

New Mexico Office of Natural Resources Trustee Gold King Mine Restoration Project Solicitation Webinar

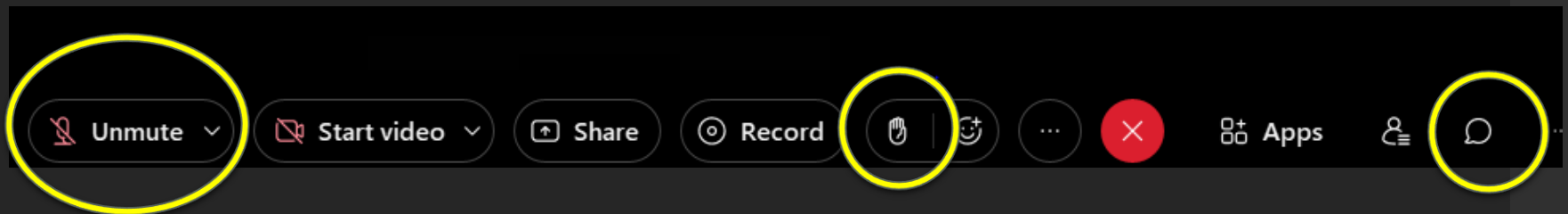
August 24, 2022, 3:00 – 4:30 PM MT



**Thank you for joining.
We will begin at 3:00 MT.**

Welcome and Logistics

- Today's Logistics
 - This webinar is being recorded
 - Participants will be muted during the presentation
 - If you have questions during the presentation, please enter them in the chat or raise your hand
 - At the end we will open the line for questions. You can unmute yourself to ask questions or use the chat feature to type in questions
- Introductions



Overview



Introduction to the NM ONRT and Natural Resource Damage Assessment and Restoration (NRDAR) process



Background on Gold King Mine Release and Settlement



Project Solicitation Process

Timeline
Restoration Goals
Eligible Restoration Categories
Screening and Evaluation Criteria
Submission Information



Question & Answer Session

Contact Information

ONRT's Mission

“To return injured natural resources and the services they provide to the condition that would have existed absent the release of contamination for the benefit of the environment and the enjoyment of New Mexico residents and visitors now and in the future”

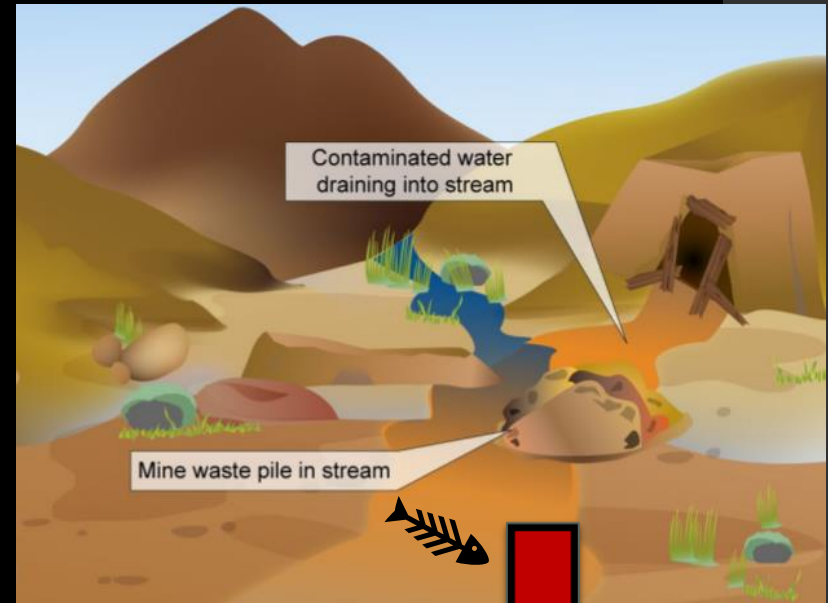
The Natural Resources Trustee, through the ONRT, implements the Natural Resource Damage Assessment and Restoration (NRDAR) Program

What is NRDAR?

