

Natural Resources Damages Assessment and Restoration

North River (Colrain) Restoration Grant Opportunity

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MassDEP

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MassDEP



Overview of Presentation

- **Meeting Purpose**
 - Information Session
- **Overview of NRD**
 - Trust Resources
 - NRD Authority
- **Restoration Process**
 - Barnhardt Manufacturing Co., and North River, LLC settlement
 - Restoration
 - Available Funding
- **Eligibility**
 - Geographic Focus Area
 - Applicants
- **Grant Application**
 - Timeline
 - Application Tips/Requirements
 - Selecting Applications
 - How Applications are Reviewed
 - Eligibility Criteria
 - Evaluation Criteria
- **Grant Awards**
- **Questions**



Meeting Format & Purpose

- There will be time at end of presentation to ask questions
- If you have a question during presentation, please type it into chat box and I will answer at the end
- This webinar is being recorded and will be posted along with the PowerPoint on the MassDEP/NRD website
- Potential projects/applications can only be discussed prior to release of Grant Announcement and Application (estimated release date is October 1, 2024)



When there is an oil spill or release of hazardous materials, cleanup and assessment occur



Cleanup

- Assess contamination & control source
- Reduce risk to human health & environment

Natural Resource Damages Assessment & Restoration

- Assess extent and duration of natural resource injuries
- Collect monetary damages
- Restore the injured resources & compensate public for losses



Natural Resources Held in Trust for the Public by the Commonwealth

Natural Resources:

- Biota (fish and wildlife)
- Surface Water
- Groundwater
- Air
- Soils, Sediments

Natural Resource Services:

- Fishing, hunting, and shellfishing
- Habitat for wildlife
- Recreation
- Spiritual or cultural use
- Water Supply



Over \$80 million in Natural Resource Damages settlements in Massachusetts

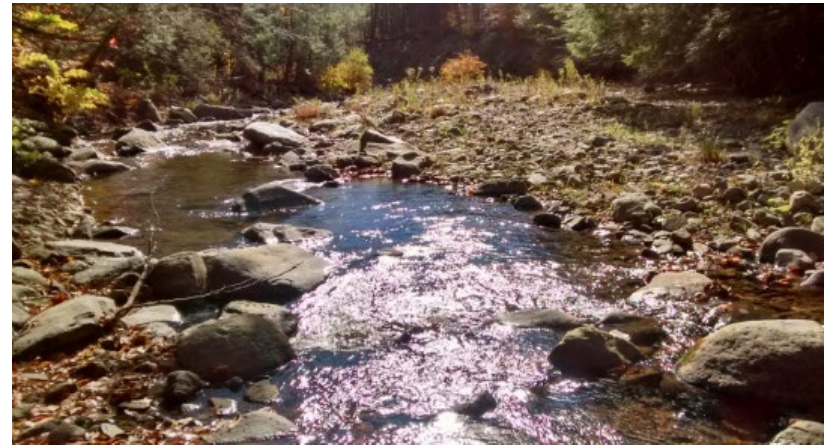
New Bedford Harbor Superfund Site	\$20.4 M
Bouchard B-120	\$19.3 M
General Electric/Housatonic River	\$7.5 M
Former Fireworks 21E Site	\$6.8 M
Gloucester Harbor MGP	\$5.38 M
IndustriPlex Superfund Site	\$4.2 M
Nyanza Superfund Site	\$3.1 M
Sutton Brook Disposal Area Superfund Site	\$1.65 M
Charles George Landfill Superfund Site	\$1.35 M
Textron/Mass Military Reservation	\$1.3 M
Blackburn & Union Privileges Superfund Site	\$1.0 M
Rubchinuk Landfill	\$747,000
Holyoke Coal Tar 21E Site	\$500,000
Global/Irving Chelsea Creek	\$312,500

Island End River Coal Tar	\$300,000
Reed and Barton Bankruptcy	\$236,447
Colrain Acid Spill 21E Site (2019)	\$225,000
Framingham GM Bankruptcy	\$157,426
PSC Resources Superfund Site	\$157,256
Rumney Marsh (Goguen)	\$116,459
T/V Posavina Chelsea Creek	\$100,000
Woods Hole Harbor (Patriot Marine)	\$100,000
Mystic River, Lower (Eversource)	\$58,137
Mystic River, Upper	\$55,100
Rumney Marsh (PJ Murphy)	\$52,746
Getty Petroleum Marketing, Inc Bankruptcy	\$41,065
Colrain acid Spill 21E Site (1999)	\$29,706
Mystic River (Hallmark)	\$26,802



