

STATEMENT OF WORK
MONTROSE SETTLEMENTS RESTORATION PROGRAM
(July 2, 2001)

BACKGROUND

From the late 1940s to the early 1970s, DDTs and PCBs were discharged into the ocean near Los Angeles. More than 100 tons of these persistent chemicals remain in the marine environment and continue to injure birds and impair fishing.

In 1990, the U.S. Department of Justice (DOJ) and the California Attorney General filed a lawsuit under the federal Superfund law on behalf of the Natural Resource Trustees, alleging that a number of defendants were responsible for releasing DDTs and PCBs and other hazardous substances into the environment. The lawsuit charged that the DDTs and PCBs injured natural resources, including fish and wildlife that live in and around coastal waters in Southern California.

Numerous independent studies have shown that the DDTs and PCBs still contaminate marine life and birds in Southern California and continue to harm these natural resources. Many common sports fish in the L.A. area (approximately 50 species in eight groups) have levels of DDTs that exceed the State of California trigger level (0.1 ppm). A number of these sports fish also have concentrations of PCBs that exceed State of California trigger levels. Consequently, the State of California has issued health advisories warning to limit or avoid consumption of these fish at certain coastal locations of Los Angeles and Orange Counties. In addition, because of high levels of DDTs and PCBs in white croaker, the State has imposed bag limits for this fish and has banned commercial fishing for white croaker in the vicinity of the Palos Verdes Shelf. DDTs also cause diagnostic defects of eggshells and have harmed populations of bald eagles and peregrine falcons in the Southern California Bight.

On December 19, 2000, the state and federal governments settled the final remaining legal claims brought in 1990 against a number of defendants for releasing millions of pounds of DDTs and PCBs into the coastal waters off Los Angeles. A total of \$140 million in damages have been paid under four separate settlement agreements. As required under the Superfund Law, the Trustees will use approximately \$30 million to restore public resources harmed by releases of DDTs and PCBs off the coast of Southern California. In addition, approximately half of the funds will be used by the U.S. Environmental Protection Agency and California Department of Substances Control to reduce exposure to DDTs and PCBs, which may include covering contaminated sediments with clean sediments.

The restoration plan and programmatic environmental impact statement (RP/EIS) will be prepared under the National Environmental Policy Act (NEPA). The RP/EIS will also meet the requirements of the California Environmental Quality Act (CEQA), the state counterpart to NEPA. The Trustees are initiating the scoping phase of this planning work

in the summer of 2001.

Implementation of the restoration work will take several years, and involve significant levels of public involvement, scientific analysis, project planning and management, and monitoring. To conduct this work and ensure the effective implementation of their restoration objectives, the Trustees have established the Montrose Settlements Restoration Program ("MSRP").

The U.S. Environmental Protection Agency and California Department of Toxic Substances Control have received a share of the settlement funds to reduce the exposure of people and wildlife to DDTs and PCBs. Their actions may include capping contaminated sediments, and increased institutional controls to reduce public consumption and commercial harvest of contaminated fish. The Trustees intend to closely coordinate restoration activities with the work of the remedial agencies.

This Task Order is intended to assist the Trustees in carrying out activities to determine appropriate restoration for the injuries caused by the DDTs and PCBs at issue in this case. These activities will be designed to incorporate, rather than duplicate, the results of relevant work conducted by the remedial agencies and others, as appropriate.

Objectives

The objectives of this task order are to:

1. Provide expert scientific review of MSRP work in the form of Scientific Review Boards, and manage the affairs of the SRBs;
2. Prepare documents necessary to support restoration planning and data collection activities of the MSRP, including a sampling and analysis plan and a draft restoration plan;
3. Design and conduct public outreach activities to promote public involvement in the development of the draft Restoration Plan and subsequent activities of the MSRP.

Standards of Performance

The performance of work under this agreement will support natural resource restoration planning and implementation actions being conducted in accordance with the requirements of CERCLA, NEPA, and other applicable federal and state environmental laws, regulations, orders, and policies. Work conducted will be open to critical review by the public and the mass media. Accordingly, all work must meet the highest standards of professional performance and technical rigor. Qualified and experienced professionals shall be utilized to design and perform the services outlined herein. Absolute objectivity must be maintained to ensure that reliable and valid conclusions are reached. Work products, guidance and recommendations, must be clearly documented and supported with relevant technical standards, methods and procedures.

Scope of Work

The Contractor shall perform the activities described below.

Activity 1. Preparation of the Task Order Work Plan

Pursuant to subsection H2 of NOAA contract number 50-DSNC-7-90032, entitled “Work Plans,” the contractor shall commence work immediately to prepare and submit a work plan.

The work plan shall be divided into two sections. Section I of the work plan shall include a cover page reflecting the proposed staffing plan, key personnel and schedule of deliverables followed by a concise narrative/description of the planned technical and management approach. Section I shall not exceed not exceed 20 pages plus the cover page (staffing plan) and shall specifically address each of the activities outlined herein.