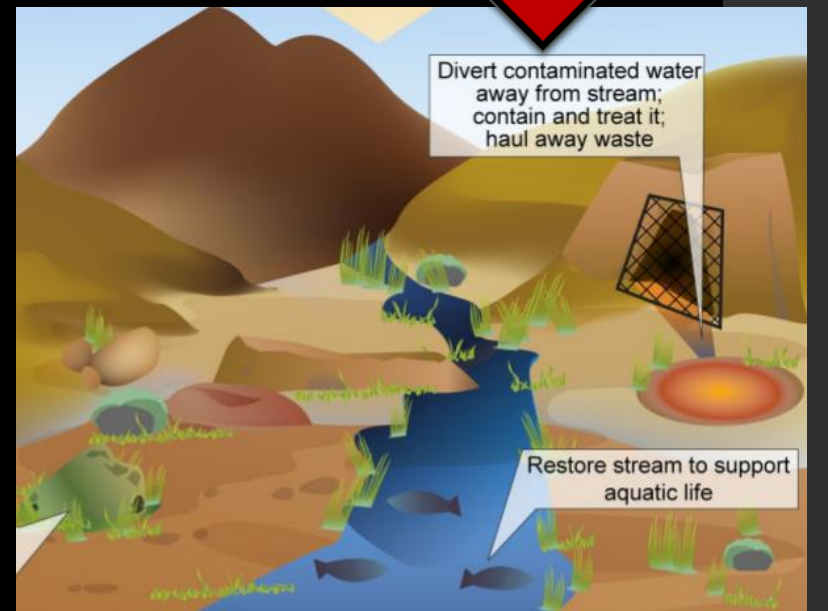
Natural Resource Damage Assessment and Restoration

- Process of determining:
 - The injury (harm) caused by releases of hazardous chemicals/oil on natural resources and the services they provide above baseline conditions, and
 - The amount of restoration necessary to compensate for the losses over time, to “make the public whole”
- Authorized under CERCLA, OPA

CERCLA = Comprehensive Environmental Response, Compensation, and Liability Act; OPA = Oil Pollution Act



<https://www.gao.gov/assets/gao-20-238.pdf>



<https://www.gao.gov/assets/gao-20-238.pdf>

ONRT Role

Following release of hazardous substances into New Mexico's environment, responsibility is shared

NM Environment Department

Responsible for **remediation:**

- Clean up to protect public health



NM ONRT

Responsible for restoration through the **NRDAR** process:

- Restore natural resources to compensate public for harm that has occurred over time



Gold King Mine Release

- August 2015: US EPA contractors working at site breached the mine
- An estimated 3 million gallons acidic mine waste flowed downstream
- The released waters traveled down through Animas and San Juan Rivers