Colrain Acid Spill (1999)

- 2003 settlement for 1999 acid spill
- Grant solicitation and award in 2017
 - Franklin Land Trust:
North River Baseline
Assessment/Large
Woody Debris
Demonstration Project



Example of Natural Resource Injury and Restoration: Blackburn & Union Superfund Site

- Hazardous substances released from the Site injured ecological resources in Walpole, MA
- Trustees funded:
 - Removal of Mill Pond dam on Traphole Brook
 - Design and permitting to upgrade 2 culverts to meet stream crossing standards
 - Freshwater wetland restoration near Memorial Pond



Barnhardt Acid Spill– Settlement and Trustees

Barnhardt Manufacturing Company & North River LLC Settlement

- 2021 settlement with responsible parties
- ~\$1.5 Million for violating Massachusetts Wetlands Protection Act, Endangered Species Act, Clean Waters Act, Hazardous Waste Management Act, Oil and Hazardous Material Release Prevention and Response Act, and Inland Fisheries Statute.
- \$225,000 for Natural Resource Damages restoration projects

NRD Trustee

- Commonwealth of Massachusetts, acting through the Secretary of Energy and Environmental Affairs (EEA) represented by MassDEP

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Barnhardt Acid Spill Restoration

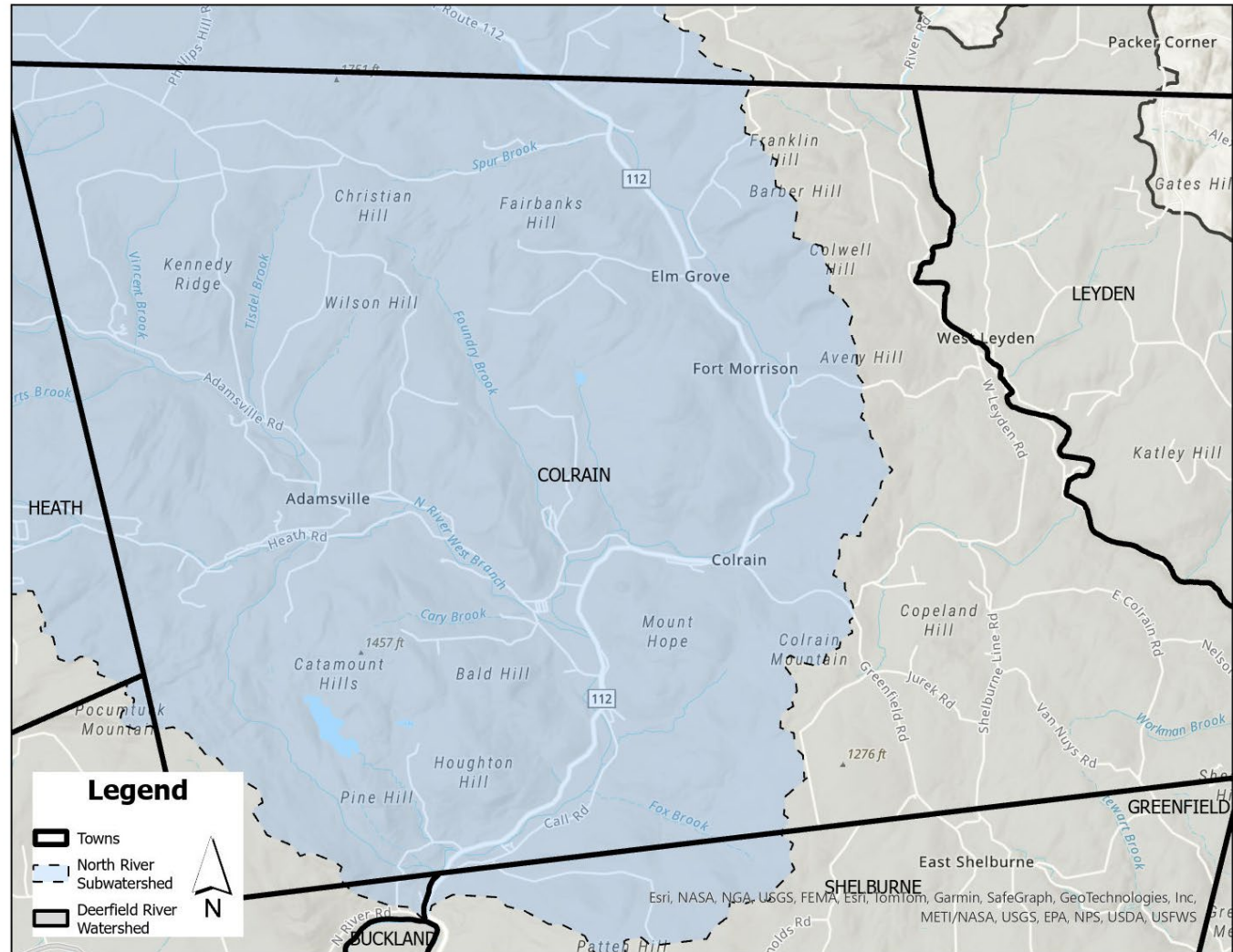
\$225,000 in available funding for projects that:

