Exxon Valdez Oil Spill Trustee Council

Invitation for Proposals
Federal Fiscal Year 2011

November 12, 2010

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I. Background and Purpose of the FFY11 Invitation for Proposals

In 1992, the *Exxon Valdez* Oil Spill Trustee Council (Council) was formed consisting of six trustees, three State of Alaska trustees and three federal trustees, to oversee restoration of the natural resources and ecosystem damaged by the 1989 *Exxon Valdez* oil spill (EVOS). The Council was established to administer funds from the settlement of civil claims brought against Exxon Companies by the State of Alaska and the United States. The Council initiated an extensive public process to begin the work of restoration using these joint trust funds and, in 1994, adopted a Restoration Plan to guide restoration through research and monitoring, habitat protection, and general restoration.

One of the most surprising revelations from two decades of research and restoration efforts is the persistence of subsurface oil in a relatively un-weathered state. This oil, estimated to be around 97.2 metric tons (or 23,000 gallons), is contained in discontinuous patches across beaches that were initially impacted by the spill. The patches cannot be visually identified on the beach surface, but their presence may be a source for continued exposure to oil for sea otters and birds that seek food in sediments where the oil persists. The survey work completed to date indicates that the oil is decreasing at a rate of zero to four percent per year, with only a five percent chance that the rate is as high as four percent.

Passive and subsistence uses were significantly impacted by the spill and this has affected the overall health of the communities in Prince William Sound (PWS). The presence of lingering oil has also impacted the public's perception of the spill area, who no longer view it as the pristine environment that was present before the spill occurred. This perception has continued to preclude full recovery for some passive and subsistence uses. It may require additional resources to evaluate, monitor, and redress the impact of lingering oil on these uses in the spill area. An important function of this information gathering would be to pass this information back to the communities and the general public.

In an effort to address the issue of lingering oil, the governments developed a Restoration Plan under the terms of the Reopener provision in the Consent Decree with Exxon, http://www.evostc.state.ak.us/facts/reopener.cfm. Efforts to date include the development of a spatial probability model to identify beach segments with a high likelihood of persistent oil, and investigations of the reasons for the persistence of oil as a means to consider options that may accelerate the oil degradation. These studies by Jacqui Michel, Michel Boufadel, and Albert Venosa have provided the Council information on the areal distribution of EVOS, the amount of lingering oil remaining, and the factors responsible for limiting the degradation rate of oil in PWS. Information on these three projects can be found in the appendices at the end of this document. Under the Lingering Oil Initiative, the Council envisions using the results of these studies as well as the results of pilot projects that are the subject of this Invitation in order to reach a decision point on further efforts for active remediation.

This Invitation calls for proposals that seek to further our knowledge of lingering oil and its effects in the spill area. While all proposals will be considered, projects that design and implement pilot projects to determine the feasibility of removing lingering oil from Prince William Sound (PWS) beaches are of specific interest. The maximum funding that will be available for this entirety of this work is $1,500,000.

Proposals funded under this Invitation must begin field work in 2011 and present a final report to the Council no later than April 15, 2012.

II. Schedule of Review and Funding

The schedule for the receipt, review and approval of FFY11 proposals is shown below:

November 12, 2010 .....2011 Invitation for Proposals issued
January, 7, 2011 .....**FFY11 Proposals Due by 5:00 PM AST**
January 31, 2011 .....Peer reviews completed
February 7, 2011 .....**Funding decision made by Trustee Council**

The *Exxon Valdez* Oil Spill Trustee Council operates on a federal fiscal year. The FFY11 fiscal year begins on October 1, 2010 and ends on September 30, 2011.

III. Considerations Applicable to Proposers

The following are mandatory requirements for potential proposers. Proposals that do not meet each of these criteria will be considered non-responsive to the Invitation and excluded from the review process. Proposers must demonstrate that they have:

1. A proposal which is focused within the oil spill-affected area.
2. A proposal which responds to the request for a pilot scale lingering oil removal project, as described in this Invitation.
3. The ability and commitment to make all data, documents, annual and final reports publically available pursuant to EVOSTC data policies
4. A demonstrated understanding of existing technical and scientific literature, research results, and technical and scientific knowledge that includes outcomes of prior Council work and which recognizes the available technical and research infrastructure.

Successful proposers will incorporate the results of previous lingering oil projects funded by the Council. The documents in the appendices include an overview of recently funded work; a final report by Jacqui Michel (2010) that details the locations and amounts of oil remaining on PWS beaches; and a list of publications from the Boufadel and Venosa beach hydrology project that has taken place over the last three years. Proposals that do not address how they will build on this work will be considered non-responsive.

