

RFR ENV 06 NRD 02 and RFI ENV 06 NRD 01

Posted Responses to Applicant Questions

Housatonic River NRD: Restoration Project Proposals

The MA SubCouncil received the following questions from Applicants prior to the February 13, 2006, deadline for questions. The responses provided here are intended to offer clarification to the Application Process. Applicants are encouraged to review the Housatonic River Watershed Restoration Project Selection Procedure (RPSP) and the Draft Programmatic Environmental Assessment (PEA) as well as the Request for Response (RFR) materials for additional guidance and information. Please note that the Massachusetts SubCouncil (MA SubCouncil) is no longer accepting questions from Applicants for this funding round.

Question #1: Is the deadline for applications March 21, 2006?

Answer: Yes, the deadline for receipt of completed project applications is March 21, 2006.

Question #2: If an application contains an acquisition proposal for multiple parcels of land, is the proposal stronger if the parcels are contiguous, and can the Housatonic River be used to define contiguity?

Answer: Applicants requesting funds to acquire a specific parcel of land or multiple parcels of land should demonstrate that the proposed project would provide benefits to an injured natural resource/service. This holds true whether the parcels are contiguous or not. If multiple parcels would provide greater benefit, then the proposal would likely be considered to have potentially greater benefit. The Trustees will also take into consideration whether specific parcels require implementation of significant restoration activities before the indicated resource benefits would be provided and, if so, whether those restoration actions are a component of the proposed project. The Trustees will also consider whether the parcels proposed for acquisition are adjacent to lands already protected, or are lands that have already been identified as having significant ecological value (e.g., lands shown on MANHESP BioHabitat maps).

Question #3: Who will make the funding decision?

Answer: The final decision will be made by MA SubCouncil Trustee voting members Ms. D. Young (Massachusetts Executive Office of Environmental Affairs [EOEA]) and Ms. V. Varela (USWFS). Before the final decision is made, comments from a number of other individuals will be considered, including those of the non-voting ex-officio members R. Fletcher and T. Gray, those of the Peer Review Team Members, and those of the public.

Question #4: How large is the Peer Review Team?

Answer: There are currently 14 members.

Question #5: Will there be a public listing of Peer Reviewers?

Answer: The names of Peer reviewers will not be listed, but their affiliations will be.

Question #6: What is the definition of Protected Land?

Answer: With respect to Part C (Project Narrative) Section 4 (Land Acquisition) Subsection C2 of the RFR Instructions, the term “protected open space” is used. This section suggests that a map be submitted showing the property in relation to protected open space or other significant habitat. The term is intended to refer to any land that is preserved for environmental conservation by federal, state, local (city and town), or non-governmental organizations. Applicants are encouraged to list any supporting evidence demonstrating that the adjacent land is protected (e.g., Article 97, Chapter 61). Copies of specific documents (deeds, Conservation Restrictions, etc.) are not required.

Question #7: Could all of the money allocated for this round of solicitations be used for land acquisition?

Answer: It is possible, although unlikely, that all of the money in this round will be used for acquisition. The MA SubCouncil has identified several restoration priority categories based on the types of natural resource injuries sustained by the Housatonic River watershed. These include Aquatic Biological Resources and Habitat, Wildlife Resources and Habitat, Recreational Uses, and Environmental Education and Outreach. The intent of categorizing proposed restoration projects is to enable the goal of achieving a broad range of benefits to injured natural resources and services. It is the Trustees desire to fund at least one project in each category.

Question #8: Will there be any measures taken to maintain confidentiality for projects involving land acquisition?

Answer: Appraisal information related to land acquisition projects will not be released to the public subject to the protection offered to appraisal documents by the Massachusetts Public Records Law and the Freedom of Information Act.

Question #9: Does there need to be a Purchase and Sale Agreement included in the application package for projects involving land acquisition?

Answer: No; however, as explained in the application materials, written evidence of project feasibility such as a Purchase and Sale agreement or other written indication of landowner’s willingness to participate is suggested.

Question #10: When the MA SubCouncil makes their decision to fund a project, can that decision be partial funding for a part of the project?

