



COLORADO

Department of Public Health & Environment

Dedicated to protecting and improving the health and environment of the people of Colorado

**North St. Vrain Creek
Natural Resource Damages
Assessment and Restoration**

Solicitation for Project Proposals

January 2024

Table of Contents

Acronyms	3
Definitions	3
North St. Vrain Creek, Natural Resource Damages Solicitation for Project Proposals	6
I. Issue and Timeline Information	6
II. Background and General Information	8
A. Background	8
B. Funding	9
C. Eligibility.....	10
III. State Contractual Requirements	10
IV. Nature of Projects Sought by This Solicitation for Project Proposals.....	11
A. General Scope:	11
B. Target Natural Resources	12
C. Contacts for SPP Process	12
V. Submitting a Proposal	13
A. Introduction	13
B. Content and Format Required	13
VI. Evaluation	17
A. Evaluation Process.....	17
B. Evaluation Factors.....	17
References	20
Figure 1 - North Saint Vrain Map	21
Attachment A North St. Vrain Creek NRDAR Solicitation for Project Proposal Scoring Matrix	23

Acronyms

CDPHE	Colorado Department of Public Health and Environment
CERCLA	Comprehensive Environmental Response, Compensation and Liability Act
DOI	United States Department of the Interior
HMWMD	Hazardous Materials and Waste Management Division
MOU	Memorandum of Understanding
NRDA	Natural Resource Damages Assessment
OMM	Operation, Monitoring, and Maintenance
OPA	Oil Pollution Act
SOW	Statement of Work
SPP	Solicitation for Project Proposals
USFWS	United States Fish and Wildlife Service
DARP	Damage Assessment Restoration Plan

Definitions

Acquisition of the equivalent or replacement

The substitution for an injured resource with a resource that provides the same or substantially similar services. See 43 CFR 11.14(a).

In-Kind Services

In-Kind contributions are donated time and effort, real and personal property, and goods and services. The worth of the contributed service is the fair market value.

Matching Funds

Matching funds include in-kind service, partner contributions, or cash funds. Each NRDA dollar is leveraged with at least one non-NRDA dollar or equivalent goods and services. Funds from NRDA cannot be used as in-kind or matching support. Matching funds cannot include Federal or State funds for pre-existing projects.

Natural Resources

Land, fish, wildlife, biota, air, water, groundwater, drinking water supplies, and other such resources belonging to, managed by, held in trust by, appertaining to, or otherwise controlled by the United States (including the resources of the Exclusive Economic Zone), any state or local government or Indian tribe, or any foreign government, as defined in section 1001(20) of OPA ([33 U.S.C. 2701\(20\)](#)).

Natural Resource Services

The functions performed by a natural resource for the benefit of another natural resource and/or the public.

Partnership Contribution

Partnership contributions can be in the form of cash contributions, the donation of materials or tools, or the contribution of in-kind services, such as volunteer labor and technical expertise. Contributions are restricted to those directly involved in the proposed scope of work but can include planning and other related activities conducted within one year of the proposed date for the project.

Restoration

Actions undertaken to return an injured resource to its baseline condition, as measured in terms of the injured resource's physical, chemical, or biological properties or the services it previously provided. See 43 CFR Part 11.14(l)

State Trustees

The Governor of the State of Colorado has designated the following Trustees to act on behalf of the public in protecting the Natural Resources of the State: The Attorney General of the State of Colorado, the Executive Director of the Colorado Department of Public Health and Environment; and the Executive Director of the Colorado Department of Natural Resources.

Federal Trustees

The Federal Trustees acting on behalf of the public are the United States Department of the Interior (DOI), represented by the United States Fish and Wildlife Service (FWS). The Regional Director Mountain-Prairie Region, FWS, is the Authorized Official for DOI and the Federal Lead Administrative Trustee.

Trustee Council

The Trustee Council is comprised of the State of Colorado's three-person committee of representatives of the statutory natural resource trustees and the U.S. Department of the Interior, as represented by the U.S. Fish and Wildlife Service (USFWS). The CDPHE Trustee representative is charged with and performs the administrative and expenditure responsibilities on behalf of the Trustees. A Work Group comprised of the five Trustee Council representatives will be tasked with evaluating and reviewing the proposals received in response to this solicitation of NRD projects for North St. Vrain Creek.