Section II of the work plan shall not be attached to Section I. Section II of the work plan shall include a detailed cost estimate for completing the requirements of this Statement of Work. Cost or pricing data shall be submitted on Standard Form 1411 and certified in accordance with the format specified in FAR 15.804-4. However, if the proposed amount is less than the dollar threshold specified in FAR 15.804-1(a)(1), the contractor may submit its proposal using standard Form 1448. At a minimum, all cost information (submitted using Standard Form 1411 or 1448) shall be arranged by Activity and include a clear breakdown of each element of cost (direct and indirect costs, subcontract/consultant costs and fee).

Activity 2. Scientific Review Boards

Restoration of natural resources will require planning, data collection, feasibility studies, monitoring, and other work of a specialized nature. To ensure that this work is appropriate, effective, and meets high standards of scientific quality, the Trustees shall convene scientific review boards (SRBs). These SRBs shall be comprised of people from government and the private sector with notable expertise in the areas of knowledge listed below.

The SRBs shall be called together at various stages in the development of MSRP projects to provide critical analysis and recommendations to the MSRP. During the period of performance for this task order, it is anticipated that three SRBs will be retained:

- (a) A Fish Contamination SRB to guide the development of a comprehensive plan for evaluating chemical contamination of coastal sports fish;
- (b) A Bald Eagle Reintroduction SRB to guide the development of a feasibility study for reintroducing bald eagles to the Northern Channel Islands; and
- (c) An Overview SRB that will provide overview of the entire restoration program in the Montrose case.

Activity 2a: Fish Contamination Scientific Review Board.

The contractor shall:

- (1) Identify and screen prospective members of the Fish Contamination SRB.
 - a. Identify a list of candidates with qualifications to serve as experts on the Fish Contamination SRB. Candidates should possess demonstrated expertise in one or more of the following areas:
 - Principles of biological study design and statistical analysis;
 - Fish ecology;
 - Human consumption of fish;
 - Contaminant analysis in fish tissue;
 - Patterns of contamination in southern California coastal waters;
 - Methods of fish collection that are effective in the targeted study areas;
 - Prevalent sports /subsistence fishing practices in southern California coastal waters.
 - b. Contact the candidates to determine their interest and availability in serving on the SRB, and identify all relationships the experts have that potentially pose a conflict of interest;
 - i. If a relationship appears to be a real or potential COI, identify it and what, if any, actions /methods can be taken to mitigate or neutralize the COI.
 - c. Put forward to the MSRP the list of available experts and the specific qualifications that each would bring to the SRB.
- (2) Retain and manage all persons selected by the MSRP to serve on the Fish Contamination SRB who are not MSRP staff.
 - a. Obtain cost proposals from those persons who are not government employees;
 - b. Evaluate and document price reasonableness;
 - c. Enter into agreements with the non-government experts for specific support in accordance with this SOW;
 - d. Manage the affairs of the SRB and ensure continuous quality support. The contractor shall be responsible for the successful coordination and management of the SRB, including coordinating meetings and conference calls.

The Fish Contamination SRB will convene prior to initiation of Activity 3 in this SOW, to define specific study objectives, evaluate alternative methods, and develop the standards for sampling and analysis of fish that will ensure robust results from the Trustees' fish contamination study. The contractor shall prepare the Sampling and Analysis Plan required by Activity 3 of the SOW in accordance with these standards. After a draft SAP has been prepared, the Fish Contamination SRB shall reconvene to review and comment on it.

Activity 2b. Bald Eagle Reintroduction SRB

The contractor shall:

- (1) Identify and screen prospective members of the Bald Eagle Reintroduction SRB.
 - a. Identify a list of candidates with qualifications to serve as experts on the Bald

Eagle Reintroduction SRB. Candidates should possess demonstrated expertise in one or more of the following areas:

- Biology and natural history of Bald Eagles
 - Reintroduction methods used to reestablish raptors to historic nesting areas
 - Study design and statistical analysis
 - Contaminant detection and analysis in raptors
 - Food habits of Bald Eagles in the marine environment
 - The design of diet studies for Bald Eagles
 - Ecology of the Southern California Bight
- b. Contact the candidates to determine their interest and availability in serving on the SRB, and identify all relationships the experts have that potentially pose a conflict of interest;
- i. If a relationship appears to be a real or potential COI, identify it and what, if any, actions /methods can be taken to mitigate or neutralize the COI.
- c. Put forward to the MSRP the list of available experts and the specific qualifications that each would bring to the SRB.
- (2) Retain and manage all persons selected by the MSRP to serve on the Bald Eagle Reintroduction SRB who are not MSRP staff.
- a. Obtain cost proposals from those persons who are not government employees;
 - b. Evaluate and document price reasonableness;
 - c. Enter into agreements with the non-government experts for specific support in accordance with this SOW;
 - d. Manage the affairs of the Bald Eagle Reintroduction SRB and ensure continuous quality support. The contractor shall be responsible for the successful coordination and management of the SRB, including coordinating meetings and conference calls.