Answer: Section 3.1 of the RPSP states that the MA SubCouncil reserves the right to fund only a portion, change the scope, and/or delete tasks of any proposed project. Selected applicants may decide not to enter into a contract if the revised scope does not meet their approval.

Question #11: For proposals involving the acquisition of multiple parcels, could the MA SubCouncil choose to purchase one or more, but not all, of the parcels included in the application?

Answer: Yes.

Question #12: If an organization or entity submits multiple proposals in two or more categories, will it affect the evaluation of any of the proposals?

Answer: Proposals will be evaluated independently based on their merits; however, proposals that address more than one restoration category will receive more points under one of the criteria.

Question #13: If two or more entities form a team or a partnership to prepare and submit an application, does one entity have to be the prime?

Answer: For contract purposes, one entity will need to be listed as the Authorized Representative of Applicant.

Question #14: If there is more than one entity submitting an application, how is this recognized in the application? Does there need to be a primary applicant?

Answer: While the application requires the identification of one Authorized Representative of Applicant, the applicants can provide a brief narrative in the Project Abstract or in the Project Narrative describing the project team.

Question #15: Does a project site have to be accessible to the public to be eligible for funding?

Answer: No, proposals will be evaluated on the expected benefits of the projects. However, projects allowing access to the public may score higher for certain criteria (see “Enhancement of the Public’s Relationship with Natural Resources” criterion in the RPSP).

Question #16: Does the project site have to be available for hunting and fishing to be eligible for funding?

Answer: No.

Question #17: Is there a limit on administrative expenses or overhead?

Answer: No; however, the MA SubCouncil will consider whether a project’s costs, including overhead costs, are commensurate with the benefits it provides to injured natural resources and/or services. This will be a qualitative cost/benefit analysis that is largely based on information provided by the applicant. Priority will be given to projects that demonstrate that a significant benefit will be generated for a reasonable cost.

Question #18: For purposes of establishing overhead rates, which will be included in the project budget, are the damage assessment monies considered to be federal or state monies?

Answer: Because these monies are paid out of the state's Natural Resource Damages (NRD) Trust, they are considered state monies.

Question #19: For projects that are expected to span more than one year, is it better to propose a larger project, or will a larger project be considered less competitive than a smaller project?

Answer: The evaluation of multiple year projects will be based on the expected benefits from the project. In deciding whether to apply for multiple years of funding, applicants should determine whether the project could be implemented in a phased manner and could derive significant benefits from each phase regardless of whether subsequent phases are funded. Alternatively, some multiple year projects may need to be funded in their entirety to derive substantial benefits. The MA SubCouncil will determine whether funding commitments should be made for multiple years and whether to fund a proposed project in its entirety or to provide only a portion of the requested funding. Therefore, a proposed project is competitive based on the overall benefits it provides, not on the length of the project.

Question #20: Regarding costs sharing, what types of matches are feasible?

Answer: All types of matches are feasible. These include, but are not limited to, cash donations, donations of property, in-kind services, volunteer assistance, or other such partnering actions. There is no strict cost sharing requirement.

Question #21: Will each funded restoration project have a project manager?

Answer: Staffing limitations at EOEA are expected to limit the amount of EOEA staff time spent managing specific projects; however, a project subcontractor (i.e., Woodlot Alternatives, Inc.) is expected to fill the role of project manager.

Question #22: What will be the reporting requirements for funded projects?

Answer: Funding recipients will be required to provide regular progress reports—the number to be determined on a case-by-case basis—and a project completion report to the MA SubCouncil. In addition to standard Commonwealth of Massachusetts financial reporting requirements for grants, program reporting requirements will include a narrative of the project progress and accomplishments, photographs, monitoring data and analysis, and additional project-specific information, as necessary.

Question #23: Will the NRD monies be considered state or federal dollars in regards to available matching funds (i.e., it is not expected that state monies can be used to match state monies)?

Answer: The NRD monies to be distributed through this grant round are considered state monies. The MA SubCouncil did not exercise its ability to apply constraints on matching funds for this funding round, and other state monies can therefore be considered as eligible matching monies for

this funding round. Note that the NRD monies might not be considered as eligible matching monies for other state monies if specific constraints regarding the eligibility of state monies have been applied to the other state monies (i.e., the NRD monies might not be eligible as matching monies for other state monies dispersal mechanisms).

