

## **Informational Meeting Pre-Round 4 Grant Announcement and Application**

Massachusetts Housatonic River Watershed Restoration Program

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Date/Time: June 26, 2018 / 5:30 PM  
Place: Lenox Library, Welles Gallery, Massachusetts  
Attendees: Thomas Potter (MassDEP), State Trustee Representative, MA SubCouncil;  
Cathy Kiley (MassDEP), NRD Contract Administrator;  
Karen Pelto (MassDEP), NRD Program Coordinator;  
Robin MacEwan (Stantec); and  
Attendees (see Attendance Sheet, Attached)  
Distribution: Program Website ([www.ma-housatonicrestoration.org](http://www.ma-housatonicrestoration.org))

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*These meeting notes summarize the proceedings, including the responses provided during the question-and-answer period, of the Pre-Round 4 Grant Announcement and Application (GAA) Informational Meeting hosted by the Massachusetts SubCouncil of the Housatonic River Natural Resource Trustees (MA SubCouncil). Information presented at this meeting may be superseded by information provide in the Round 4 GAA when it is released.*

### **Introductions**

The meeting formally commenced at 5:40 PM. Thomas Potter (MassDEP) welcomed attendees and introduced the purpose of the meeting, following which meeting attendees introduced themselves.

### **Presentation**

The MA SubCouncil gave a presentation that provided an overview of the Massachusetts Housatonic River Watershed Restoration Program (Restoration Program); summarized the anticipated approach for Round 4 of the Restoration Program; provided information regarding the anticipated Round 4 Grant Announcement and Application (GAA) and Grant Contracts; summarized the process for evaluation of Restoration Project proposals; outlined anticipated Round 4 timelines; and reviewed Restoration Program resources.

The MA SubCouncil noted that now, and up until the release of the GAA, is the time for Round 4 project proponents to ask potential project-specific questions of the MA SubCouncil. The MA SubCouncil described that, once the GAA is issued, they will not be able to address project-specific questions and will be constrained to addressing procedural questions regarding the GAA.

The meeting agenda and PowerPoint presentation slides from the MA SubCouncil's presentation are available on the program website at: <http://www.ma-housatonicrestoration.org/library.htm>.

Additional resources referenced during the meeting, including the Restoration Project Selection Procedure (RPSP) are also available on the program website at: <http://www.ma-housatonicrestoration.org/library.htm>.

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### **Open Forum<sup>1</sup>**

Following the MA SubCouncil's presentation, Robin MacEwan opened the Open Forum / Q&A portion of the meeting. Questions posed by the audience, and answers provided by the MA SubCouncil, are summarized below.

**Question 1: In the presentation it was mentioned that contingency funding may be reserved to address potential ongoing needs related to projects from Rounds 1 through 3. How is that contingency funding allocated? Are Rounds 1 through 3 projects required to apply for contingency funding as a part of Round 4?**

**MA SubCouncil Response:** *Approximately \$100,000 has been targeted as contingency funding for completion of specific components of Round 1, 2 and 3 projects. The intent of this contingency funding is to provide for completion of project components that are a part of the contracted scope of previously funded projects. New project components (i.e., project components that were not part of the contracted scope of a previously funded project) would have to be addressed as a part of a new application under Round 4 of the Restoration Program.*

**Question 2: What is meant by "Injury" in the context of the statement in the presentation that "[Restoration Program] funds are to be used for compensatory restoration projects that will restore, rehabilitate, replace, or acquire the equivalent of natural resources and/or their services that were injured or lost as a result of the release of hazardous materials, including PCB's., into the Massachusetts portion of the Housatonic River watershed"? Does "injury" refer to resources directly degraded by PCBs or is the definition more broad?**

