Round 2 Threshold Criteria Evaluation Results

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and Natural Resources Damages (NRD) regulations require that restoration activities restore, rehabilitate, replace, or acquire the equivalent of the resources and services that were injured or lost. The first step in evaluating projects involved identifying projects that met the minimum requirements for consideration as restoration projects. These "Threshold Criteria" include consistency with the goals of the MA SubCouncil, federal regulations, and other applicable federal, state, and local regulations and laws. The Threshold Criteria are summarized below. Additional details regarding the Threshold Criteria Evaluation process may be found in the Final Restoration Project Selection Procedure.

Threshold Criteria

- 1. Does the application contain the information necessary to proceed with an evaluation as described in this document?
- (A "NO" response may render the proposed project ineligible for further consideration.)
- 2. Does the proposed project restore, rehabilitate, replace, and/or acquire the equivalent of natural resources or natural resource services that were injured by the release of PCBs or other hazardous substances?
- (A "NO" response renders the proposed project ineligible for further consideration.)
- 3. 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.)
- 4. Is the proposed project, or any portion of the proposed project, inconsistent with any federal, state, or local law, regulation, or policy?

 (A "YES" response renders the proposed project ineligible for further consideration.)
- 5. Will the proposed project, in terms of its cost, be consistent with the stated goals of the MA SubCouncil to retain sufficient funds to 1) accomplish restoration over at least three rounds of proposal solicitations and 2) serve a wide geographic area that benefits the restoration priority categories?
- (A "No" response renders the proposed project ineligible for further consideration.)
- 6. Will the proposed project, or any portion of the proposed project, be inconsistent with any ongoing or anticipated remedial actions (i.e., primary restoration) in the Housatonic River watershed?
- (A "YES" response renders the proposed project ineligible for further consideration.)

Additionally, as stated at public meetings prior to release of the Request for Responses (RFR) and in the RFR (EEA 09 NRD 02), the focus of Round 2 was to be on Habitat Restoration. Although proposals that included Environmental Education or Recreation components were considered fundable, these activities were required to be secondary within habitat restoration proposals. Proposals that were judged to primarily address the secondary restoration categories of Environmental Education or Recreation were eliminated from further consideration.

The MA SubCouncil evaluated all 15 proposals submitted in response to the Round 2 Habitat Restoration RFR. A total of 12 proposals passed the Threshold Criteria Evaluation and proceeded to Stage 2 Evaluation. The 3 proposals that did not meet the Threshold Criteria requirements or were not primarily focused on habitat restoration are identified below with the MA SubCouncil's justification for their final decision. These 3 proposals will not be considered for funding during Round 2 even though the proposed projects may provide restoration benefits to injured natural resources.

Proposal No. 202 - Horsekeeping Best Management Practices for Water Quality Protection and Restoration

The intent of this project, as detailed in the project proposal, was to reduce non-point source contaminants and restore riparian habitat through an Environmental Education and Outreach program targeted at the community of horse owners in the Housatonic River watershed. The proposal requested \$30,463 in NRD funding to utilize an existing network of horse-related organizations in the watershed to connect horse-owners with information necessary for understanding local natural resources and identifying best management practices useful in reducing non-point source pollution.

This proposal was eliminated from consideration because it did not propose to restore, rehabilitate, replace, and/or acquire natural resources or natural resource services that were injured by the release of PCBs or other hazardous substances (Threshold Criterion No. 2).

Although the MA SubCouncil considers protection of resources through outreach to be a valuable endeavor, environmental education is not a primary restoration category in Round 2. Projects focused on environmental education may potentially be considered for funding during subsequent funding rounds, but the restoration categories for later NRD funding have not been defined to date.

This proposal was therefore eliminated from consideration for this funding round because it was viewed to be an Environmental Education proposal. As stated in the applicant's project abstract:

"This project aims to reduce NPS contaminants and restore riparian habitat through an Environmental Education and Outreach (EEO) program targeted at the horse owning community of the Housatonic River Watershed."

Proposal No. 205 - Proposal for Aquatic Invasive Species Management in the Housatonic River

The intent of this project, as detailed in the project proposal, was to implement an invasive species monitoring network that would focus on zebra mussels (*Dreissena polymorpha*), quagga mussels (*Dreissena bugensis*), fishhook water fleas (*Cercopagis pengoi*), spiny water fleas (*Bythotrephes longimanus*), and rock snot (*Didymosphenia geminata*). The proposal requested \$144,100 in NRD funding to:

- 1. Coordinate with regional, state, and interstate agencies to integrate and standardize the monitoring protocols and education program:
- 2. Assess the invasion risk for each targeted aquatic invasive species throughout the watershed:
- 3. Perform baseline invasive species monitoring of 30 lake, pond, and stream sites throughout the watershed;
- 4. Purchase up to six invasive species field monitoring kits and three lab kits;
- Present up to four regional workshops to enlist and train citizen and volunteer groups;
- 6. Develop and distribute educational materials within the watershed;
- 7. Develop and implement an ongoing monitoring network and program; and
- 8. Provide annual reporting and a final project summary report.

This proposal was eliminated from consideration because it did not directly restore, rehabilitate, replace, and/or acquire the equivalent of natural resources or natural resource services that were injured by the release of PCBs or other hazardous substances (Threshold Criterion No. 2).

The stated emphasis of this project was to monitor for the presence of aquatic invasive species within the Housatonic River Watershed. As stated by the applicant, "Once populations of these species are established in a water body, there is no accepted. legally permissible method to actively control or eradicate them." The proposal presented a means for establishing a regional monitoring network, but there were no assurances that actions could be taken to eradicate or control populations of invasive species if observed. The MA SubCouncil is aware that there is a Draft Early Detection and Rapid Response (EDRR) to Aquatic Invasive Species in Massachusetts Generic Protocol developed by the Massachusetts Aquatic Invasive Species Working Group, however this draft protocol has not been finalized. Additionally, the State may restrict access to invaded waters on State-owned land, but there is no procedure for quarantining public or private land. There are no assurances that the State has adequate funding to implement control of invasive species once identified or that control measures will have any measurable efficacy. In summary, although new introductions of invasive species may be identified as a result of funding this project, there are no assurances that implementation of the project will result in preventing the spread of invasive species.

The MA SubCouncil believes that control of invasive species detrimental to aquatic ecosystems is important. However, until there is an established mechanism for responding to new introductions, efforts should be directed towards informing the public on how to best avoid transferring these species between water bodies.

Proposal No. 211 - Housatonic River Restorative Ecostation

The intent of this project, as detailed in the proposal abstract, was to develop an integrated natural treatment system to be installed along the Housatonic River to restore the aquatic resources and habitat contaminated with hazardous materials, including polychlorinated biphenyls (PCBs). The proposal requested \$806,300 in NRD funding to implement an "EcoStation" on GE land within the East Street Area 2 – South location that would use a greenhouse, bacterial fermenter, and mycelial production unit; create bioswales adjacent to the Housatonic River; and distribute products from the "EcoStation" to the bioswales.

This proposal was eliminated from consideration because the primary stated goals were PCB elimination and remediation and the proposed project was not consistent with the USEPA Region 1-approved East Street design at the proposed "EcoStation" location. The project was viewed to be inconsistent with ongoing remedial actions (Threshold Criterion No. 6). Also, because the proposal did not appear to be coordinated with USEPA Region 1 and GE, the proposal did not have information necessary to proceed with evaluation (Threshold Criterion No. 1).