Question #24: In Part C.6. Monitoring/Evaluation and Contingency Plan of the RFR instructions, it states that projects will include a monitoring/evaluation plan. Do these monitoring plans need to be developed in-house, or can they be developed by an outside consultant? If so, can funding for the development of the monitoring plan be included in the project proposal?

Answer: Monitoring plans may be developed by the applicant or by members of their project team (e.g., an outside consultant). Costs incurred prior to the completion of necessary SubCouncil-applicant funding agreements cannot be reimbursed with Housatonic River NRD Funds, but may be considered matching funds if incurred within six months of the application deadline. If the development of a detailed monitoring plan is a planned future activity and is included as part of the proposal, then the costs for development as well as implementation of the plan can be included in the proposal's request for funds.

Question #25: In Part C.6. Monitoring/Evaluation and Contingency Plan of the RFR instructions, it states that projects will include monitoring/evaluation plan. Do these monitoring plans need to include detailed Quality Assurance Project Plans (QAPP), particularly for data collection aspects of a project?

Answer: A detailed QAPP does not need to be included in the RFR application package. If such a QAPP is a necessary component of a project, then the applicant should describe in the narrative how and when the QAPP will be prepared and what it will specifically be used for in relation to the proposed project, e.g. water quality monitoring, sediment sampling. In these circumstances, the development of the QAPP would be funded as part of the project.

Question #26: Are projects that are performed outside of the Housatonic watershed but benefit resources in the watershed eligible for funding?

Answer: Yes.

Question #27: Is there any portion of the Housatonic River that is a higher priority for NRD projects than another?

Answer: No; however, the MA SubCouncil will need to ensure that future restoration projects will not interfere with remedial actions or vice-versa. Because of this, proposed projects will be reviewed to determine the likelihood for interaction with yet-to-be-determined remedial activities. Projects that may have an unfavorable interaction with future remedial activities could have Round 1 restoration funds earmarked but held in reserve until it is clear that no adverse interactions will occur.

Question #28: Is the MA SubCouncil assuming that some type of remedial activity will take place in the area between the confluence of the East and West Branch of the Housatonic River and Woods Pond Dam?

Answer: No, the MA SubCouncil is not making any assumptions. Until the results of the final cleanup decision are put into effect, there will be some uncertainty regarding the location and type of remedial activities. The MA SubCouncil has reserved posting of the Round 3 solicitation until after the finalization of the Record of Decision for the Rest of River reach of the Housatonic River. This solicitation is estimated for approximately 2009, and the anticipated allocation range is \$1,500,000 - \$2,500,000, or the balance of the NRD funds.

Question #29: Can funds be set aside for future allocation to a project?

Answer: Yes, the MA SubCouncil can set aside monies for a project to be completed at a later date. It is anticipated that project funds will be paid on a reimbursement basis, and only under special circumstances will a project receive funding at any level prior to implementation. Reimbursement can occur on a phased-basis as components of the project are successfully completed or as costs related to project implementation are incurred. Terms of funding will be established by the MA SubCouncil on a project-specific basis. If performance-based criteria are not sufficiently met and/or there are insufficiencies in the work or noncompliance with contract terms, the MA SubCouncil has the option to withhold funds until the condition is rectified and/or the contract terms have been met.

Question #30: Regarding projects that require multiple year funding, does a project need to have a direct impact/benefit to natural resources in the first year of funding in order to be considered for funding?

Answer: No, multiple year projects are not required to provide benefits to natural resources in the first year. However, a multiple year project that is awarded NRD funds may be required to demonstrate that certain project milestones have been successfully achieved before the MA SubCouncil provides additional funds. The MA SubCouncil has the option to approve full or partial funding of multiple year projects. If a multiple year project is selected for implementation, the MA SubCouncil will consider the project to fall into one of three categories: 1) a multiple year project that would be approved with the expectation that it will be funded to its completion, or at least for a certain number of years; 2) a multiple year project that would be approved and funded for the completion of a specific phase of the project, such as a feasibility study, with the expectation that it will be resubmitted for further review and subject to approval in a subsequent funding round; and 3) a multiple year project that includes a feasibility study and the implementation of a restoration activity based on the results of the feasibility study. Funds for project implementation may be included in the award under the same funding round, but the disbursement of project implementation funds may be subject to MA SubCouncil approval of the feasibility study. The MA SubCouncil will determine whether funding commitments should be made for multiple years and whether to fund a proposed project in its entirety or to provide only a portion of the requested funding.