- Restore, replace, and/or acquire the equivalent of natural resources or natural resource services relating to natural resources and resource services that were injured as a result of releases from the Site.
- Natural resources that were injured included cold water fisheries, aquatic life, riverine and wetland resources, sediment, and sediment-dwelling organisms.
- Are in the Deerfield River watershed in Colrain with a focus on the North River subwatershed



Eligible Geographic Focus Areas

Projects must be in the Deerfield River Watershed in Colrain with a focus on projects in and around the North River subwatershed



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Who Can Apply?

Public entities

- State or local government including a county, municipality, local public authority, school district, special district, district commission, regional government, any agency or instrumentality of government, and state authorities

Non-public entities

- Individuals, partnerships, and corporations (private, non-profit, quasi-public, or corporate body politic)
- Organizations based outside the eligible geographic focus area are eligible to apply so long as the proposed restoration project takes place within the eligible project area.
- Partnerships and collaborative efforts between organizations are encouraged.
- Eligible applicants may submit more than one application for distinct restoration projects.



Restoration Projects

Grant Announcement and Application

GAA materials available at:

- MassDEP NRD website at:
<http://www.mass.gov/eea/agencies/massdep/cleanup/nrd/nrd-restoration-funding-opportunities.html>
- Commonwealth's Procurement website (COMMBUYS) available at:
www.commbuys.com.html
 - Search using “Contract & Bid Search” (Bid)
 - “nrd” in description field
 - Commodity code for Grants 00-00-00

Total Amount available: \$225,000

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Grant Application – Timeline (estimated)

PROCUREMENT EVENT	DATE
Grant Announcement Posted on MassDEP website and COMMBUYS	October 1, 2024
Deadline for submission of written questions to MassDEP Grant Contact Person (see Section 2D): Michelle.L.Craddock@mass.gov	October 16, 2024, at 5:00 p.m.
Official answers posted on MassDEP website	October 23, 2024; 5:00 p.m.
Grant Application due date	November 15, 2024, at 5:00 p.m.
Announcement of awards on COMMBUYS and MassDEP Website	February 1, 2025 (estimated)
Contract Start Date	March 1, 2025 (estimated)



Restoration Projects: Grant Announcement and Application

The GAA includes:

- Section 1: GAA Table of Contents
- Section 2: Grant Summary
- Section 3: Eligibility
- Section 4: Definitions
- Section 5: Procurement and Grant Contract Information
- Section 6: Instructions for Submitting an Application
- Section 7: Terms and Conditions of Grant Contract Awards
- Section 8: List of Attachments
- Attachments: Application Form, Application Requirements, Supplemental Terms & Conditions, Conflict of Interest Guidance and Disclosure Certification



North River Restoration Projects: Application Tips and Requirements

Application

- Section 1: Applicant Information
- Section 2: Project Information (include location, latitude/longitude, type of restoration project)
- Section 3: Project questions
- Section 4: Community information
- Section 5: Site Photos
- Section 6: Project Summary: current conditions, project goals and natural resource benefits to be gained
- Section 7: Project Background – current habit condition, etc.
- Section 8: Project Description – how will it be designed, permitted, built, and implemented; operation/maintenance components; community outreach, etc. Includes Project Cost
- Section 9: Project Benefits
- Section 10: Signatures



How will Applications be reviewed?