**MA SubCouncil Response:** *"Injury" refers to damages to natural resources and/or their services that resulted from release of hazardous materials, including PCBs. Restoration Program funding is intended to provide for compensatory restoration for the types of natural resources and/or their services that were damaged by the release of hazardous materials and PCBs. Restoration Program projects must directly benefit the equivalent of the injured resources within the Massachusetts Housatonic River Watershed and may be provided within the four Restoration Priority Categories identified by the MA SubCouncil for this Restoration Program. The Restoration Priority Categories are described in the RPSP and include Aquatic Biological Resources and Habitat, Wildlife Resources and Habitat, Recreational Uses, and Environmental Education and Outreach.*

**Question 3: Is there an anticipated breakdown of how Round 4 funding will be allotted between the four Restoration Priority Categories?**

**MA SubCouncil Response:** *No. In Round 4, proposals will be accepted for projects in each of the four Restoration Priority Categories (similar to Round 1), but there is not a pre-determined allocation of Round 4 funding between the Restoration Priority Categories. Selection of projects will be based on the project evaluation procedures described in the RPSP.*

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<sup>1</sup> Questions and responses presented in these meeting notes are paraphrased and summarized; they do not represent direct quotes. Additional information has been added to certain responses presented here for the purpose of further clarification.

**Question 4: Is there a desired range for project costs, and how many projects are you likely to fund as a part of Round 4?**

**MA SubCouncil Response:** *There is no pre-determined Round 4 project cost range or project quantity. The quantity and type of projects selected will be determined based on what projects are proposed and how each project scores in relation to the evaluation criteria described in the RPSF. The MA SubCouncil does provide monitoring of implemented projects and has an interest in selecting a reasonable number of projects that can be completed in a reasonable amount of time, ideally within four years. The MA SubCouncil does not expect that Round 4 will fund as many projects as were funded in Round 1 (10 projects).*

**Question 5: What happens during the period following submittal of a project proposal and are there differences for the review timelines and processes for land acquisition project proposals?**

**MA SubCouncil Response:** *Because of the unique sensitivities and requirements associated with land acquisition projects, the timeline and approach for review of land acquisition project proposals may differ from that for other project proposals (as it has in past rounds of the Restoration Program). These details are currently under development and will be defined in the GAA when it is released later this summer. While it is anticipated that there may be a different track for land acquisition projects, these proposals will follow similar evaluation procedures as other projects. The MA SubCouncil also noted that the Round 4 Draft Restoration Plan is anticipated to describe the general types and acreages of habitat proposed for acquisition/protection but that specific parcels would not be identified until closure of land acquisitions due to sensitivities associated with land acquisition. This approach is consistent with previous rounds of the Restoration Program.*

**Question 6: Can a project proposal be submitted with preliminary or concept plans and subsequently proceed to design development during the proposal review period?**

**MA SubCouncil Response:** *Project scoring prioritizes projects with a likelihood of implementation. Project design may be funded as a component of an overall project, but proposals that only include design (and not implementation) may not score as highly as proposals that would result in an implemented project.*

The response provided in the following paragraph was not provided at the meeting and is provided here for clarification: *Design development that occurs after the date of the formal issuance of the GAA and before the date of the Final Restoration Plan, may be eligible to receive funding if the design development is specifically included in the project proposal, the proposed project is selected by the MA SubCouncil as one of the preferred projects in the Final Restoration Plan, and the proposed project meets applicable due diligence requirements.*

**Question 7: Can land acquisition projects include conservation restrictions and other mechanisms or is only fee simple land acquisition acceptable? What level of commitment is needed from a landowner at the time a proposal is submitted?**

**MA SubCouncil Response:** *In previous rounds of Restoration Program funding, proposals for land acquisition projects have not been required to include a letter of interest or commitment (e.g., an option) from the landowner. It is expected that this round will be similar to previous rounds and that proposed land acquisition projects will only be required to provide a letter of*

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*interest or commitment if, following initial evaluation and scoring, if selected to proceed to the second, "due diligence" phase of the application process for land acquisition projects. This process, including requirements of both phases of the application process, will be described in detail in the GAA. Required due diligence costs for selected proposals will be reimbursed as described in the GAA.*