Hazardous Materials and Waste Management Division North St. Vrain Creek, Natural Resource
Damages
Solicitation for Project Proposals
Offeror Registration Form

All potential Offerors who may be interested in submitting proposals under this request must complete and return this registration form. This will enable the CDPHE and USFWS to contact all potential Offerors in the event of changes to the SPP, clarification, or extension.

Offeror Organization: _____

Type of Organization, Status, Registrations (i.e., non-profit, government, or private entity): _____

Name of Official Representative: _____

Address: _____

Phone number: _____

Fax number: _____

Email address: _____

Please return this form by email to:

Melody Mascarenaz
North St. Vrain Creek NRDA Project Manager
Colorado Department of Public Health and Environment,
Hazardous Materials and Waste Management Division
melody.mascarenaz@state.co.us

If you have technical limitations and cannot provide this document via email, please call Melody Mascarenaz at 303-881-4620 to make alternate arrangements.

This form must be received by February 15, 2024.

North St. Vrain Creek, Natural Resource Damages
Solicitation for Project Proposals

I. Issue and Timeline Information

- A. Issuing Office: This Solicitation is offered by the Colorado Department of Public Health and Environment's Hazardous Materials and Waste Management Division (HMWMD). HMWMD will be the point of contact regarding this solicitation for projects.
- B. Invitation to submit proposals: The State of Colorado and USFWS are posting this Solicitation so that Offerors interested may submit a proposal **for improving and restoring natural resources and related services** in accordance with this solicitation. Please read and be aware of the administrative information included in this document.
- C. Any eligible party wishing to submit a proposal under this Solicitation must submit a registration form by February 15, 2024, prior to the Mandatory Offerors Q&A. The purpose of this registration is to enable the HMWMD to keep all parties informed of changes and or provide clarification should questions arise regarding this document.

D. Schedule of Activities -

Activity	Date
○ Initiation of Solicitation for Project Proposal Advertise NRDA SPP	January 12, 2024
○ Kickoff Meeting with the public in Lyons & virtually	January 16, 2024
○ Offeror Registration Form Deadline	February 15, 2024
○ Offerors Written Questions Deadline	March 15, 2024
○ Responses to Offeror Questions	April 1, 2024
○ Proposal Submission Deadline	May 1, 2024
○ Initial Screening Review of Proposals	May 2024
○ Post Proposals for 30 days - public review	June - July 2024
○ Proposed Project Site Visits	Summer 2024

- **Formal Evaluation by Trustee Council** **August 2024**
- **Recommendations to NRD Trustees** **4th Quarter 2024**
- **DRAFT DARP - 30 Day Public Comment Period - August/September 15, 2024**
- **FINAL DARP (after public comment period)** **TBD**
- **Contract Awarded and Notice to Proceed** **TBD**

Written inquiries, Registration Forms, and Proposals shall be directed to:

Melody Mascarenaz

North St. Vrain Creek NRDA Project Manager
Colorado Department of Public Health and Environment
Hazardous Materials and Waste Management Division
4300 Cherry Creek Drive South
Denver, CO 80246-1530
Phone: (303) 881-4620
Email: melody.mascarenaz@state.co.us

Obtain the Solicitation for Project Proposal (SPP):

Pearl Campos Records Center

Colorado Department of Public Health and Environment
Hazardous Materials and Waste Management Division
4300 Cherry Creek Drive South
Denver, CO 80246-1530
Phone: (303) 692-3331 Fax: (303) 759-5355
Email: pearl.campos@state.co.us

Or download from the State of Colorado web page:

<https://cdphe.colorado.gov/hm/north-saint-vrain-restoration>

or

<https://coag.gov/office-sections/natural-resources-environment/trustees/damages-cases>

II. Background and General Information

A. Background

On April 27, 2021, a fuel truck rolled over on U.S. Highway 36 north of Lyons, Colorado, dumping a petroleum product (gasoline) into a ditch that discharged into North St. Vrain Creek from a culvert near the north end of Apple Valley Road and U.S. Highway 36 intersection. North St. Vrain Creek carried the gasoline south past River Community Church, Apple Valley Farmstead, Planet Bluegrass, and LaVern M. Johnson (formerly Meadow) Park in Lyons before reaching the confluence with South St. Vrain Creek (Figure 1). The rollover spilled an estimated 1,560 to 2,360 gallons of gasoline into North St. Vrain Creek (U.S. EPA, 2021). The pulse of gasoline into the creek resulted in a substantial fish kill, with 857 recovered sport fish carcasses (Leslie, 2021) and likely hundreds more that were not recovered. The mostly volatile organic compounds discharged into the creek caused natural resources injuries for multiple miles downstream of the discharge site, including harm to fish, benthic macroinvertebrates (BMI), and biofilm.

