

THE COMMONWEALTH OF MASSACHUSETTS

DIVISION OF ECOLOGICAL RESTORATION

DEPARTMENT OF FISH AND GAME

100 CAMBRIDGE STREET, 6TH FLOOR BOSTON, MA 02114



Request for Response (RFR)

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1 OPPORTUNITY SUMMARY

1.1 Applications Sought

The Division of Ecological Restoration (DER), Massachusetts Department of Fish and Game, seeks grant proposals to advance restoration work for **active, existing projects with Priority Project or Provisional Project status within the Priority Projects Program**.

The purpose of the Priority Projects Program is to provide support for proactive, voluntary ecological restoration work that presents significant benefits to the Commonwealth, through the removal of stressors that impair the function and resiliency of wetland and stream habitats. Priority Projects are implemented in collaboration with public and private partners.

1.2 Overview and Goals

DER's mission is to restore and protect the Commonwealth's rivers, wetlands, and watersheds for the benefit of people and the environment. Through the Priority Projects Program, DER selects projects that help advance this work.

For this opportunity, DER is interested in funding existing designated Priority Projects which are at any stage of development, including dam removal, river restoration and stream crossing upgrades, urban river revitalization, cranberry bog restoration, and coastal and freshwater wetland restoration, or combinations thereof.

Applications should align with DER's mission. State Fiscal Year 2025 (FY25) Priority Project Advancement Grant awards will be based upon consideration of the project's:

- Demonstrated critical need and urgency for support
- Capacity to advance restoration work
- Feasibility of proposed scope of work
- Likelihood of restoration success
- Progress towards environmental justice

1.3 Applicable Procurement Law

This RFR is issued under the following law(s):

- 815 CMR 2.00

1.4 Number of Awards

Multiple grant awards may result from this Request for Response (RFR).

Applicants may apply for one or more grants for any active, existing projects with Priority Project or Provisional Project Status. Applicants seeking funding for multiple projects must submit one application per Priority Project or Provisional Project with all required and recommended forms for each in separate

submissions, see Section 6.

1.5 Voluntary Restoration Support Disclaimer

Funds awarded under this RFR may not be used to meet an Applicant and/or owner's compensatory mitigation requirements or to support projects that have an independent obligation to execute wetland or stream restoration / mitigation pursuant to statute, regulation, ordinance, consent decree, judgement, court order, permit condition, or other requirement of law. This does not preclude projects from receiving funding from the Department of Fish and Game's In-Lieu Fee Program (ILFP). Applicants who have received an order from the MA Office of Dam Safety to address deficiencies or remove the dam are eligible only if they commit to move forward with a dam removal.

1.6 Eligible Applicants

Eligible applicants include any Priority Project Lead Project Sponsor (LPS), State, Regional, or Municipal agency, Non-Governmental Organization, or public or private entity that either owns or has the permission by the landowner of the existing Priority Project to advance restoration work. Federal agencies are not eligible applicants for this funding opportunity; however, non-Federal Applicants may apply for grants to conduct work on Federal lands that are identified as part of an existing Priority Project. Additionally, for-profit firms that are not project site landowners will not be considered as eligible applicants.

Eligible applicants must be an active partner for the existing project within the Priority Projects Program and clearly demonstrate their ongoing collaborative partnership to advance restoration work in the application.

1.7 Eligible Projects

DER is seeking applications for existing, active projects with Priority Project or Provisional Project status, as defined in this Request for Responses (RFR).

Existing projects that have already been accepted into the Priority Projects Program, are active, and are in good standing with DER are eligible to apply to this grant opportunity. Projects that have not been accepted into the Priority Projects Program are not eligible for funding, and therefore, will not be considered at this time. Projects with a Provisional Project status are eligible to apply for funding.

Only existing projects within the Priority Projects Program targeting restoration within the boundaries of the Commonwealth are eligible. Eligible project types include dam removal, river restoration and stream crossing upgrades, urban river revitalization, cranberry bog restoration, and coastal and freshwater wetland restoration, or combinations thereof.