Question #31: How will multiple year projects be evaluated over time to see if they are on-track for continued funding, and if a feasibility study is conducted how will it be reviewed?

Answer: The MA SubCouncil will review multiple year projects at certain project milestones, established on a case-by-case basis. All multiple year projects will be evaluated at these points in time using the monitoring methods and criteria established in the RFR application, or criteria contained in monitoring plans that are further developed subsequent to funding. The MA SubCouncil will hold funds in reserve for multiple year projects with the assumption that projects will be accomplished as described in the RFR application materials. The MA SubCouncil may have the results of feasibility studies reviewed by others with relevant experience (e.g., Application Review Team or other Trustee agency personnel).

Question #32: Will the MA SubCouncil bring in technical experts to review projects if necessary?

Answer: Yes.

Question #33: In regards to Environmental Education and Outreach Projects, will there be a preference for funding projects that are polychlorinated biphenyl (PCB) related. (e.g., PCB-related habitat loss projects)?

Answer: Environmental Education and Outreach Projects must provide direct or indirect benefits to injured natural resources or services. Environmental Education and Outreach Projects that encourage, develop, or influence a specific behavior that has a direct and long-lasting and positive effect on the injured natural resources and their services are expected to be rated high for the criteria of Fostering Future Restoration and Stewardship. Priority will be given to projects that promote environmental stewardship and enhance the public's ability to use/enjoy the resources. Environmental Education and Outreach Projects are not required to directly address PCB contamination.

Question #34: If volunteers will be used on a project, what is the hourly rate that should be applied to them for matching funds? Is there a standard for hourly rates, travel, and other costs?

Answer: The MA SubCouncil does not have a set rate that should be applied to volunteer hourly costs or for other costs. Expense categories are defined in Appendix 3 of the RPSP. Matching funds must be specific to the proposed project and not include general organizational or operational costs. The MA SubCouncil will consider whether a project's costs are commensurate with the benefits it provides to injured natural resources and/or services. Priority will be given to projects that demonstrate that a significant benefit will be generated for a reasonable cost.

Question #35: The budget forms in the proposal contain space for four years of budgetary information. Are multiple year projects limited to four years?

Answer: No; in deciding whether to apply for multiple years of funding, applicants should determine whether the project could be implemented in a phased manner and could derive significant public benefits from each phase regardless of whether subsequent phases are funded. Alternatively, some multiple year projects may need to be funded in their entirety to derive substantial benefits. The MA SubCouncil will determine whether funding commitments should be

made for multiple years and whether to fund a proposed project in its entirety or to provide only a portion of the requested funding.

Question #36: Is it the MA SubCouncil's objective to fund one project in each category, or at least one project in each category?

Answer: It is the MA SubCouncil's object to fund at least one project in each category.

Question #37: What if a proposed project straddles two or more categories (i.e., it is not easy to determine which category the project best fits in because it will enhance or restore damaged resources for multiple categories)?

Answer: Applicants should do their best to determine the primary restoration priority category and explain in the project narrative how multiple categories will benefit.

Question #38: For acquisition projects involving multiple parcels, can the applicant identify their priority for acquisition (i.e., which of the parcels is most valuable)?

Answer: Yes.

Question #39: How will success be evaluated for Environmental Education and Outreach Programs?

Answer: As detailed in Part C.6. in the Project Narrative section of the Project Proposal Instructions, applicants are responsible for describing monitoring and evaluation plans. Preference will be given to projects that can deliver tangible, specific ecological, economic, social, and/or human use results that are identifiable and measurable, and/or that may be evaluated by professionally accepted methods, so that changes to the Housatonic River watershed can be documented and evaluated. Priority projects will include clear performance criteria, measurable endpoints, and a monitoring/evaluation plan.

Question #40: For a land acquisition project where the land to be purchased has no development rights (i.e., they have already been protected), but the land is proposed for acquisition to further protection, what would the appraisal look like?