IV. Additional Evaluation of Proposals

Policy and Legal Review

To be eligible for funding, proposals must be responsive to this Invitation. In addition, proposals must be consistent with the policies contained in the 1994 Restoration Plan. Council staff will also review each proposal for responsiveness to this Invitation, including completeness and adherence to the format and instructions contained in this document. A legal and policy review of each proposal submitted pursuant to this Invitation may be conducted by the Alaska Department of Law and the U.S. Department of Justice.

Proposers should note that the following activities, in general, will not be considered for Council funding: (1) activities that constitute legally required mitigation for the adverse effects of an activity regulated or otherwise governed by local, state or federal law; (2) activities that are required by a separate consent decree, court order, statute or regulation; and (3) activities conducted under normal

agency management. *See also*, Memorandum of Agreement and Consent Decree between the United States & the State of Alaska (Aug. 29, 1991).

Council Science Review
Members of the Council's Science Panel or other science advisors to the Council will review the proposals and provide funding recommendations to the Executive Director.

Public Advisory Committee Review
The Council's Public Advisory Committee, representing a cross-section of interest groups affected by the oil spill, may review the proposals and may provide the Council with funding recommendations.

Recommended Workplan
The Council's Executive Director will use the recommendations of the Council's Public Advisory Committee, Science Panel, other Council advisors and Council staff to develop a work plan for the Council's review. This recommendation will be circulated for public comment as the FY11 Draft Work Plan. The draft work plan will only contain the proposer's names, abstract, and funding request. Details of the proposal will only be made public if funded by the Council.

Trustee Council Decision
To assist in their decision as to which proposals will be selected for funding, the Council may take into consideration the recommendations of the Executive Director, public comment, Public Advisory Committee and Council science advisors. Unanimous agreement of all six Council members is required to fund a proposal. Please note that the Council is not legally bound to abide by recommendations, including those of science advisors, the Public Advisory Committee or the Executive Director. It is anticipated that funding decisions for FFY11 will be made at a Trustee Council meeting on February 7, 2011.

V. Instructions for Non-Trustee Council Agency Proposals

If you represent a private organization, a non-profit group, or a university from a state other than Alaska, you should submit your proposal through the Broad Agency Announcement (BAA) process, as well as to the Council. In most instances, requirements of state and federal law preclude Council funds from being awarded directly to such organizations. Rather, a competitive solicitation process is required. This solicitation can occur before the Council approves funding for a project through a BAA issued by the National Oceanic and Atmospheric Administration (NOAA). Using the BAA approach, if the Council approves funding for your project, you can begin contract negotiations with NOAA without the further competitive solicitation that is required if you do not apply through the BAA.

As part of this Invitation, NOAA is issuing a BAA on behalf of the Council, and is requesting proposals for the topic identified in this invitation. To submit your proposal through the BAA process, submit an electronic copy, as well as one paper copy, of your proposal to NOAA at the address below by **5:00 p.m. Pacific Daylight (Seattle) time on January 7, 2010**. This is in addition to the copies of the proposal that must be submitted to the Council. Include the words "submitted under the BAA" as part of your project's title. Faxed proposals will not be accepted.

More information is contained in the Broad Agency Announcement itself (**BAA AB133F-11-RP-0029**) available from NOAA:

Ms. Sharon Kent
NOAA, Office of Acquisition and Grants, Western Acquisition Division
7600 Sand Point Way NE
Seattle, WA 98115-6349
Telephone (207) 526-6035
Sharon.S.Kent@noaa.gov

Proposals submitted to NOAA under the BAA will be evaluated by the Council at the same time as other proposals submitted to the Council.

VI. Instructions for Submitting a Proposal

What to Submit
Please submit an electronic copy of the proposal package to:

Elise Hsieh
dfg.evos.projects@alaska.gov

If you are unable to submit an electronic copy, you may submit a paper copy :
Elise Hsieh
Exxon Valdez Oil Spill Trustee Council
441 West 5th Avenue, Suite 500
Anchorage, AK 99501-2340
Phone: 907-278-8012 or 1-800-478-7745

FFY 11 Invitation: Proposal Requirements
Please submit the following materials. Templates are attached and are available electronically at http://www.evostc.state.ak.us.

- Signature Form
- Proposal Summary Page
- Project Plan (including references and literature cited)
- CV's/Resumes
- Budget Justification
- Budget Forms

Signature Form
A signed form indicating willingness to abide by the Council's data and report requirements must be submitted with each proposal.

Proposal Summary Page (one page maximum)
The summary page includes the project title, project period, proposer(s) name, affiliation, email address for all principal investigators (PIs), study location, key words, a project abstract (a summary of the proposed work in 150 words or less), the amount of EVOSTC funding requested (including nine percent for general administration), and the amount of non-EVOSTC funds (if any) that will be contributed to the proposed project.