Please see the full list of active Priority Projects in the Priority Projects Program in **Section 7, Appendix A**.

1.8 Eligible Grant Activities.

DER is interested in supporting restoration activities that span all stages of Priority Project development and implementation. Proposed activities must be in accordance with and advance the existing scope of

the designated Priority/Provisional Project as identified in the Project's established Cooperative Agreement or other written technical scope developed in coordination with DER. This RFR does not support Priority Project scope expansion, such as the addition of new restoration project components (e.g., a new/added dam removal or culvert replacement; added acres or parcels for wetland restoration).

Eligible Activities include, but are not limited to:

- Planning
- Data collection and assessment
- Community engagement
- Technical analyses
- Engineering and Design
- Permitting and environmental compliance
- Implementation, including preconstruction, construction, and post construction activities
- Monitoring and adaptive management

Cranberry bog restoration projects seeking funding for pre-construction and construction phase activities must have finalized land protection documentation on file with DER to be eligible to receive funds to support this work.

Please reference **Section 8, Appendix B** for a list of ineligible project activities.

1.9 Funding Availability

The maximum value of funding for each awarded applicant will vary according to the scope, nature of the project, and available funding.

We anticipate the value of direct funding for Advancement Grants to range from \$20,000 - \$500,000 for eligible grant activities.

Advancement Grants will be supported by multiple funding sources, which include, but are not limited to: American Rescue Plan Act of 2021 (ARPA Chapter 102), DER's capital budget, and DER's operational budget.

Awarded grants will expire no later than June 30, 2026. Applicants should only apply for funding for the portion(s) of the project that can be completed by June 30, 2026. Projects that will complete a significant portion of work by 6/30/2025 will be prioritized, as more fully described in Section 5.1.

1.10 Match Requirement

Applicants are not required to provide match to be awarded an Advancement Grant. DER is rarely able to fund the full cost of a restoration project and will require assistance from the project partners in securing additional funds to complete a project. For construction related activities, Applicants are encouraged to report other known sources of funding for the project in the Application Form, both secured and anticipated sources.

DER reserves the right to request documentation of additional funds and/or in-kind contributions through project completion.

1.11 Definitions

Applicant is the person or entity that submits the Priority Project Program Advancement Grant application materials to DER. Refer to Section 1.6 Eligible Applicants for more details.

Landowner is the person or entity that owns the parcel(s) where restoration work will take place. Landowners are Eligible Applicants to be considered for Advancement Grant funding.

Existing / Active Priority and Provisional Status Projects are ongoing projects for which a project and Lead Project Sponsor has been awarded Priority or Provisional status by DER. Lead Project Sponsor is the person or entity serving as the main project proponent. This may or may not be the same person or entity as the Landowner or Applicant. Lead Project Sponsors were previously approved when projects were accepted into the Priority Projects Program. For-profit firms which are not project site landowners are not eligible to serve as Lead Project Sponsors. Lead Project Sponsors are Eligible Applicants to be considered for Advancement Grant funding.

Active Project Partner is a stakeholder for the existing project that can clearly demonstrate their ongoing collaborative relationship with the project team to advance restoration work. Active Project Partners that are eligible to apply for Advancement Grant funding include State, Regional, and Municipal agencies, Non-Governmental Organizations, and public or private entities that either own the project site or have permission by the Landowner to participate in the project team.

2 ESTIMATED PROCUREMENT CALENDAR

EVENT	DATE
Bid Release Date	December 12, 2024
Deadline for Submission of Questions through “Q&A” Period	December 23, 2024 at 4:00PM EST
Official Answers for Bid Q&A published (Estimated)	December 30, 2024 at 4:00PM EST
Deadline for Quotes/Bid Responses (“Bid Opening Date/Time” in COMMBUYS)	January 17, 2025 at 4:00PM EST

2.1 “Q&A” Question and Answer Period

The “Q&A” provides the opportunity for Applicants to ask written questions and receive written answers from DER regarding this RFR. Applicant questions must be submitted through the **Q&A Form** on DER’s website, prior to the Deadline for Submission of Questions stated in the Procurement Calendar. See Section 2 above. DER will not respond to questions submitted after this date. A link to the **Q&A Form** will

be posted to [DER's dedicated webpage](#) for this opportunity. Please note that questions submitted to DER using any other medium (including those that are sent by mail, fax, email, or call/voicemail, etc.) will not be answered.