Answer: Guidance on land acquisition and appraisals is provided in Section 3 of the RPSP, and in Part C.4. of RFR Project Proposal Instructions.

Question #41: Can proposals be submitted for partial funding for land acquisition (i.e., a certain parcel is in the process of being acquired, but additional monies are needed to complete the purchase)?

Answer: Yes, the MA SubCouncil could award monies to an acquisition project and hold them in reserve until the purchase is ready to happen.

Question #42: When will questions and answers be posted on the web site, particularly with respect to the questions regarding appraisals, as appraisals are expected to be submitted with proposals? Can appraisals be submitted later?

Answer: Questions and answers will be posted on or before February 24, 2006. Due to concerns raised at the Applicant Conference regarding timing needs for completion of appraisals, the MA Sub Council has agreed to a one-month extension for the receipt of land appraisals. Land appraisals must be received by April 21, 2006. All other application materials for land acquisition proposals, including the project budget, are due on March 21, 2006, regardless of whether the applicant intends to submit appraisals after this date.

Question #43: What are the required appraisal specifications?

Answer: Specifications for appraisals are found in the RFR Project Proposal Instructions in section C.4. Questions and answers will be posted on or before February 24, 2006. Due to concerns raised at the Applicant Conference regarding timing needs for completion of appraisals, the MA Sub Council has agreed to a one-month extension for the receipt of land appraisals. Land appraisals must be received by April 21, 2006. All other application materials for land acquisition proposals, including the project budget, are due on March 21, 2006, regardless of whether the applicant intends to submit appraisals after this date.

Question #44: Will there be enough time between now and when applications are due (March 21) to get appraisals completed?

Answer: Questions and answers will be posted on or before February 24, 2006. Due to concerns raised at the Applicant Conference regarding timing needs for completion of appraisals, the MA Sub Council has agreed to a one-month extension for the receipt of land appraisals. Land appraisals must be received by April 21, 2006. All other application materials for land acquisition proposals, including the project budget, are due on March 21, 2006, regardless of whether the applicant intends to submit appraisals after this date.

Question #45: Is a Purchase and Sale agreement a requirement for the submission of an application?

Answer: No; if possible, one is recommended but is not required.

Question #46: What is the schedule for the review and approval of projects, and when are monies expected to be released?

Answer: Proposal review will begin in April 2006. It is hoped that the review will be completed in June 2006 and funds will be disbursed in December 2006.

Question #47: Will there be different priorities given to different restoration Priority Categories?

Answer: No Priority Category will be favored over another, as evidenced by the desire to fund at least one project in every category.

Question #48: In a situation where there are contaminated sediments or soils, but no Potentially Responsible Party, can NRD funds be used to perform cleanup of a site?

Answer: NRD funds cannot be used to fund remediation at known contaminated sites identified pursuant to Chapter 21E of the Massachusetts General Law or the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA), regardless of whether a financially viable Potentially Responsible Party (PRP) exists. Remedial activities at these sites are considered legally required actions to be performed by the PRP and/or state and federal cleanup agencies. Therefore, Threshold Criterion #3 would prohibit using NRD funds to support cleanup at these sites. Cleanup actions at sites that may be contaminated at concentrations less than sufficient to trigger action pursuant to Chapter 21E of the Massachusetts General Law or CERCLA could be funded with NRD funds, if no PRP exists, at the discretion of the MA SubCouncil.

Question #49: In the case where there is a privately-owned dam, which has associated contaminated sediments, but there is no PRP, can NRD funds be used to perform cleanup of a site?

Answer: For all proposed dam removal projects, the sediments contained in the impoundment upstream of the dam must be analyzed for contaminants. Such analysis is expected as one of the integral components of a Dam Removal Feasibility Study. Analysis results will influence whether NRD funds could be used to fund the removal of the sediments, if removal is necessary. NRD funds can be used to fund the removal of sediments that are 1) not contaminated above benchmark and/or background concentrations but should be removed in order to prevent physical impacts caused by excessive sediment transport downstream or 2) are contaminated above benchmark and/or background concentrations, unless the contamination is sufficient to trigger action pursuant to Chapter 21E of the Massachusetts General Law or the CERCLA. Remedial activities at these sites are considered legally required actions to be performed by the PRP and/or state and federal cleanup agencies. Therefore, Threshold Criterion #3 would prohibit using NRD funds to support cleanup at these sites. NRD funds cannot be used to fund the removal of contaminated sediments at known contaminated sites identified pursuant to Chapter 21E of the Massachusetts General Law or CERCLA, regardless of whether a financially viable PRP exists.