The U.S. Environmental Protection Agency deployed an emergency response team to contain the spill, remediate impacted soils, and collect water and sediment samples. Sampling detected petroleum compounds such as benzene, toluene, ethylbenzene, and xylenes (BTEX) in surface water and sediment in concentrations below state water quality criteria.

The sole potentially responsible party was MTY Trucking LLC, insured by Great West Casualty Insurance Co. The United States and the State of Colorado received \$254,000.00 for their natural resource damages claims under the federal Oil Pollution Act. The State established a St. Vrain Natural Resource Damages Trust Fund (“Colorado NRD Trust Fund”) as a separate and segregated interest-bearing custodial account within the State Treasury. The Trustees agreed to coordinate using the NRD funds from the account for administration and expenditures. This SPP aims to identify environmental restoration projects that will restore, replace, or acquire the equivalent of the injured natural resources.

The preferred boundaries for projects under this SPP are those areas within the North St. Vrain Creek basin in Boulder County, outlined in Figure 1. However, projects are not limited to addressing resources injured in and around the North St. Vrain Creek.

B. Funding

Approximately \$254,000.00 is available from the NRDA recovery fund (the “Funds”) to implement natural resource restoration, replacement, or acquisition in the North St. Vrain Creek area, for which the Trustee Council is soliciting project proposals at this time. **Funds obtained through this solicitation may not be used for planning and administrative purposes or for responsibilities assumed under other regulatory programs, such as reimbursements or repayments of pre-existing obligations.**

The number of projects to be funded and the level of funding will be based on how well each proposal addresses restoration objectives, meets the evaluation criteria, and on the availability of funds. More information is available in the [Colorado NRD Project Selection Guidance \(NRD Guidance Sept. 16, 2022\)](#).

An Offeror may submit a proposal for more than one project. A proposal may contain a singular project or may be comprised of more than one project in several categories (e.g., one proposal may have a restoration of wetlands component along with an acquisition of wildlife habitat component). Each proposal will be evaluated and scored separately and ranked accordingly. The Trustee Council will not accept multiple proposals from one Offeror that are substantially similar (e.g., different variations of the same project).

These Funds may be used for proposals that supplement existing or ongoing projects. However, the activities funded shall only be used for work performed and commencing after the date of the Notice to Proceed (see Section I.D. above). In such a proposal, the Offeror must state how the activities described in the proposal improve upon the existing activities, are not duplicative of current activities, and address the restoration objectives.

All submittals must comply with the state accessibility guidelines:

- Make sure headings are correctly assigned to organize content.

- For images, Include descriptive alternative text. Resource: [WebAIM alternative text guidance](#) (Resource is optional).
- For a complex image like a map or graph, include a long description or caption in the body of the content.
- Do not insert images of tables; create them with the functionality native to your word processing software.
- Avoid flow charts if possible. If it is not possible to avoid them, include alternative text.
- Avoid using underlines to make text stand out. Underlines should be reserved for links.

Those Offerors proposing to use a mixture of funding sources (matching funds) are responsible for securing all such funds. Should the Offeror fail in attempts to secure matching funds (50% matching funding required), the project may be put on hold for a designated time period (to give the Offeror additional time to secure other funds), or the NRDA funding may be canceled in total, or the Trustee Council may determine that the NRDA-funded portion of the project can continue.

C. Eligibility

1. To be eligible, Offerors may include but are not limited to the following:
 - A public or private non-profit entity possessing a tax-exempt status under section 501(c)(3) of the IRS code;
 - An institute of higher education; or
 - A local, state, or federal governmental agency.
2. Offerors must have the financial and technical capability to complete a restoration project successfully and must have experience with project management and contracting.
3. More than one organization may apply for funding with other organizations. One organization must assume the responsibility of the prime contractor. The other organizations in the collaborative effort will possibly be considered subcontractors to the prime contractor. The relationship between the organizations, the lines of communication, and the responsible parties in each organization must be described in addition to the information required in Section V.B.1. "Description of the Organization."
4. Offerors must show commitments for a minimum of 50% of their overall project costs from non-NRDA sources, either with dollars or in-kind services, and the non-NRDA funds must buy down the project cost.