Project Plan
The project plan must completely describe the work to be performed, including a statement of the problem the proposal is designed to address, project objectives, procedural and statistical methods, description of the project area, coordination with other efforts, timeline and milestones, and expected publications, reports and conference participation.

CVs/Resumes
The resumes of all principal investigators and other senior personnel involved in the proposal must be provided. **Each resume is limited to two consecutively numbered pages** and must include the following information:

- A list of professional and academic credentials, mailing address, and other contact information **(including e-mail address)**.
- A list of up to five of your most recent publications most closely related to the proposed project and up to five other significant publications. Do not include additional lists of publications, lectures, etc.

Budget Justification
For each budget category (personnel, travel, contractual, commodities, and equipment), list the total amount requested and explain the basis for the request in terms of specific project objectives and activities. Funds from non-EVOSTC sources, including in-kind contributions, must also be described. In addition, if you are employed by a government agency that has a legislative mandate for the type of work you propose to do, you must explain why the proposed costs are not being covered by your agency's budget. If you are employed by a non-Trustee agency, you must include an explanation of how the indirect costs were calculated.

Detailed Budget Form
Submit a budget form outlining expenditures estimated to be necessary for implementing the objectives described in your proposal. This form will be reviewed in conjunction with the budget justification. You may be asked to respond to budget review questions or to revise budgets to address budgetary concerns.

Budget Instructions for Proposals
Budgets will be reviewed for consistency with proposal objectives and for adherence to the budget instructions that follow. It is the responsibility of the proposer to submit a budget that is both reasonable and justifiable. Proposers may be asked to respond to budget review questions, or to revise their budgets to address budgetary concerns.

Instructions
A budget form detailing the amount of funding requested from the Council for each federal fiscal year must be submitted as part of the proposal package. This form is in addition to the budget justification that is also required as part of the proposal package.

There are two sets of budget forms. One set is used for proposals submitted through Trustee agencies. A second set is for those submitted through non-Trustee organizations. Use only the set that applies to you.

Notes:

- Fiscal Year: The Council operates on the federal fiscal year (FFY). The FFY 11 budget covers the period October 1, 2010 through September 30, 2011.
- Rules for Numbers: Show costs in thousands of dollars (e.g. show $86,423 as $86.4. When the number "5" follows the digit to be rounded, round to the higher amount. (e.g., round $26,752 to $26.8).
- Positions: Report the number of positions as full-time equivalent positions (FTE), by converting the number of months to a decimal. For example, show six months as .5 FTE.
- Indirect Costs: Indirect costs are costs incurred for common or joint purposes that cannot be specifically identified with a particular project. Examples of indirect costs are lease costs, copying, phones, faxes, internet access, equipment maintenance, vehicle leasing, training, payroll and personnel functions, clerical support, administrative supervision, accounting, auditing and mail and messenger services. These items should be budgeted for separately only if they are incurred because of a specific project and documentation of the expense is maintained.

    - Trustee Agencies (Alaska Department of Environmental Conservation, Alaska Department of Fish and Game, Alaska Department of Natural Resources, National Oceanic and Atmospheric Administration, U.S. Forest Service and U.S. Department of the Interior) should cover these costs through the Trustee Council's general administration (GA) formula. The GA Rate is 9% of each project's total direct costs.

    - Non-Trustee organizations should cover these costs through their indirect cost rate. These rates will be reviewed on a project-by-project basis. However, proposers affiliated with the University of Alaska must use the indirect rate agreed to by the University for Council-funded projects. The agreement provides for an indirect cost rate of 25% of total direct costs (TDC). TDC includes all direct costs except (1) equipment for which ownership resides with the University and (2) subcontract costs in excess of $25,000. Regarding subcontracts, the indirect rate is 25% of the first $25,000 of each subcontract, plus 5% of each subcontract's costs in excess of $25,000 and less than $250,000, plus 2% of each subcontract's costs in excess of $250,000.

- Direct Costs: Direct costs are costs specifically identified with a particular project. Examples of direct costs are compensation of employees for the time spent executing the project, acquisition of materials or equipment for purposes outlined in the research plan, project-specific travel and contractual services specified in the research plan.

- NEPA (National Environmental Policy Act) Compliance: All projects funded by the Council must comply with NEPA. Due to the nature of many Council-funded projects, most projects receive a categorical exclusion (CE). However, for a few projects, an environmental assessment (EA) may be required. If a project will likely require an EA, include the costs for preparing the EA in the project budget.

- Report Writing: A final report is due April 15 of the final year of the project. For this Invitation, final reports are due no later than April 15, 2012. PIs may be required to provide an oral briefing of their findings to the Council. Identify in the description field on the appropriate budget forms any funds that have been included for report writing and preparation. See the Procedures for the Preparation and Distribution of Reports on the EVOSTC website.