Applicants are responsible for submitting written questions that are suitable for public viewing, since all questions and answer responses provided by DER are accessible to the public. Applicants must not include information that could be considered personal, security sensitive, inflammatory, incorrect, collusory, or otherwise objectionable, including information about the Applicant's organization. DER reserves the right to edit or omit submitted questions that raise any of these issues.

DER responses to questions in writing will be provided in COMMBUYS and on [DER's website](#) on the date stated in the Procurement Calendar, see Section 2.

3 PERFORMANCE AND CONTRACT SPECIFICATIONS

3.1 Priority Project Program Advancement Grant Support

Grant funding may be awarded to Eligible Applicants to support project development and implementation. Advancement Grant funding is provided on a reimbursement basis, and awards are based on available funds. However, exceptions may be made on first payments to accommodate upfront construction-related costs, such as a down payment for high-cost construction activities. Refer to the following for more details:

- Attachment E: Commonwealth Terms and Conditions
- Section 1.8 for Eligible Grant Activities
- Attachment F: Commonwealth of Massachusetts Standard Contract Form

DER will **not**:

1. Sign as the applicant on permit applications; or,
2. Hold a contract for construction work to implement a restoration project.

The level of funding DER provides to a project will be determined based on the following:

- Demonstrated need & urgency for support;
- Feasibility of proposed scope of work, timeframe, and readiness of project;
- Capacity to advance restoration work;
- Likelihood of restoration success; and,
- Available DER resources for the given fiscal year.

3.2 Priority Project Program Project Terms

Terms of DER's Priority Projects Program apply to this funding opportunity. Existing Priority and Provisional Projects have previously agreed to these Terms, which include, but are not limited to, those set forth below:

- A commitment to working collaboratively on all phases of the Project. Examples include development of a project work plan, site assessment and feasibility investigations, planning and design, permitting, grant writing, public outreach, construction activities, and monitoring. DER will provide technical assistance in support of the Project, in accordance with DER resources, so long as the Project remains a DER Priority Project.
- Facilitated coordination on all phases of Project implementation through a designated and reliable primary contact, typically the Lead Project Sponsor. The primary contact(s) shall be responsible for maintaining regular communications on all project-related activities as well as organization and implementation of specific project related tasks.
- Coordination of a detailed project budget and all project related expenses for the purposes of documenting project costs, leveraging grant funds, and acquiring project funds from other sources.

- Collaborative project development, coordination, and implementation to the extent possible in consideration of factors influencing DER's capacity, including budget, workload, staffing, and balancing assistance among all DER Priority and Provisional Projects.
- If new information or other changed conditions indicate that a project may not be feasible or is unlikely to progress to implementation, DER may re-evaluate the project and may remove the project from the Priority Project Program through formal notification in writing.
- Credit will be given to DER in public outreach materials, including future signage installed on the Project site, regarding technical and financial contribution to the Project.
- For direct grant funding awarded to partners and used for technical services, DER staff must be invited to participate in the review process for contractor selection (e.g., for engineering) by the project partner(s). Contractors must meet minimum qualifications, as appropriate to the project scope, or work with subcontractors that provide these skills.

A final grant contract is subject to successful negotiation of an agreed upon scope of work (SOW) and budget.

Funding and any applicable administrative or technical assistance as a result of an award will be included in the negotiated scope of work. Grant recipients will have the option of rejecting the grant award if the revised scope does not meet their goals.

By submitting a proposal, the Applicant acknowledges the terms and specifications contained within this RFR.

4 MISCELLANEOUS

4.1 Deliverables, Ownership, and Due Credit

DER requires that all technical deliverables produced under the contract resulting from this award be delivered to DER in native format, either electronic or hardcopy, as decided under scope and contract. Deliverables may include software, maps, reports, contracts with engineering and/or construction firms, design plans, etc. to execute restoration work.