III. State Contractual Requirements

Successful Offeror(s) will be subject to contract negotiations with CDPHE, resulting in a contract. An example contract is available at the CDPHE website: <https://cdphe.colorado.gov/cgr>.

All potential Offerors are advised to familiarize themselves with the requirements of the example contract, which includes the SPP, Offerors Statement of Work (SOW), project schedule, and prices schedule. As a general rule, general and special contract provisions are required by State purchasing regulations and are non-negotiable. Offerors should not submit proposals if they are unable to fulfill contract requirements. Please note, however, that in some circumstances (e.g., the purchase of real property or interest in real property), some terms in the example contract may not apply. All questions regarding this process should be submitted to the North St. Vrain Creek NRDA Project Manager, Melody Mascarenaz, no later than March 15, 2024. Questions may be submitted through electronic mail. The Project Manager reserves the right to answer the question verbally, consult with the Trustee Council, and prepare written responses to be delivered no later than April 1, 2024, to those who have submitted the Offerors Registration Form.

Any successful Offeror(s) will carry out the project under a cost-reimbursement contract* with the State of Colorado. The contractor will be reimbursed for actual incurred costs not to exceed the contract amount.

***A cost summary shall be prepared by the contractor, accompanied by supporting data, indicating costs claimed by cost elements, including: labor, equipment, supplies, materials, lab analyses/reports, travel, subcontracts, and other direct and indirect costs. Contractors should also detail those costs that will be claimed as in-kind match, including but not limited to engineering, planning, and administration.**

The contractor shall submit an itemized invoice showing the personnel performing the work, work performed, hours worked, contractual per-hour rate, and subcontract documents and invoices. The invoice shall reflect the scope of work, work order, and costs identified by the major task.

Backup documentation must be available for review by CDPHE. Required documents include, but are not limited to, individual time sheets, travel reimbursement documentation, purchase orders, invoices, or other actual payment records.

The contractor must obtain all permits, licenses, and approvals prior to commencing work under the contract.

IV. Nature of Projects Sought by This Solicitation for Project Proposals

A. General Scope:

The Trustees' objective for the Funds is to select proposals that contain projects that restore, rehabilitate, protect, or enhance areas that are related to, proximal to, or have an ecological nexus to, the natural resources and related services injured as a result of the oil spill.

Pursuant to their authorities under the Oil Pollution Act (OPA), the Federal and State Trustees agreed to work together to investigate and respond to potential injuries to natural resources caused by the Incident. Accordingly, shortly after the Incident, the Trustees entered into a Memorandum of Understanding (MOU) that provided the framework for them to coordinate and cooperate in assessing any natural resource damages resulting from the Incident and in planning and implementing any restoration or related activities following a successful claim.

One aspect of this framework was the creation of the Trustee Council, comprised of representatives of the Federal and State Trustees, to coordinate the Trustees' activities in accordance with the MOU and OPA requirements.

Project duration: The State intends to award contracts in 2024 and negotiate an end date mutually agreed to between the parties, not to exceed five years from the effective date of the contract.

The contractor shall be responsible to CDPHE for the ultimate performance results under the contract. However, the contractor shall not be subject to the direct control of the CDPHE or the Trustees regarding the means and methods of accomplishing the work.

B. Target Natural Resources

The preferred categories of restoration projects that the Trustees prefer include:

- restoration, rehabilitation, or enhancement of aquatic habitat and associated riparian habitat;
- restoration, rehabilitation, or enhancement of terrestrial habitat (including uplands, wetlands, and riparian);
- habitat protection that may include enhancement, i.e., conservation easement or fee title purchase (including uplands, wetlands, and riparian);
- restoration, rehabilitation, or enhancement of resources to protect water quality; and
- projects that increase public access to natural resources (where appropriate).

In addition, the Trustees also support monitoring projects that provide key data needed to attain restoration goals in the Saint Vrain watershed.