Gold King Mine Release

Confluence of Animas and San
Juan Rivers on August 8, 2015

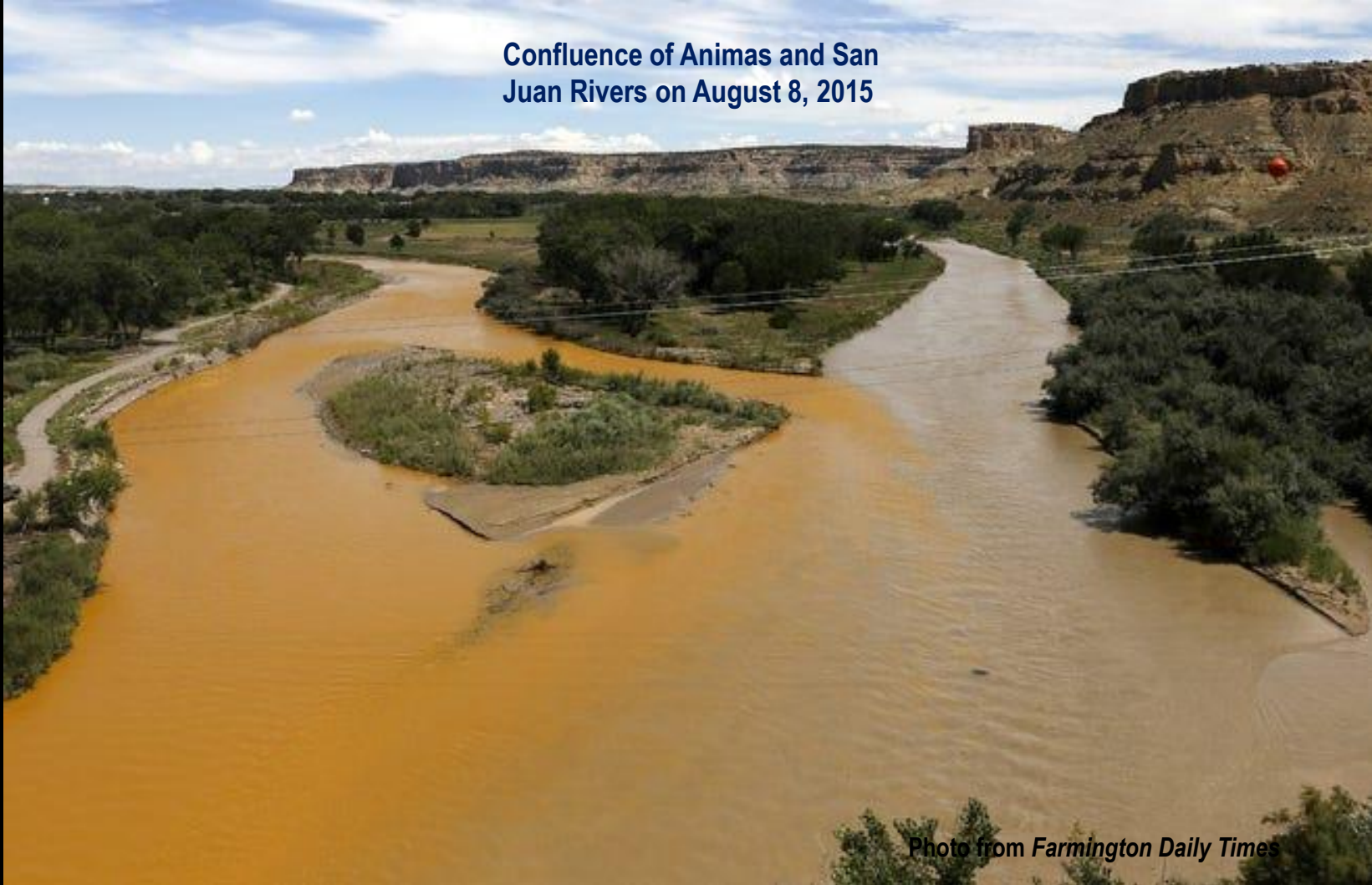


Photo from *Farmington Daily Times*

Natural Resource Damages Recovered – Settlements Overview

- The State of New Mexico and the Navajo Nation filed lawsuits against the mining companies, U.S. EPA, its contractors, for environmental damages
- Two separate New Mexico NRDAR settlements:
 - January 2021 – Mining defendants (\$1M)
 - June 2022 – U.S. EPA (\$10M) 

Natural Resource Damages Recovered \$1M Mining Defendants Settlement

- January 2021 the State reached a settlement with the mining defendants that includes \$1M for ONRT to implement restoration projects to address natural resource damages claims
- ONRT solicited restoration projects in July 2021, and finalized a Restoration Plan March 25, 2022, with four projects selected to be implemented with the \$1M settlement

Natural Resource Damages Recovered \$1M Mining Defendants Settlement

The following projects were selected to be implemented with the \$1M settlement

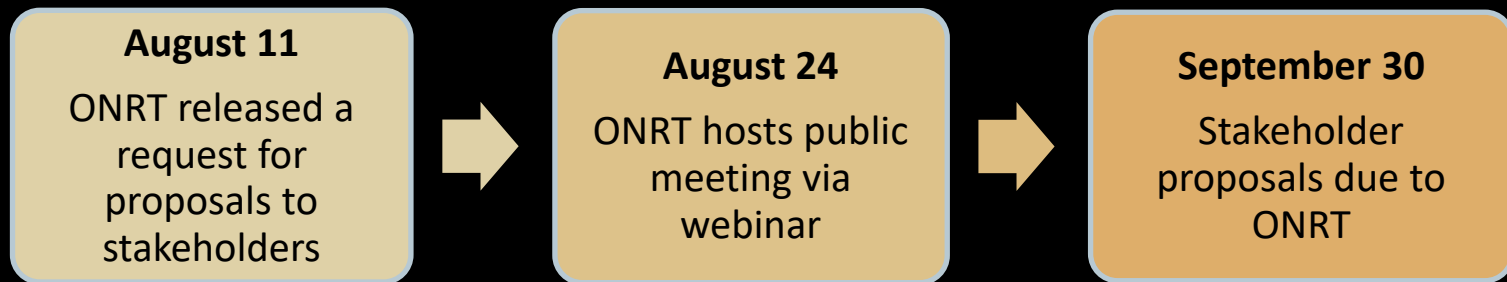
- Cedar Hill boat ramp on the Animas River
- Festival and farmer's market pavilion at Gateway park
- San Juan Valley soil health restoration project
- Agricultural irrigation system upgrade project

Natural Resource Damages Recovered \$10M U.S.EPA Settlement

- June 14, 2022, the State reached a settlement with U.S. EPA that includes \$10M for ONRT to implement restoration projects to address natural resource damages claims
- The funding will be available for projects that restore or replace injured natural resources or the services they provide
- ONRT invites you to submit proposals that will compensate for natural resource injuries in New Mexico caused by the Gold King Mine release by **September 30, 2022**

Anticipated Project Solicitation Process and Timeline

Restoration Project Screening and Evaluation by ONRT
Fall/Winter 2022/2023



Anticipated Project Solicitation Process and Timeline

Restoration Planning and Project Selection
Estimated Winter/Spring 2022/2023



ONRT is Seeking Restoration Project Proposals with the Following Restoration Goals

Improve and protect water quality and quantity within the Animas and San Juan watersheds, for the benefit of aquatic resources (e.g., fish and other biota) and humans (e.g., improve/protect drinking water sources)

Restore and conserve aquatic and terrestrial habitats within the Animas and San Juan watersheds

