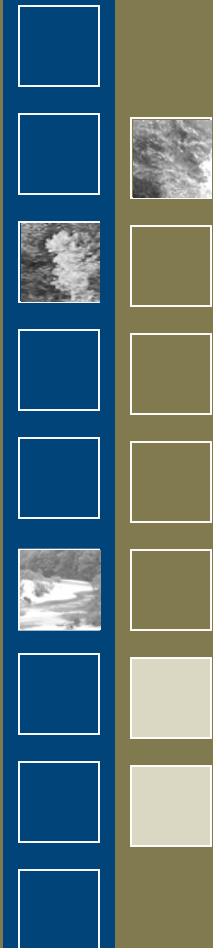
- Timing

- The sooner the threat is likely to happen, the greater the benefit to natural resources



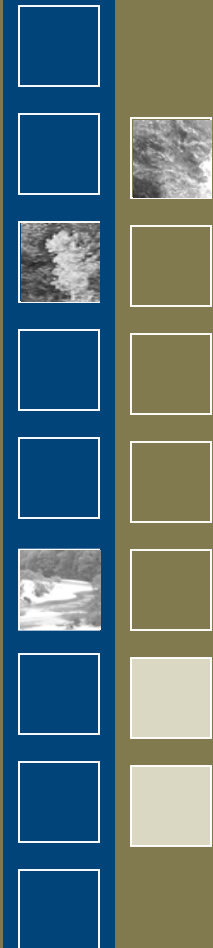
Balancing Restoration and Recreation

- Need for comprehensive site planning
 - Keep wildlife areas away from active recreation and development
 - Prioritize protection of high-quality habitat, with buffer areas surrounding core value areas
 - Keep some areas free from trails
 - Create barriers to off-trail use with dense or thorny vegetation



Balancing Restoration and Recreation (cont.)

- Project implementation considerations
 - For riparian areas, consider the need for habitat diversity and density in both vertical and horizontal directions
 - Where possible, use genetically local native vegetation for revegetation projects (consider avoiding “cultivars” of native species)
 - Use signs and enforcement to restrict trail use in accordance with site plan



Balancing Restoration and Recreation (cont.)

- For on-going management and maintenance
 - Monitor wildlife use and bird nesting success
 - Monitor success of revegetation efforts; attack weeds early
 - Monitor human uses (legal and illegal)
 - Consider how management can mimic natural disturbance