C. Contacts for SPP Process

Primary contact

Melody Mascarenaz
North St. Vrain Creek NRDA Project Manager
Colorado Department of Public Health and Environment Hazardous
Materials and Waste Management Division
4300 Cherry Creek Drive South
Denver, CO 80246-1530

Email: melody.mascarenaz@state.co.us
Phone: (303) 881-4620

Alternate contact

Jennifer Talbert
North St. Vrain Creek NRDA Project Supervisor
Colorado Department of Public Health and Environment Hazardous
Materials and Waste Management Division
4300 Cherry Creek Drive South
Denver, CO 80246-1530

Email: jennifer.talbert@state.co.us
Phone: (303) 692-3487

V. Submitting a Proposal

A. Introduction

This section describes the information that must be furnished by the Offeror and prescribes the format in which it must be presented. The Offeror must clearly and concisely state and discuss how they will accomplish the work described in the Statement of Work. The proposal must include the information as described in the 'Content and Format Required' section below. The proposal must not exceed 20 pages (excluding budget and attachments such as resumes, proof of organizational status, and registrations with regard to eligibility requirements, letters of public support, and design documents and maps) and must be double-sided and single-spaced. If any proposals exceed 20 pages in length, only the first 20 pages will be read, and the entire evaluation will be based on those 20 pages. Each Offeror must submit an electronic proposal, pdf format not to exceed 15MB, via email to Melody Mascarenaz (melody.mascarenaz@state.co.us). If you have technical limitations and cannot provide a PDF document, please call Melody Mascarenaz at 303-881-4620 to make alternate arrangements.

B. Content and Format Required

1. Executive Summary: (Suggested limit: two pages)
 - Proposal Name
 - Project(s) Description (including a description of target natural resources addressed)
 - Project Offeror
 - Point-of-Contact Name, Address, Phone, and Email address
 - Total Project Cost
 - Amount of NRDA Funding Requested
 - Matching Fund Sources, Type, Value and Status
 - Signature of the Authorized Offeror
2. Scope of Work, including maps
 - a. Target Natural Resource(s): (Suggested limit: two pages)
State the target natural resource(s) to be affected by or included in the proposal.
 - i. Describe how the proposal will restore, replace, or acquire the equivalent of injured natural resources and how the development, design, implementation and restored site can be made available for public benefit.
 - ii. Provide a detailed description of the area (acreage, linear footage, etc.) of natural resources addressed by the proposal.
 - iii. Provide a map of the area.
 - b. Objectives: Provide clear, measurable, realistic, time-phased objective(s) for

the work proposed.

- c. Operational Plan: Submit an operational plan that describes the proposal.
 - i. Describe in detail how the work will be implemented.
 - ii. Describe with whom the Offeror will collaborate to accomplish the scope of work. Provide letters of support from those entities and any other letters of support as an appendix to the proposal.
 - iii. Describe the type and name(s) of donors and what they are contributing in the equivalent dollar amount of match if in-kind or actual dollar amount of cash.
 - iv. Provide construction designs and drawings, if applicable, maps of proposed restoration location(s), and a schedule and or timeline for the completion of major project components. For proposals that require an engineering design, prior to construction, final design documents must be submitted with the appropriate professional engineer stamp or certification of design documents. Following construction, as-built survey documents will be required. The submittals shall be provided in electronic *.pdf format.
 - v. Describe the operation, maintenance and monitoring (OMM) requirements and the entity(ies) accepting those responsibilities for the duration of the project and a minimum of 10 years thereafter, if applicable. Describe the plans or methods and schedule for how the project will be monitored to evaluate whether it successfully achieves the restoration objectives. Describe the 6 and 12-month warranty inspections which are required following substantial completion of the proposed project. Detail the funding source, cost, and entity responsible for conducting the long-term operation, maintenance and monitoring. This shall include an Annual Report documenting the OMM.
 - vi. Permits/Approvals/Certifications: Describe all permits, licenses, approvals, professional engineer's stamps of engineering design, and as-built documents that will be required to complete the project and describe the current status/progress towards obtaining these permits/approvals.
 - vii. Project Schedule: Provide a timeline that identifies project phases, milestones, midpoint, and pre-final inspections.
 - viii. Monthly Invoice and Status Report: Describe which activities in the operational plan will be tracked, how they will be counted, and how they will be reported in the monthly invoice.
 - ix. Project Documentation and Deliverables: Provide a list of documentation and deliverables that will be supplied for the proposed project and throughout the duration of the project, including the OMM phase.
- 3. Budget Spreadsheet: Describe the total dollar amount requested for the project. Break out the total amount requested by budget categories (personnel, fringe benefits, travel,

equipment, supplies, contractual, and operating expenses). Detail those costs that will be claimed as in-kind match, including but not limited to engineering, planning, and administration. A budget spreadsheet shall be supplied separately for each substantially different proposal component. (For example, land acquisition costs will be presented separately from habitat restoration costs.)