*The MA SubCouncil also notes that 1) required due diligence costs for selected proposals will be reimbursed as described in the GAA and 2) there is no guarantee that land acquisition proposals that are selected to proceed to the due diligence phase of the application process will ultimately be selected for project funding.*

*The response provided in the following paragraph was not provided at the meeting and is provided here for clarification: Yes, land acquisition projects can include Conservation Restrictions and other mechanisms of land protection other than fee simple land acquisition. Regardless of mechanism, it is a requirement that all land protected or acquired with NRD funds be protected in perpetuity.*

**Question 8: How can the MA SubCouncil anticipate what may be impacted by General Electric (GE) as a part of ongoing remediation work and how does that inform selection of Round 4 restoration projects?**

**MA SubCouncil Response:** *Compensatory restoration funded through the Restoration Program may benefit the equivalent of injured natural resources and their services anywhere within the Massachusetts portion of the Housatonic River watershed, and only a subset of this area has the potential to overlap spatially with ongoing remediation actions. It was originally anticipated that the final round would occur after finalization of the Remedy Decision for the "Rest of River" reach of the Housatonic River. However, as described at the May 1, 2018, Open House and during this evening's presentation, the timing of the Remedy Decision is significantly past the date originally anticipated and remains uncertain. In response to community interest and uncertainty regarding the timing of the Remedy Decision, the Trustees intend to initiate Round 4 in 2018. The MA SubCouncil does coordinate with a technical advisor at EPA who provides input regarding whether proposed Restoration Plans may conflict with or be impacted by the remediation. The Town of Lenox boat access at Woods Pond (a Round 2 project) is an example of this. An objective of the project included providing access that would allow users to avoid contaminated sediment, and the MA SubCouncil coordinated with EPA to confirm that the project would not conflict with the remediation.*

**Question 9: When will the GAA be available?**

**MA SubCouncil Response:** *It is anticipated that the GAA will be released in the beginning of August 2018.*

**Question 10: The presentation stated that the maximum contract period is 4 years. If a project proposal states that the project duration may exceed 4 years, will that affect the project scoring?**

**MA SubCouncil Response:** *Project proposals will be evaluated and scored using the evaluation criteria, and there is no criterion that provides for scoring specifically related to a 4-year timeframe. The 4-year contract duration is identified in the interest of getting projects completed; however, the MA SubCouncil does have the ability to extend the contract*



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*duration where necessary, and there are examples from past funding rounds where such extensions have been granted.*

The meeting adjourned at approximately 6:25 PM.

The foregoing is considered to be a true and accurate record of the items discussed. If discrepancies or inconsistencies are noted, please contact Thomas Potter at 617-292-5628.

**Stantec Consulting Services Inc.**

Robin MacEwan  
Principal, Environmental Services  
Phone: 413-584-4776  
Robin.macewan@Stantec.com

Attachment: Attendance Sheet

**Massachusetts SubCouncil, Housatonic River Natural Resource Trustees  
General Electric/Housatonic River Natural Resource Restoration**

**INFORMATIONAL MEETING**

Pre-Round 4 Grant Announcement and Application  
Housatonic River Natural Resource Damages Fund

**Tuesday, June 26, 2018, at 5:30 PM**  
Lenox Public Library, Welles Gallery  
18 Main Street, Lenox, Massachusetts

**ATTENDANCE SHEET**

<b>Name</b>	<b>Organization</b>
Gianina Burnett	Stantec
Robin MacEwan	Stantec
Nikhil Selarka	MassDEP
Cathy Kiley	MassDEP
Thomas Potter	MassDEP
Karen Pelto	MassDEP
Dennis Regan	HVA
Dave Bubriski	Ward 4 Rest of the River Watch
Stephanie Bergman	Mass Audubon
Lynn Harper	Mass Wildlife
Janice Kabel	Great Barrington Land Conservancy
Kathy Orlando	Sheffield Land Trust

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<b>Name</b>	<b>Organization</b>
Lauren Gaherty	BKPC
Jane Winn	BEAT
Mackenzie Greer	BNRC
C Jeffrey Cook	CCC