4.2 Invoicing

The payment procedure for grants resulting from this RFR is by reimbursement for costs incurred during the contract period. Only tasks and deliverables identified in the grant Scope of Work are eligible for reimbursement. No reimbursement shall be made for Massachusetts sales tax. Reimbursement is made after acceptance by DER of a correctly executed invoice with appropriate documentation and deliverables. Proof of payment must be provided with reimbursement request.

Payments are processed within a 45-day payment cycle through EFT, in accordance with the Commonwealth Bill Paying Policy. Grant reimbursement will be made using Electronic Funds Transfer (EFT). No reimbursement shall be made for Massachusetts sales tax. Work must be invoiced within the fiscal year it was performed. Final fiscal year invoices are due July 31 each year.

4.3 Contract Revision and Expansion

DER reserves the right to fund a portion, modify or amend the scope, and/or add or delete tasks of any project proposal in coordination with the grant recipient, to more closely meet the purposes of the program.

If additional funds become available during the grant contract duration period, DER reserves the right to increase the maximum obligation, expand the scope of work, and/or modify the grant contracting terms to some or all grant contracts executed as a result of this RFR or to execute contracts with Applicants not funded in the initial selection process. This is subject to available funding, satisfactory contract performance, project need, and based on successful negotiation with the Applicant.

4.4 Condition of an Award

Within a reasonable timeframe from the public announcement of the award, the awardee will execute a contract with DER. If other related factors (for example other anticipated financial sources, required approvals, etc.) are not resolved by the awardee thereby preventing the awardee from signing a contract, DER reserves the right to withdraw financial support of the project and will provide the awardee with 30 days written notice.

4.5 Compliance

The subrecipient's signature on the Contract indicates compliance with the following as well as provides assurance that these compliance provisions will be included with any associated contracts or sub-awards which may be entered into with this funding. Grant recipients and all project activities must comply with all applicable State and, regulations, and policies see section 1.3.

4.6 Applicant Communication with DER and the Commonwealth

Applicants are prohibited from communicating directly with any employee of DER regarding this grant opportunity during the RFR period except as specified during the Q&A period in Section 2.1. No other individual Commonwealth employee or representative is authorized to provide any information or respond to any question or inquiry concerning this grant opportunity. Applicants may email the contact person for this Grant Announcement in the event this grant opportunity is incomplete, or the Applicant is having trouble obtaining or submitting any required attachments. Please see Section 6.

4.7 Public Records

All responses and information submitted in response to this RFR are subject to the Massachusetts Public Records

Law, M.G.L., c. 66, s. 10, and to c. 4, s. 7, ss. 26. Any statements in submitted responses that are inconsistent with these statutes shall be disregarded.

4.8 List of Attachments

- A: Application Form
- B: Budget Form
- C: Electronic Fund Transfer Authorization Form
- D: Commonwealth Standard Terms and Conditions
- E: Standard Contract Form

See Section 6 for application requirement details.

4.9 List of Appendices

- Active Priority Projects in the Priority Projects Program (see Section 7)
- Ineligible Grant Activities (see Section 8)

5 EVALUATION CRITERIA

Applicant scores will be used to rank Applications and will determine which Applicants will proceed to subsequent stages of the evaluation and/or enter negotiations with the Commonwealth to receive a Contract award.

As part of the review of proposals, DER may contact applicants for (a) response/application clarifications, (b) to request additional information and documentation, and/or (c) to conduct field inspection.

DER reserves the right to reject any or all proposals and to only accept projects that are in keeping with DER's mission. The number of applicants awarded Advancement Grants will be based on the availability of DER resources.

5.1 Application Requirements

For an application to be eligible for evaluation, the following **Application Requirements** must be satisfied:

- The submitted application is for an active project within the Priority Projects Program, as described in Section 1.7.
- The project identified in the application is in good standing within the Priority Projects Program, as determined by DER.
- The Applicant is the Lead Project Sponsor, Owner, or an established Project Partner as described in Section 1.6.
- The applicant proposes eligible project activities (Section 1.8).
- The proposed work aligns with the existing Priority Project agreement and scope for the applying Priority Project.