Within the proposal, describe and justify what will be obtained with the funds. List key staff members that will be assigned to the proposed work, how much time they will work on the project (how many hours per week), and brief descriptions of duties. Describe all private and public (local, state, and federal) funds by budget category that may be expended in the completion of this proposal. Detail the type, donors, and dollar equivalent of matching funds obtained to complete or complement this proposal, if applicable.

4. **Public Communication Strategy:** Describe the process that will be used to demonstrate inclusiveness, communication, and opportunities for public input over the course of the project.
5. **Relationship to the Ranking Criteria:** Provide a summary of how this project meets each of the objectives indicated by the Screening and Ranking Criteria contained in Section VI.B.1 and VI.B.2 below.
6. **Appendices should include the following and are not part of the 20-page limit:**

- a. **Description of the Offeror's Organization:** (Suggested limit: one page)

Describe prior experience with projects of similar scope and complexity. Describe previous experience with regard to each proposed project category or collaboration with organizations that have expertise in those areas. Provide evidence that the Offeror possesses the necessary financial, material, equipment, facility, and personnel resources and expertise or the ability to obtain them. Provide evidence that the organization meets the eligibility requirements of Section II.C.1.

- b. **Offeror agencies, organizations, and individuals must meet the following standards of responsibility:**
 - i. The Offeror selected must be responsible for project costs, including personnel, fringe benefits, supplies, operating expenses, travel, equipment, and capital items. The Offeror must provide the necessary financial, material, equipment, facility, personnel resources, and expertise to meet all contractual requirements and provide all services requested herein. Offeror must provide evidence that it possesses the necessary resources; or must present acceptable plans to subcontract for them; or must document commitment from, or an explicit arrangement with, a satisfactory source to provide them.
 - ii. The Offeror must present a resume indicating experience with analogous projects and or the capacity to perform the scope of work. The resume shall include the project description and objectives, the contracting entity, the cost of the project, the schedule for implementation, cost overruns and technical difficulties

encountered. In addition, the Offeror shall indicate its experience with developing funding sources for matching with the NRDA funds.

- c. Full Budget Table
- d. Application/Assurances: If applicable, provide proof of organizational status. If the Offeror claims non-profit tax-exempt status under section 501 (c)(3) of the IRS code, then the Offeror shall submit proof of status.
- e. Letters of Support

VI. Evaluation

A. Evaluation Process

1. The Trustee Council will score each proposal received in accordance with the evaluation factors stated herein and make a recommendation to the Trustees for final decision.
2. The Trustee Council may request a review of the proposals by outside agencies, local governments, and subject matter experts at its discretion. The Trustee Council will consider review comments during the Evaluation Process. The Trustee Council may request modifications to proposals based on review comments.
3. Failure of the Offeror to provide any information requested herein may result in the disqualification of the proposal. This responsibility is that of the Offeror. The Trustee Council reserves the right to ask individual Offerors for additional or explanatory information.
4. Proposals may be funded in whole or in part. For example, a proposal may contain several components, but the Trustee Council might approve some but not all of those components.
5. If applicable, the Trustee Council may request a site visit with the Offeror to allow the Offeror to show the Trustee Council the exact location of the work sought to be performed. A site visit is discretionary on the part of the Trustee Council.
6. The Trustee Council will evaluate all proposals unless there is a conflict of interest. If a member of the Trustee Council has a conflict of interest or is otherwise affiliated with a project and or Offeror, then that Trustee Council member must recuse themselves from evaluating that proposal.

B. Evaluation Factors

The Trustees will determine the number of projects to be funded and the level of funding based on how well each proposal meets the evaluation criteria. The Trustee Council has developed criteria it will use in analyzing potential restoration projects for natural resources injured as a result of releases from the site. These criteria are organized into Screening and Ranking Criteria, each with specific requirements or considerations.

1. Screening Criteria

The following Screening Criteria will be used to ensure project proposals are eligible to move forward in the process. Project proposals passing 'Screening Criteria' will be subject to further review using the criteria set forth in the Ranking Criteria. No additional consideration will be given to proposals the Trustee Council determines are not qualified (or do not pass Screening Criteria).

- a. **Compliance with the SPP requirements:** The project proposal must comply

with the requirements of this solicitation.

- b. **Compliance with laws:** The project must comply with all applicable federal, state, and local laws, rules, regulations, and permits.
- c. **Public health and safety:** The project cannot pose a threat to the health and safety of the public.
- d. **Eligibility for NRDA Funding:** The Trustee Council will focus on the connection or “nexus” between the natural resources that the proposed project(s) would restore, replace, or acquire the equivalent of the natural resources and/or services injured by the historical releases from the Site.