Activity 2c. Overview SRB

The contractor shall:

- (1) Identify and screen prospective members of the Overview SRB.
- a. Identify a list of candidates with qualifications to serve as experts on the Overview SRB. Candidates should possess demonstrated expertise in one or more of the areas listed under activities 2a and 2b above.
 - b. Contact the candidates to determine their interest and availability in serving on the SRB, and identify all relationships the qualified experts have that potentially pose a conflict of interest;
 - i. If a relationship appears to be a real or potential COI, identify it and what, if any, actions /methods can be taken to mitigate or neutralize the COI.
 - c. Put forward to the MSRP the list of available experts and the specific qualifications each would bring to the SRB.

- (2) Retain and manage all persons selected by the MSRP to serve on the Overview SRB who are not MSRP staff.
- a. Obtain cost proposals from those persons who are not government employees;
 - b. Evaluate and document price reasonableness;
 - c. Enter into agreements with the non-government experts for specific support in accordance with this SOW;
 - d. Manage the affairs of the Overview SRB and ensure continuous quality support. The contractor shall be responsible for the successful coordination and management of the SRB, including coordinating meetings and conference calls.

Activity 3. Fish Sampling Plan

The contractor shall use the study design specifications developed by the Fish Contamination SRB to produce a sampling and analysis plan for a comprehensive study of contamination in fish in southern California coastal waters. The sampling and analysis plan, consisting of a field sampling plan and a quality assurance plan, shall meet NOAA and EPA Superfund requirements for such plans (to be furnished by the T.O.M.).

The Fish Contamination SRB shall review the sampling and analysis plan drafted by the contractor, determine whether it meets the study objectives and design parameters they developed, and provide comments to the contractor, who will revise and complete the final document.

Activity 4. Restoration Plan Preparation and Support

The contractor shall prepare and coordinate Trustee reviews of a draft restoration plan for the MSRP. The draft plan shall:

- Meet federal and state requirements for NRDA restoration plans applicable to CERCLA cases;
- Fulfill the procedural and substantive requirements of NEPA and CEQA; Reflect and address issues and alternatives identified during the public scoping phase of the planning process;
- Incorporate language already developed by MSRP staff.

In developing the document, the contractor shall:

- Make arrangements for and attend several public meetings or workshops in southern California during the scoping phase of the planning process;
- Coordinate early internal reviews by MSRP staff and Trustee Council members, resolve issues, and incorporate changes into subsequent draft(s).

The final deliverable under this activity shall be the draft restoration plan as it is to be released for public comment.

Activity 5. Public Outreach and Involvement Campaign

The contractor shall design and conduct a public outreach program to promote public involvement in the development of the draft Restoration Plan and subsequent activities of the MSRP.

In addition to meeting the minimum requirements for public involvement in restoration planning and federal actions as defined in regulations and guidance developed under the authorities of CERCLA, OPA, and NEPA, the effectiveness of the public outreach program shall be measured in terms of the contractor's ability to demonstrate:

- Familiarity with and use of public outreach methods shown to be effective in the southern California region;
- Knowledge and experience with effective methods for targeting the following audiences: English as a second language and non-English speaking people; subsistence fishers; recreational fishers; and environmental groups, including groups having particular interest in raptors and seabirds;
- Familiarity with and ability to integrate with existing public health and environmental education efforts in the southern California region and with efforts to raise public awareness of wildlife restoration and preservation work. In particular, outreach efforts should be closely integrated with and not duplicate those of EPA and the State Department of Health Services concerning the DDT and PCB contamination.

The specific tasks and deliverables under this activity will include:

- a) Development of a long-term (5-10 year), comprehensive public outreach plan (POP) for the MSRP, directed at communicating and educating the varied populations of the southern California region on the Montrose Settlements Restoration Program goals, activities and projects. This written report will be provided to the Trustees as a draft, presented by the contractor at a Trustee Council meeting in Long Beach, CA, then revised and submitted as a final written report. The T.O.M. will provide the contractor copies of existing EPA and DHS public outreach plans for the Montrose case for review. The POP shall include the following elements:
 - i. Identification of specific appropriate communications and information distribution methods and channels (e.g. cultivation of networking and community education opportunities including community centers, neighborhood canvassing, public market and fishing pier outreach, and outreach to environmental organizations);
 - ii. Development and maintenance of a contact list database of key constituents, stakeholders, affected citizens and interest groups for periodic mailings and other communication purposes. The T.O.M. shall provide copies of existing EPA and DHS contact lists to the contractor, as well as the additional names already collected thus far by Trustee staff.
 - iii. Development of a list identifying local and regional reporters and other media contacts likely to be interested in carrying stories on the Montrose

Settlements Restoration Program and associated efforts (including reporters for television, radio, and print publications aimed at non-English speaking audiences). An initial list will be contained in the existing outreach plans from EPA and DHS to be provided by the T.O.M.