Question #50: In a situation where there is contaminated soil or sediment, what is the expectation that the source of the contamination will be identified?

Answer: This situation will need to be evaluated on a case-by-case basis. The need for performing this work, costs for conducting the assessment, and a schedule and feasibility study would most likely need to be included in the proposal.

Question #51: In a situation where there is a multiple year project with a fiscal year that differs from the calendar year, how should costs be shown on the RFR application? Can they be shown in a calendar year format?

Answer: Budgets can be described in a calendar year format in the budget narrative or in supplemental materials. The budget tables form must be completed using the fiscal year format.

Question #52: Are NRD funds reimbursable?

Answer: It is anticipated that project funds will be paid on a reimbursement basis, and only under special circumstances will a project receive funding at any level prior to implementation. Reimbursement can occur on a phased-basis as components of the project are successfully completed or as costs related to project implementation are incurred. Contract documents/grant agreements will indicate the method of payment for a specific project and the documentation necessary to receive payment.

Question #53: Are matching funds required for a project?

Answer: No, they are not required but are recommended.

Question #54: Are there Minority Business Enterprise (MBE) or Woman Business Enterprise (WBE) requirements?

Answer: There are no MBE/WBE requirements for this grant process. More information regarding contracting requirements can be found in the RFR Instructions Appendix B. Applicants selected for contract negotiation and execution will be required to complete the Commonwealth Standard Contract Form.

Question #55: Can you define what is meant by providing restoration benefits in advance of natural recovery?

Answer: The natural recovery period is the length of time it would take for the injured resource and/or service to recover to an optimal condition in the absence of human intervention. Restoration projects should generate benefits faster than could be achieved through natural recovery.

Question #56: What Restoration Priority Category does land acquisition fall into?

Answer: Land acquisition activity could conceivably fall into any of the four Restoration Priority Categories based on the benefits expected to be derived from the acquisition.

Question #57: Will there be a preference for Environmental Education and Outreach programs that occur near the Housatonic River versus those that occur in upland habitat away from the river?

Answer: Not necessarily; it will depend on the benefits expected to occur to injured natural resources. This will be evaluated on a case-by-case basis.

Question #58: How clearly are injured natural resources identified?

Answer: Injured natural resources have been summarized in Section 1.2 of the RPSP, which describes work conducted to date to identify and evaluate injured natural resources. References to two primary documents describing this work, which are available through the internet, are cited in this section of the report.

Question #59: Will a list of individuals who attended this meeting tonight be posted on the project website?

Answer: Yes, a list of the February 7, 2006, meeting attendees will be posted on the project website.

Question #60: Regarding matching funds, can work efforts used to prepare RFR and RFI proposals within 6 months prior to the deadline for receipt of applications be used for matching funds?

Answer: Yes, non-NRD funds used for project-related expenditures up to six months prior to the deadline for receipt of applications can be considered as matching funds. Matching funds must be specific to the proposed project and can only include operational costs directly related to the project. Grant writing expenses or other expenses related to developing the proposal cannot be considered matching funds. Expenses specific to implementing the proposed project (i.e., design of curricula or monitoring plans) incurred within six months prior to the deadline for receipt of applications may be considered matching funds.

Question #61: Are the RFR and RFI applications available on-line?

Answer: Yes, they are available at the Comm-PASS website: www.comm-pass.com.

Question #62: We have recently completed several parcel-level land protection plans identifying specific properties that, if protected, would contribute significantly to your goal of protecting the Housatonic River watershed. Landowner outreach has just begun in what will be a multiple year endeavor.