2. Ranking Criteria

The Trustee Council has developed the following Ranking Criteria to evaluate and rank proposed projects. These criteria reflect the Trustee Council’s requirements and priorities for restoration.

- a. **Likelihood of Success:** The level of expected return of natural resources and natural resource services. Proposed project restoration goals should be clear and measurable. The proposal should describe the capability of individuals or organizations expected to implement the project, and their ability to correct any problems that arise during the course of the proposed project. The project must also be technically feasible and procedurally sound.
- b. **Multiple Natural Resource Benefits:** The extent to which a proposed project benefits more than one natural resource or natural resource service.
- c. **Project Utilizes Multiple Approaches:** Considers how many restoration approaches are utilized by the project - i.e. restoration, rehabilitation, replacement, and acquisition.
- d. **Long-term project benefits:** The expected sustainability and duration of benefits from the proposed project. Long-term benefits are the objective. Proposed projects are expected to provide long-term sustainable benefits.
- e. **Project Alignment with Regional Planning:** Proposals should be aligned with existing land and resource management plans such that they can be incorporated into a holistic land and natural resource management plan.
- f. **Protection of Implemented Project:** Considers the opportunities to protect the implemented project and the resulting benefits over time. Project proposals involving fee title acquisition of property for open space should identify the fee title owner and include a commitment to grant a conservation easement or other mechanism allowing the Trustees to ensure that the acquisition provides continued natural resource benefits. If a conservation easement is proposed, the project proponent must identify the easement holder and provide a draft of the conservation easement prior to closing on the easement. Project proposals that afford long-term protection will be given preference.

- g. **Project benefit versus expected cost:** Considers the time it takes for benefits to be provided to the target ecosystem or public, versus the expected costs of the project.
- h. **Non-NRDs Match:** A minimum of 50% match to NRD funds is required. Match may consist of cash from non-NRD sources or in-kind services. Some degree of cash match is preferable. Points will be awarded based on percentage of cash match.
- i. **Multiple partners:** Considers the number of partners contributing funds or services, as well as the degree to which these partners collaborate with the project proponents on planning and implementing the project.
- j. **Monitoring:** Considers the ability to monitor and evaluate the success of the project and to correct any problems that arise during the course of the project.
- k. **Disproportionately impacted community:** Some communities in Colorado have an increased risk of exposure to human health and environmental harms. Many of these communities are home to people of color and low-income families. Points will be awarded to projects within these communities as identified on CDPHE's online Enviroscreen tool. See <https://cdphe.colorado.gov/enviroscreen>