Restore human uses of natural resources within the Animas and San Juan watersheds, including, for example, cultural uses of resources, farming, recreation, and use of surface water as a drinking water supply

Eligible Restoration Categories

- ONRT has a general preference for “shovel-ready” projects can be initiated within 1 year of publication of the final Restoration Plan & completed within 2-3 years
- Projects should fall within at least one of the following categories of restoration

Water Quality and
Quantity

Habitat
Restoration and
Conservation

Human Use
Benefits

Eligible Restoration Categories

Water Quality and Quantity

Projects that improve or protect water quality and quantity

Examples:

- Implement pollution source control and mitigation measures that address impairments in the Animas and San Juan Rivers, including lead, nutrients, E. coli, temperature, sedimentation impairments
- Install drinking water protection systems
- Increase water quantity, for example, by removing water-intensive non-native plant species

Eligible Restoration Categories

Habitat Restoration and Conservation

Projects that restore or protect terrestrial and aquatic habitats

Examples:

- Restore terrestrial habitats by removing invasive plant species or planting native vegetation
- Protect/enhance riparian and aquatic habitats, for example, by planting native vegetation or installing fencing to keep livestock out

Eligible Restoration Categories

Human Use Benefits

Projects that restore human use of natural resources

Examples:

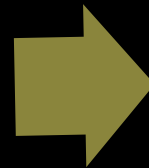
- Enhance or expand recreational opportunities, for example, through construction of access points or installation of other recreational amenities
- Restore cultural uses of natural resources through traditional educational programs or other means
- Improve drinking water treatment and delivery systems
- Provide improvements and/or education to benefit local farming

Screening and Evaluation Criteria

- Screening criteria will be used to identify if a project meets the requirements outlined by ONRT
- Projects that pass the screening criteria will be evaluated using the evaluation criteria

Screening Criteria

Determines feasibility and reasonableness



Evaluation Criteria

Used to evaluate and rank projects

Acceptability Criteria

Acceptability Screening Criteria

Consistent with ONRT mission	Results in a net overall improvement of natural resources and/or benefit to the public in terms of increased resource services	Technically and administratively feasible as demonstrated through established or previously implemented approaches	Unlikely to proceed without ONRT funding	Complies with applicable and relevant federal, state, local, and Tribal laws and regulations	Has feasible and cost-effective provisions for operations, maintenance, and monitoring and a demonstrated source of funds for those ongoing costs, as relevant	Includes all the information necessary to evaluate the project
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Evaluation Criteria

Projects that pass the screening step will be evaluated and ranked by the following criteria:

Geographic
Criteria

General Criteria

Cost-related
Criteria

Evaluation Criteria

Geographic Criteria

Close to the Animas River from the NM-CO state line to the confluence with the San Juan River, and/or the San Juan River to the CO state line



Evaluation Criteria

General Criteria

Consistent with regional planning and federal and state policies, if applicable

Lead project proponent or partner is a state agency or local public body

Implemented in a timely manner

Likely to provide benefits quickly after project implementation

High potential for long-term success and a low risk of failure

Low potential for adverse impacts to natural resources or human health and safety resulting from the restoration project itself, including long-term and indirect impacts

Evaluation Criteria

Cost-related Criteria

Availability of additional funds or in-kind support to leverage ONRT dollars

Low ratio of planning and administrative costs to restoration costs

Relationship of the expected costs of the proposed actions to the expected benefits

Cost-effectiveness compared to other projects that provide similar benefits

Submission Information

- You may visit the ONRT website for the following submission details: <https://onrt.env.nm.gov/nm-office-of-natural-resources-trustee-seeking-restoration-project-proposals-for-the-10-million-gold-king-mine-spill-settlement/>

- Project Solicitation Letter and Restoration Project Criteria
- Restoration Project Solicitation Form
- Project Solicitation Overview in Diné (Navajo)

Submission Information

- Fillable form available for submission
 - Additional supporting documents may also be submitted
- Project proposals should be submitted to ONRT via email by September 30, 2022

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Office of Natural
Resources Trustee
Email:

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State of New Mexico Office of Natural Resources Trustee Restoration Project Solicitation Application

Applicant Information

Name/Position or Title

Click or tap here to enter text.

Affiliation/Entity

Click or tap here to enter text.

Email Address and Phone Number

Click or tap here to enter text.

General Project Description

Project Title

Click or tap here to enter text.

Project Overview (*provide a ½ - 1 page, general description/overview of your proposed project idea*)

Click or tap here to enter text.

Project Location (physical address and/or GPS coordinates)

Click or tap here to enter text.

Land Ownership

Click or tap here to enter text.

Project Timeline (include design, planning, and implementation - identify months and years)

Click or tap here to enter text.

Questions?



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www.onrt.state.nm.us