We are considering a proposal where the "project" proposed is not an individual parcel, but instead the protection of as many as possible of those identified priority parcels over the next few years as we proceed with additional landowner contacts. Any funds awarded would only be used on those parcels that contribute most significantly to protecting the Housatonic watershed. Acknowledging the need for "grounding the use of funds with market valuation, we would agree to submit an independent appraisal from a qualified professional appraiser prior to individual expenditures from any grant award. We feel this approach would allow us have maximum impact on the goal of protecting the watershed via land protection. Would the EOEA permit such a proposal for consideration for a grant?

Answer: It is unlikely that a proposal that does not identify specific parcels to be protected and does not contain the appropriate appraisal will score as well as proposals that contain this information. If there is not sufficient time for the applicant to develop complete proposals for all of the individual parcels before the first funding round deadline, there will be two more rounds of funding when the applicant may submit project proposals.

Question #63: My question regards Threshold Criteria items 3 and 4 and in particular the definition of the word “action” in item 3. We are a National Pollutant Discharge Elimination System (NPDES) Phase II (stormwater management) regulated community. The proposed project would offer public education, one of the minimum measures required under Phase II, and would therefore be consistent with Threshold Criterion number 4. I just want to understand if it would also be acceptable under number 3 as well?

Answer: The third threshold criterion asks: Is the proposed project, or any portion of the proposed project, an action that is presently required under other federal, state or local law? A “Yes” response renders the proposed project ineligible for further consideration. Therefore, NRD funds cannot be used to fund projects that are otherwise legally required. However, a project funding public education might be considered if the applicant can provide evidence that the project goes beyond what was required in the NPDES permit.

Question #64: The state considers “protected land” to be those covered by Article 97 of the state constitution. Is this your definition of “protected land”?

Answer: See question # 6.

Question #65: Does “other aquatic organisms” under the Restoration Priority Category Aquatic Biological Resources and Habitat include all organisms, including plants?

Answer: Yes, “other aquatic organisms” includes plants.

Question #66: It is stated that projects with measurable results will be given priority in scoring. For species populations, changes may not be detected within a few years, but rather in decades. What is the window for measurable results?

Answer: Monitoring plans should be designed to yield evidence of success within, or by the end of, the funding period*. Sometimes the monitoring endpoint that would most directly evaluate the achievement of the project's overall goals (e.g., measuring species population changes, for a project that aims to change a population in a positive manner) may not be appropriate for monitoring Trustee-funded restoration projects due to the timeline by which the Trustees require feedback. In these cases, the monitoring plan should employ a surrogate measurement endpoint. For example, if a restoration project aims to change a species population in a positive manner by improving the habitat for the species, an appropriate surrogate measurement endpoint may be some measure of how the habitat was improved.

*The "funding period" includes the period of monitoring after the project is implemented. Proposal submitters will propose a monitoring schedule appropriate for the measurement endpoints employed. However, submitters should recognize that the SubCouncil would like to obtain monitoring results as soon as possible. Generally, monitoring results will be expected no later than 5 years after the completion of the project implementation/construction. However, exact monitoring and reporting deadlines will be established by the SubCouncil on a case-by-case basis.

Question #67: We may not be able to get appraisals completed in time to comply with acquisition requirements. Is there any possibility that the deadline for appraisals can be extended or that acquisition proposals can be accepted without completed appraisals?

Answer: Questions and answers will be posted on or before February 24, 2006. Due to concerns raised at the Applicant Conference regarding timing needs for completion of appraisals, the MA Sub Council has agreed to a one-month extension for the receipt of land appraisals. Land appraisals must be received by April 21, 2006. All other application materials for land acquisition proposals, including the project budget, are due on March 21, 2006, regardless of whether the applicant intends to submit appraisals after this date.

Question #68: I am finding it impossible to submit a "detailed" budget (as specified in the guidelines) in only 2 pages for a multiple year project. How about permitting a 2-page budget summary, which references a detailed budget of, say, up to 4 pages for each year? These should not count towards the 5 page limit of technical materials.

Answer: The two-page budget narrative limit has been extended to two pages per year of each multiple year project.

Question #69: It was established that pre-proposal project related activities can serve as matching funds. But I don't see a mechanism for listing these in the project budget summary (p. 22 of Project Proposal Form RFP).

Answer: Matching funds for approved pre-proposal expenses may be listed in the "Other Contributions" columns of Table 2 in the Project Budget. The Budget Narrative should be used to explain the details of the matching funds.