References

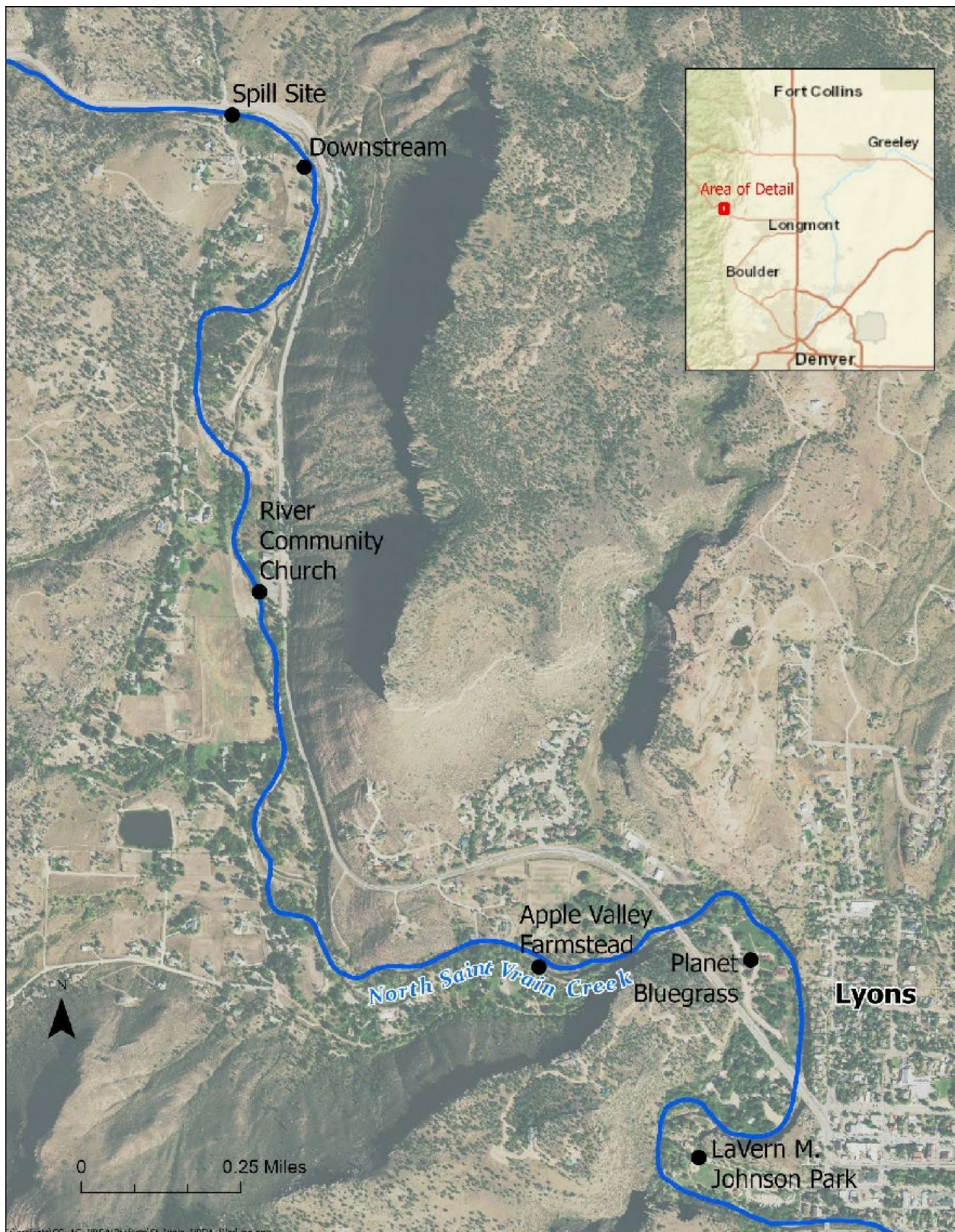
U.S. EPA. 2021. Pollution/Situation Report: Apple Valley Tanker Rollover Removal. Initial and Final Removal Polrep. Prepared by Joyel Dhieux, On-Scene Coordinator, U.S. Environmental Protection Agency. September 10.

Leslie, M. 2021. Invoice for Unauthorized Take of Wild Fish. Letter from M. Leslie, Colorado Department of Parks and Wildlife, to MTY Trucking LLC, Brighton, CO. November 30.

NRD Guidance - Colorado Natural Resource Damages Restoration Project Selection Process and Administration of the Colorado Resource Damage Recovery Fund, September 16, 2022.
<https://coag.gov/app/uploads/2022/09/2022-NRD-Project-Selection-Guidance.docx.pdf>

Colorado Enviroscreen - Disproportionately impacted community:
<https://cdphe.colorado.gov/enviroscreen>

Figure 1 - North Saint Vrain Map



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Attachment A
Evaluation Sheet

North St. Vrain Creek NRDAR Solicitation for Project Proposal Scoring Matrix

Project Name: _____

Project Offeror: _____

	Ranking Criteria	No. of points Criterion is worth	No. of points awarded by this reviewer
a.	Likelihood of success (technical feasibility and procedural viability).	15	
b.	Multiple natural resources benefits (the likelihood the project will benefit more than one resource or service).	15	
c.	The degree to which the project utilizes multiple approaches (restoration, replacement, and acquisition).	5	
d.	Long-term project benefits versus any short-term injuries to the environment caused by implementing the project.	5	
e.	Project alignment with regional planning (consistency of the project with existing state, regional, and local resource management and development plans).	10	
f.	Protection of implemented project and duration of benefits (feasibility of the project's long-term operation, maintenance, and sustainability plan).	15	
g.	Project benefits versus expected costs.	10	
h.	Non-NRD funds cash match (applicant's ability to obtain matching funds from other funding sources).	5	

i.	The degree to which the project involves multiple partners and is collaborative.	5	
j.	Monitoring: The likelihood the project can be reasonably monitored and has benefits that can be measured and quantified.	10	
k.	Whether the project will help restore natural resources in any disproportionately impacted community: https://cdphe.colorado.gov/enviroscreen	5	
	TOTAL POINTS AWARDED:	100	
