

Texas Natural Resource Trustee Program

REQUEST FOR PROPOSALS

For Natural Resource Restoration Projects in Corpus Christi Bay, Nueces Bay and Surrounding Coastal Areas

Overview

The Texas Commission on Environmental Quality, Texas Parks and Wildlife Department and Texas General Land Office (State Natural Resource Trustees) announce the availability of Natural Resource Damage Assessment settlement funds for projects that restore, rehabilitate or conserve estuarine aquatic habitats in Corpus Christi Bay, Nueces Bay and surrounding coastal areas.

The State Natural Resource Trustees, in consultation with the U.S. Fish and Wildlife Service and National Oceanic and Atmospheric Administration, anticipate providing approximately \$17,000,000.00. Proposals are due July 27, 2012.

Funds have been obtained through a settlement of natural resource damages liability associated with the release of hazardous substances to the Corpus Christi Ship Channel, Corpus Christi Bay and Nueces Bay from the former ASARCO smelter located in Corpus Christi, Texas. Under Section 107(f) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. § 9607(f), these funds may only be used to restore, replace, or acquire the equivalent of the natural resources injured as a result of these releases. In this case, projects that restore or support oyster populations or other intertidal aquatic habitats are considered by the State Natural Resource Trustees to be the most appropriate means of replacing the natural resources services injured or lost due to the discharge of hazardous substances from the former ASARCO smelter.

These Natural Resource Damage Assessment funds are intended to assist the receiving organization with efforts to restore estuarine aquatic habitats located in Corpus Christi Bay, Nueces Bay and the surrounding coastal areas that are comparable to those injured as a result of the release of hazardous substances from the former ASARCO smelter. Projects must be located within Corpus Christi Bay, Nueces Bay or surrounding coastal areas and provide direct and significant ecological benefits to the aquatic habitats within these estuarine systems. For the purposes of this Request for Proposals, the “surrounding coastal areas” are defined as the tidal portions of Nueces, San Patricio, Refugio, Aransas, Kleberg, Calhoun and Kenedy counties.

Funds are available to city and county governments; state agencies; colleges and universities; political subdivisions of the state (port authorities, river authorities, soil and water conservation districts, groundwater conservation districts); councils of governments and other regional authorities; and nonprofit 501(c)(3) organizations.

The Natural Resource Trustees will not fund projects which are required (at the time of project implementation) by existing laws, regulations, permits, or enforcement orders. These may include anticipated requirements, such as requirements of draft permits.

Funds for restoration activities occurring on private property will only be considered if the property is or has the potential to be protected in perpetuity for conservation purposes by some legal mechanism such as a conservation easement.

Matching funds are not required.

Content of Proposals

Proposals should contain the following information in the order listed below. Please use the same **headings** as those bolded below when formatting your proposal. Proposals should not exceed five pages (8 1/2" x 11") in length, exclusive of the project budget, partnership letters, and any supporting material (brochures, pictures, etc.). Proposals should be submitted in 10-point font or larger, and use standard (one-inch) margins.

- **Project Title**
- **Name of Applicant and Contact Information** (Address, Phone #, e-mail address, etc.)
- **Project Manager's Name**
- **Funding Request** - How much funding are you seeking from the State Natural Resource Trustees for this project?
- **Total Project Costs** - How much will the total project cost (Natural Resource Trustee funds plus other sources of funds, if any)?
- **Project Goals and Objectives** - List your project's goals and measurable objectives.

This section should identify the location(s) of the restoration effort, the number of acres to be restored, and the type of habitat(s) to be restored.

Explain how your project will provide direct and significant ecological benefits to Corpus Christi Bay, Nueces Bay or surrounding coastal areas.

- **Project Description** - Provide a general description of the project and explain how you are going to accomplish your tasks from conceptualization through implementation.

Indicate whether or not any permits (event permits, Army Corp of Engineers 404 permits, etc.) will be required to undertake the project. Have the permits been obtained? If not, what is your process for securing the necessary permits?

Describe the location(s) targeted for restoration.

Describe the physical and biological changes that are expected to result from the restoration.

Describe follow-up plans to the restoration effort. Follow-up efforts may include additional restoration, monitoring, species reintroduction, educational programming at the restoration site, or other similar efforts.

Describe any community outreach or educational efforts association with the project.

- **Project Task Timeline** -Include a Task Timeline in table form that indicates when critical project milestones will be reached.
- **Organizational Description and Key Staff** - Describe the organization applying for the funds and its environmental goals. Describe up to three projects or programs sponsored by your organization which have documented environmental improvements in the last three years. What organization was the lead, and what was your organization's role? What were the project outcomes?

Provide the names and a summary of the qualifications of the staff involved with this project. If this is a volunteer-led project and no staff will be involved in the administration of these funds, please provide the names and qualifications of the key volunteers involved. What roles will these staff or volunteers play in your proposed project? If any of these staff or volunteers were involved in any of the projects described above, please include information about their role in those projects. Key staff qualifications may be described in narrative form or by submittal of brief (2 page maximum) resumes.

- **Financial Management** - Provide a brief explanation of how your organization manages similar funds and how you will account for this funding. (For example, a nonprofit might explain: Our Executive Director also serves as bookkeeper; a CPA on the Board of Directors reviews our books monthly.)

Provide information about your organization's financial stability. When was the last financial audit of your organization? Were there any audit findings and what were they? How did your organization address them?

- **Project Partners** - Provide a list project partners necessary for the successful

completion of the project, indicate what type of contribution each partner brings to the project, and provide letters of support from them demonstrating their commitment to participate in the project in the manner described in the proposal.