- **Eligibility Criteria**
 - Mandatory
- **Evaluation Criteria**
 - Used to prioritize eligible projects
 - Include *Focus, Benefit, and Implementation* Categories
- **Grant Review Team (includes MassDEP and other agencies)**



Restoration Projects

Eligible Projects Must:

- Have a strong link to natural resources and the services they provide that were injured by the releases
- Be a tangible on-the-ground restoration project, including all required components; components may include data collection, feasibility evaluation, design, permitting, construction, maintenance, monitoring, and community involvement.
- Restore natural resources in the geographic focus area.
- Be consistent with federal, state, or local law, regulation, or policies.



Restoration Projects

Eligible Projects Must Not:

- Focus on resources that were not injured from releases from the Site
- Restore natural resources solely outside of the geographic focus area;
- Be subject to an independent, prior legal obligation to perform the project;
- Be a proposal to conduct a monitoring or research study not connected to a restoration project;
- Be located on a site so contaminated or degraded as to absorb greater funding to cleanup relative to restoration;
- Use funds for continued operation, maintenance or support of an existing restoration project or natural resource.



Evaluation Criteria

Nexus:

- Proximity to Injured Resources
- Relationship to Injured Resources

Benefit:

- Magnitude of Benefits
- Multiple Benefits
- Sustainability of Benefits
- Consistency with State, regional or local policies and plans
- Community Goals
- Stewardship
- Avoidance of Adverse Impacts
- EJ Community Benefits

Implementation:

- Administrative and Management Capability
- Site Ownership
- Soundness of Approach
- Level of Funding and Resources Needed for Project Implementation
- Measurable Results
- Reasonableness of Costs
- Implementation-oriented
- Project implementation readiness
- Operation and Maintenance Needs
- Leveraging of Additional Resources
- Level of Difficulty



Examples of Appropriate Restoration Projects

Projects that restore the same or similar natural resources that were injured such as:

- Increasing or improving coldwater fish habitat
- Improving stream connectivity through dam removal or culvert replacement
- Improving stream bed and bank conditions for resident fish
- Acquiring quality habitat for fisheries and wildlife



Examples of Inappropriate Restoration Projects

Projects that are otherwise required by law or permit such as:

- Constructing a mitigation wetland, site cleanup, required stormwater improvements

Projects that do not restore the same or similar resources as those that were injured such as:

- Creating recreational paths, playgrounds, community gardens, recycling programs



Submitting Applications

- Application (Attachment A)
 - Includes Applicant and Project Information
- Detailed Application Requirements (Attachment B)
 - Provides details for Application, including Section 8ii Project Cost and Resumes
- Supplemental Terms and Conditions (Attachment C)
 - Applies to the grant contracts that are issued/awarded
 - Details requirements for invoicing regarding compensation and payment
 - Details conflict of interest and other obligations
- Conflict of Interest Certification Statement (Attachment D)
 - Applies to awardees and subcontractors/consultant



Where to Submit Applications

Application Deadline (estimated):

- The Application and all supporting documents must be delivered electronically to MassDEP by **5:00 PM on Friday, November 15, 2024.**
- Applications must be sent to Michelle.L.Craddock@mass.gov



NRD Grant Awards

Grant Awards

- Single or Multiple Awards as Contract
- Grant Awards will have maximum \$
- Duration:
 - 3 years from date of execution
 - Contract extension is at MassDEP discretion

Contracts

- Commonwealth Standard Contract and Commonwealth Terms and Conditions
- Supplemental Terms and Conditions
- Payment
 - Grantees reimbursed for costs/expenses



For more info/questions:

MassDEP NRD

Coordinator

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MassDEP NRD

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James Collins

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<https://www.mass.gov/massachusetts-natural-resource-damages-program>

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