- Manuscript Preparation and Publication: The Council may contribute a maximum of $1,000 in page costs per project and 1.5 months of personnel time per manuscript toward publication of study results in the peer reviewed literature. Specify in your research plan the subject/title of each manuscript, the name of the peer reviewed journal(s) to which you plan to submit and anticipated date of submission.

Budget Form Explanations

- Trustee Agency Form, Multi Trustee Agency Summary, Form 2A
  Use this form if multiple Trustee agencies are cooperating on a project. If only one Trustee agency is involved, this form is not required.

- Trustee Agency Form, Summary, page 1 of 4, Form 3A
  This form summarizes the proposed expenditures contained on the Trustee Agency Detail forms.

- Trustee Agency Form, page 2 of 4, Personnel & Travel Detail, Form 3B
  "Personnel" means compensation of employees, including benefits, for the time and effort devoted to the execution of the project. "Travel" means the cost of transportation by public conveyance and per diem. All travel must be budgeted at round-trip economy rates.

- Trustee Agency Form, pages 3 of 4, Contractual and Commodities Detail, Form 3B
  "Contractual" covers such items as vessel charters, equipment rental or lease, professional services, communications and printing. "Commodities" are expendable supplies with an estimated life of less than one year and a unit value of less than $1,000.

- Trustee Agency Form, page 4 of 4, Equipment Detail, Form 3B
  "Equipment" means non-expendable items having an estimated life of more than one year and a unit value greater than $1,000. Equipment previously purchased by the Council should be used to the maximum extent possible. Before requesting funds for new equipment, contact your Trustee Agency project manager to determine if suitable equipment is already available. Equipment items with an original per unit cost of $5,000 or more belong to the acquiring Trustee agency on behalf of the Council. At the end of the project, the Council's Executive Director shall determine if such equipment shall be used for another Council project or if the item shall remain with the acquiring agency. . For more information, download the Financial Procedures from the EVOSTC website.

- Non-Trustee Organization Form, page 1 of 4, Summary Form 4A
  This form summarizes the proposed expenditures contained on the Non-Trustee Organization Detail forms.

- Non Trustee Organization Form, page 2 of 4, Personnel & Travel Detail, Form 4B
  "Personnel" means compensation of employees, including benefits, for the time and effort devoted to the execution of the project and includes tuition for students. "Travel" means the cost of transportation by public conveyance and per diem. All travel must be budgeted at round-trip economy rates.

- Non-Trustee Organization Form, page 3 of 4, Contractual & Commodities Detail, Form 4B.
  "Contractual" covers such items as vessel charters, equipment rental or lease, professional services, communications and printing. "Commodities" are expendable supplies with an estimated life of less than one year and a unit value of less than $1,000.

- Non-Trustee Organization Form, page 4 of 4, Equipment Detail, Form 4B
  "Equipment" means non-expendable items having an estimated life of more than one year and a unit value greater than $1,000. Equipment previously purchased by the Trustee Council should be used to the maximum extent possible. Before requesting funds for new equipment, contact your Trustee Agency project manager to determine if suitable equipment is already available. All equipment purchased remains the property of the Trustee agency until the end of the project, at which time the agency may, under certain circumstances, transfer the equipment title to the contractor. If the original per unit cost of the equipment was $5,000 or more, the Council's Executive Director has the authority to direct that the equipment be transferred to another Council-funded project, rather than remaining with the Trustee agency or being transferred to a contractor.

Appendix A – Lingering Oil Summary Report

Appendix B – Areal Distribution of EVOS and the Amount of Lingering Oil Remaining in PWS – Final Report

Due to the large number of pages in this final report, the pages following contain only the abstract of the report. To download the report in its entirety, please visit:

http://www.evostc.state.ak.us/Files.cfm?doc=/Store/FinalReports/2007-070801-Final.pdf&

Appendix C – Factors Limiting the Degradation Rate of EVOS

Li, H., M. C. Boufadel, Long-term persistence of oil from the *Exxon Valdez* spill in two-layer beaches, ***NATURE*** geosciences, 3, 96-99, 2010.

Boufadel, M. C., Y. Sharifi, B.Van Aken, B. A. Wrenn, and K. Lee, Nutrient and oxygen concentrations within the sediments of an Alaskan beach polluted with the *Exxon Valdez* oil spill, ***Environmental Science and Technology***, 44 (19), p 7418–7424, 2010.

Xia, Y, H. Li, M. C. Boufadel, and Y. Sharifi, Hydrodynamic factors affecting the persistence of the *Exxon Valdez* oil in a shallow bedrock beach, ***Water Resources Research***, VOL. 46, W10528, 17 PP., 2010.