- **Project Budget** - Please see instructions on **Budget Summary Format**.
- **Optional Attachments** - Provide any additional information you think needs to be considered including partnership letters, pictures, brochures, or other supporting documentation. Please keep attachments to a minimum. Attachments should be on standard 8 1/2" x 11" paper for easy duplication.

How many copies should I submit?

One

When are proposals due? Where do I turn in my proposal?

Proposals are due no later than Friday, July 27, 2012, at 3:00 p.m. and should be submitted to:

TCEQ, Richard Seiler - MC133, P.O. Box 13087, Austin Texas, 78711-3087.

No fax or electronic submissions will be considered. Incomplete proposals may be rejected.

Can I submit more than one project for consideration?

Yes. However, the State Trustees may opt to limit funding awards to one per organization.

How can I get more information?

Prior to submission, staff is available to answer questions at (512) 239-2523.

If my proposal is accepted, how will I receive funds?

The project(s) selected will be identified as the preferred alternative(s) in a draft Restoration Plan developed pursuant to 43 CFR 11.82(d) and will be subject to a 30 day public review and comment period. Funding will be provided only if the project is still viable after public comments on the project and draft Restoration Plan have been considered.

Once a proposal is accepted, recipients will be required to sign a contract with the Texas Commission on Environmental Quality, the Texas Parks and Wildlife Department

(TPWD) and the Texas General Land Office (GLO). Funds will be held in the Natural Resource Damage Restoration Fund within the Texas Treasury Safekeeping Trust Company (Fund) prior to disbursement to a recipient. Once the contract has been signed by all parties, authorization will be made to release funds to the recipient per the terms of the contract.

The State Trustees may opt not to enter into a contract with any applicant if that applicant is unable to meet state contract administration requirements.

The State trustees may award an amount less than the applicant has requested.

How will projects be selected?

Projects will be evaluated by a joint review team of TCEQ, TPWD and TGLO staff in consultation with staff of the U.S. Fish and Wildlife Service and the National Oceanic and Atmospheric Administration. Consistent with the CERCLA regulations at 43 C.F.R. 11.82, the team will review applications and select funding recipient(s) based primarily on:

- 1) The quality of the proposed restoration action, including the quantity of habitat restored/replaced/acquired and its ability to adequately and appropriately compensate for the injury being addressed (40 points);
- 2) The proximity of the project site to the area affected by the discharges (20 points);
- 3) The criteria listed in 43 C.F.R. 11.82(d) (20 points). Those criteria are:
 - a. Technical feasibility, as that term is used in 43 C.F.R. Part 11.
 - b. The relationship of the expected costs of the proposed actions to be expected benefits from the restoration, rehabilitation, replacement, and/or acquisition of equivalent resources.
 - c. Cost-effectiveness, as that term is used in 43 C.F.R. Part 11.
 - d. The results of any actual or planned response actions, as that term is defined in 43 C.F.R. Part 11.
 - e. Potential for additional injury resulting from the proposed actions, including long-term and indirect impacts, to the injured resources or other resources.
 - f. The natural recovery period determined by 43 C.F.R. Section 11.73(a)(1).
 - g. Ability of the resources to recover with or without alternative actions.
 - h. Potential effects of the action on human health and safety.
 - i. Consistency with relevant Federal, State, and tribal policies.
 - j. Compliance with applicable Federal, State, and tribal laws.
- 4) The qualifications and experience of the applicant (10 points);
- 5) The financial management of the applicant (10 points).

A proposal can score a maximum of 100 points.

Budget Summary Format

	Funding Request	Other Funding Sources, if any	Project Total
Salaries			
Fringe Benefits			
Travel (including local travel @.55/mile)			
Supplies			
Equipment			
Contractual			
Permitting			
Other			
Total Direct Costs			
Indirect Costs			
Total Project Costs			

Budget Instructions:

1. Review the **Sample Budget**.
2. Display your proposed budget using the **Budget Summary Format** as a guide.
3. Use the standard categories listed within the **Budget Summary Format** to itemize your budget.
4. Feel free to provide any explanation of a budget item/category that you deem appropriate to understanding the project. This explanation can be provided either within the table in the form of a brief explanation or calculation next to a category listing (**see Sample Budget**), or outside the table in the form of a budget narrative.
5. Please explain any unusual budget items.

NOTES: The State Trustees will not reimburse an indirect rate of greater than 15 percent.

Certain categories of expenses will not be reimbursed. The most common

categories of non-reimbursable expenses likely to be encountered by grant applicants include food and entertainment, and promotional items such as event T-shirts. If you have a question as to whether or not an expense is eligible for reimbursement, please contact State Trustee staff.

Sample Budget

	Funding Request	Other Funding Sources (if any)	Project Total
Salaries (1/2 time project manager)	\$15,000	\$0	\$15,000
Fringe Benefits	\$2,800	\$0	\$2,800
Travel (local mileage to and from restoration site @ .55/mile)	\$1,000	\$0	\$1,000
Supplies	\$0	\$1,500	\$1,500
Equipment (3 day boat rental @ \$500 per day and 10,000 Spartina at \$1/each)	\$1,500	\$10,000	\$11,500
Contractual (30 days of earth work)	\$30,000	\$1,000	\$31,000
Permitting (event permit)	\$50	\$0	\$50
Other	\$0	\$0	\$0
Total Direct Costs	\$50,350	\$12,500	\$62,850
Indirect Costs	\$0	\$0	
Total Project Costs	\$50,350	\$12,500	\$62,850