5.2 Evaluation Criteria

Applications will be evaluated based on criteria and associated point values described below, using information and materials supplied by the applicant, knowledge of the existing project, and relevant publicly accessible information, such as GIS data from MassGIS.

Critical Need & Urgency for Support (25 points)

- Does the applicant propose a solution to one or more project priorities?
- Does the applicant adequately describe the project's critical, time sensitive need(s)?
- Does the applicant convey the overall need and purpose for grant funding through narrative and budget detail?
- Is the identified project approach feasible and warranted to meet critical need(s)?
- Projects that will complete a significant portion of work by 6/30/2025 will be prioritized.

Capacity to Advance Restoration Work (20 points)

- Is the applicant qualified to manage the proposed restoration work for the project?
- Has the applicant demonstrated ongoing engagement in the advancement of the project?
- Does the applicant adequately commit the resources necessary to advance the proposed restoration work?
- Does the applicant have experience and demonstrate the ability to successfully manage a grant, if awarded?

Feasibility of Proposed Scope of Work (25 points)

- Is the proposed scope of work technically feasible?
- Is the proposed scope of work cost effective?
- Is the budget realistic for the proposed scope of work?
- Is the timeline reasonable for the proposed scope of work?

Likelihood of Restoration Project Success (20 points)

- Are the goals and outcomes of the proposed restoration work clearly defined?
- Is the restoration project approach sound and based on sufficient data collection and accepted ecological restoration practice?

Progress Towards Environmental Justice (10 points)

- Will the proposed restoration work provide meaningful benefits for an Environmental Justice, Disadvantaged Community or vulnerable population? DER will use information from the Executive Office of Energy and Environmental Affairs' "Environmental Justice Map Viewer", the Department of Environmental Protection's "Disadvantaged Community Designation" and any additional information provided by the applicant on the application form to make this determination.

6 INSTRUCTIONS FOR APPLICATION SUBMISSION

Applications must be submitted through [DER's Website](#). No paper applications will be accepted. **Applications received after the deadline will not be accepted.** Applicants must complete and submit as instructed all required documents.

Applicants seeking funding for multiple projects must submit one application per Priority Project with all required and recommended forms for each in separate submissions.

Application Submissions should include the following:

- Completed **Application Form** (*Required*) The Application Form template can be found on [DER's Website](#) and COMMBUYS.
- Completed **Budget Form** (*Required*) The Budget Form template including instructions can be found on [DER's Website](#) and COMMBUYS.
- **Letter of commitment** (*Required if the applicant is not the property owner*) A letter of continued commitment to the restoration project from property owner(s)
- **Supporting Documentation** (*Optional*) Additional new information if applicable and **not currently on file with DER**. Such information may include but is not limited to:
 - Planning documents and reports
 - Technical scopes of work
 - Photographs
 - Technical analyses and data / assessments
 - Updated design plans
 - Updated permits / permit applications
 - Monitoring plans
 - Pre/Construction related documents
 - Funding commitment documentation

If you have trouble with your online submission, please contact Kirsten Currier, prior to the RFR opening date:

Kirsten Currier, kirsten.currier2@mass.gov

6.1 RFR Opening Date/Time

All Applications must be submitted before the specified date, month, year, and time displayed in the Procurement Calendar, Section 2, of this RFR through [DER's Website](#). Times are Eastern Time. All Applicants are advised to allow adequate time for Application submission by considering potential online submission impediments such as Internet traffic, Internet connection speed, file size, and file volume. DER is not responsible for delays encountered by Applicants, or for an Applicant's local hardware failures, such as computers or related networks, associated with application compilation or submission. Applications

submitted are time stamped and is considered the official time of record. Applications will not be accepted if submitted after the RFR Opening Date/Time deadline.

6.2 Additional Contractual Documentation

If an application is awarded funding, the grant recipient will be required to submit the following forms to complete a contract. Applicants are encouraged to review these forms prior to submission of a Response.

