

Request for Qualifications # 580-10-20100520 for Statement of Qualifications
Analyze Historical Impetus and Evolution of the
U.S. Army Corps of Engineers (Corps) Mitigation Program

925-33

The Texas Water Development Board (TWDB), pursuant to Water Code §§11.1491 and 16.058 as appropriate, requests the submission of Statements of Qualifications leading to the possible award of contracts for research that will analyze the historical impetus and evolution of the U.S. Army Corps of Engineers (Corps) mitigation program and current rules and regulations for mitigation. As a parallel analysis, the research will investigate the development of mitigation banking through the Corps and the status of mitigation banking in the U.S. and Texas including but not limited to:

1. Number, location and land attributes,
2. Characteristics of ownership and operation,
3. Types of bank customers including project sponsors, project type and land being mitigated, and
4. Methods and terms of participation such as the number, cost and characteristics of available credits and conditions for transfers of liability from project sponsors to bank owner(s).

The study will also conduct an in-depth economic and financial analysis of how mitigation and mitigation banking in Texas is affecting the implementation of the state and regional water plans including project costs and timeline.

Description of Research Objectives

On April 10 of 2008 the Corps in conjunction with the Environmental Protection Agency (USEPA) issued 40 CFR Part 230 Compensatory Mitigation for Losses of Aquatic Resources; Final Rule, and Department of the Army, Corps of Engineers 33 CFR Parts 325 and 332, establishing regulations governing compensatory mitigation for activities authorized by permits issued by the Corps. The regulations established performance standards and criteria for the use of permittee responsible compensatory mitigation, mitigation banks, and in-lieu programs to improve the quality and success of mitigation projects. To move forward with implementing projects recommended in the state water plan, the Texas Water Development Board has determined that it is necessary to gain a better understanding of the mitigation process, and how mitigation and mitigation banking affects project implementation.

Description of Funding Consideration

Up to \$75,000.00 has been contributed by the U.S. Army Corps of Engineers for the research described above.

Up to 100 percent funding may be provided to individual applicants; however, applicants are encouraged to contribute matching funds or services, and funding will not include reimbursement for indirect expenses incurred by political subdivisions of the state or other

Request for Qualifications # 580-10-20100520 for Statement of Qualifications
Analyze Historical Impetus and Evolution of the
U.S. Army Corps of Engineers (Corps) Mitigation Program

state and federal agencies. In the event that acceptable Statements of Qualifications are not submitted, the TWDB retains the right to not award funds for the contracts.

Deadline, Review Criteria, and Contact Person for Additional Information.

Six double-sided copies of a complete Statement of Qualifications, must be filed with the TWDB prior to 12:00 noon, June 25, 2010. Statements of Qualifications shall be limited to 20 pages or less not including resumes of proposed team members. Statements of Qualifications must be directed either in person to Mr. David Carter, Texas Water Development Board, Stephen F. Austin Building, 1700 North Congress Avenue, Austin, Texas; or by mail to Mr. David Carter, Texas Water Development Board, P.O. Box 13231-Capitol Station, Austin, Texas 78711-3231. Statements of Qualifications will be evaluated according to 31 Texas Administrative Code §355.5 and the Statements of Qualifications Review Criteria rating form included in the TWDB's Guidelines for Water Research Grants. Research shall not duplicate work planned or underway by state agencies. All potential applicants must contact the TWDB to obtain these guidelines.

Requests for information, detailed evaluation criteria, more detailed research topic information, and the guidelines may be directed to Mr. David Carter at the preceding address or by calling (512) 936-6079 or email at david.carter@twdb.state.tx.us. All technical questions should be directed to Mr. Brenner Brown at (512) 475-1128 or by email at brenner.brown@twdb.state.tx.us or Mr. Stuart Norvell at (512) 463-7928 or by email at stuart.norvell@twdb.state.tx.us.