- Commonwealth Standard Contract Form
- Completed Contractor Authorized Signature Verification Form

Forms can also be downloaded from: [https://www.macomptroller.org/forms/#section-5:](https://www.macomptroller.org/forms/#section-5)

7 APPENDIX A

7.1 List of Active Priority Projects in the Priority Projects Program

Name
Abbey Brook Restoration & Revitalization
Bayview Cranberry Bog Restoration
Becker Pond Dam Removal
Broad Meadow Brook Restoration Project
Champlain Creek
Charles River Restoration: Watertown Dam Removal
Childs River Restoration
Church Manufacturing Co. Dam Removal / Chicopee Brook Restoration
Cold Brook Preserve Restoration Project
Dyer Prince Road
Eagle Neck Creek Restoration
Farm Pond
Fore River Restoration: Hollingsworth & Ames Dam Removals
Freemans Pond Saltmarsh Restoration
Frost Fish Creek Restoration
Gray Gables
Great Marsh Restoration Project
Green Harbor River Restoration
Herring River Restoration Project
Holmes Bogs Wetland Restoration Project
Indian Brook Bogs Wetlands Restoration Project
Jones River Flow Restoration
Kinne Brook Restoration
Labor in Vain Brook

Larkin Road Dam Removal / Parker River Restoration
Long Pond Brook Dam Removals
Lower Ipswich River Restoration
Lower Neponset River Restoration
Malden Brook Restoration / Edwards Pond Dam Removal
Manhan River Restoration: Lyman Pond Dam Removal
Marsh Island
Marstons Mills Cranberry Bog Restoration
Mattapoissett Bogs Restoration
Mayo Creek
Mill Brook Bogs Wetland Restoration Project
Mill Brook Headwaters Restoration (Chilmark)
Mill Pond and Salt Marsh Restoration (Truro)
Mill River Restoration (Taunton)
Nashawannuck Brook Restoration
Old Swamp River Dam Removal
Osgood Brook Restoration/Bowen's Pond Dam Removal
Pamet River Restoration
Parkers River and Seine Pond Restoration
Pinnacle Bog Restoration Project
Quinapoxet River Restoration
Red Brook Restoration / Century Bog
Ryder's Cove Restoration
Sawmill Brook Restoration
Sesuit Creek / Bridge Street
Sharon Cedar Swamp
South Meadow Wetland Reserve Easement Restoration Project
South River Restoration

Stuart Bogs Restoration
Sucker Brook Restoration
Talbot Mills Dam Removal / Concord River Restoration
Third Herring Brook Restoration
Town River Restoration: High Street Dam Removal
Traphole Brook Restoration
Tussock Brook Restoration
Upper Bass River Restoration
Upper Coonamessett River Restoration Project
Upper Ipswich River Restoration
Ware River Restoration/Wheelwright Dam Removal
Whitney Pond Dam Removal / Whitman River Restoration
Windswept Cranberry Bog Wetland Restoration Project

8 APPENDIX B

8.1 Ineligible Grant Activities

Ineligible Priority Project Program Advancement Grant Activities include, but are not limited to:

- Low Impact Development (LID) and stand-alone stormwater management projects.
- Installation of new, previously non-existent tide gates; installation of new replacement tide gates to improve operations for ecological gains may be considered.
- Standalone projects for marsh platform elevation management, through the use of Thin Layer Deposition or Thin Layer Placement.
- Single or multiple freshwater road-stream crossing replacements that are not a component of an existing Priority / Provisional Project.
- Dam removals that do not remove the full vertical extent of the dam.
- Repair of technical fishways.
- Creation of new technical fishways.
- Standalone bank repair and stabilization, unless part of approved final restoration design plans.
- Pond dredging.
- Removal of dams made by beaver or other natural forces.
- Stand-alone invasive species treatment projects, such as lake and pond treatment for aquatic invasives, *Phragmites* treatment projects, and purple loosestrife biocontrol.

- Projects or portions of projects mandated to comply with regulatory mitigation (**See Section 1.5**).