- b) Development of specific outreach and educational materials (e.g. fact sheets, flyers, posters, multi-media presentations or other). The contractor's proposal will describe how preparation, review by Trustees, pilot testing, and final production and distribution will be performed. This sub-activity will include developing and testing of specialized multi-lingual materials for messages targeted at specific constituents and sub-population groups. The subcontractor will be responsible for reproduction and distribution of the products once the Trustees approve them. Up to four separate products shall be developed and distributed during the period of performance. All telecommunication, video and multi-media products shall comport with 36 CFR 1194.23 and 1194.24.
- c) Management of a web site (creation, hosting and maintenance) to provide basic information and serve as a means to receive inquires and requests from the public. The web site would rely substantially on links to existing web sites hosted by NOAA and other trustees, where detailed information on the Restoration Program may already be obtained. The website shall conform to the Architectural and Transportation Barriers Compliance Board and electronic and information technology accessibility standards (36 CFR Part 1194.22)
- d) Development of a "corporate identity" (logo, etc.) for the Montrose Settlements Restoration Program. The Contractor will provide alternative proposals to the Trustee Council for review and selection at the same time that the draft POP is presented.
- e) Periodic development of draft press releases, public service announcements and pitch stories, and distribution of these products.
- f) Test marketing to targeted audiences of a prototype product (comic book) that has already been developed to educate the public about contaminated fish consumption and improving fishing opportunities.
- g) Provide periodic translation services for public meetings, one-on-one public surveys, and for selected written materials. Assume translation services obtained for limited, discreet occasions, up to three languages.

Schedule of Deliverables

Pursuant to each of the activities identified above, the required reports/documents and meetings shall be provided in accordance with the following schedule:

Activity	Deliverable	Due Date	Distribution
Activity 1	Work Plan	30 days after initiation of T.O.	1 Original - TOM 1 Copy – Contract Specialist
Activity 3	Draft Sampling and Analysis Plan (includes Field Sampling Plan and Quality Assurance Plan).	45 days after receipt of detailed specifications from Fish Sampling SRB (Activity 2a)	1 Original – Task Order Manager 2 Copies – Contract Specialist
Activity 3	Final SAP	30 days after receipt of final comments from Fish Sampling SRB.	1 Original – Task Order Manager 1 Camera Ready (Unbound) Original – Contract Specialist 1 Properly Formatted Disk (for final reports) – Contract Specialist
Activity 4	Summarize Public Comments Received During Scoping	7 days after close of comment period	1 Original – Task Order Manager 2 Copies – Contract Specialist
Activity 4	First Draft Restoration Plan	45 days after close of comment period	1 Original – Task Order Manager 2 Copies – Contract Specialist
Activity 4	Second Draft Restoration Plan	21 days after receipt of comments from Trustees	1 Original – Task Order Manager 2 Copies – Contract Specialist
Activity 4	Third Draft Restoration Plan	21 days after receipt of comments from Trustees	1 Original – Task Order Manager 1 Camera Ready (Unbound) Original – Contract Specialist 1 Properly Formatted Disk (for final reports) – Contract Specialist
Activity 5a	Draft Public Outreach Plan	September 30, 2001	1 Original – Task Order Manager 2 Copies – Contract Specialist
Activity 5a	Final Public Outreach	20 days after receipt of	1 Original – Task

	Plan	comments from Trustees	Order Manager 1 Camera Ready (Unbound) Original – Contract Specialist 1 Properly Formatted Disk (for final reports) – Contract Specialist
Activity 5b	Develop Draft Outreach Materials (flyers, posters, presentation materials, etc.)	15 days after being given assignment by TOM	1 Original – Task Order Manager 2 Copies – Contract Specialist
Activity 5b	Final Outreach Materials	30 days after comments from reviewers	1 Original – Task Order Manager 1 Camera Ready (Unbound) Original – Contract Specialist 1 Properly Formatted Disk (for final reports) – Contract Specialist
Activity 5c	Draft Web Site including Certification of Compliance with 36 CFR 1194.22	15 days after being given directions by TOM	1 Original – Task Order Manager 2 Copies – Contract Specialist
Activity 5c	Final Web Site including Certification of Compliance with 36 CFR 1194.22	5 days after receiving all input from reviewers	1 Original – Task Order Manager 1 Camera Ready (Unbound) Original – Contract Specialist 1 Properly Formatted Disk (for final reports) – Contract Specialist
Activity 5d	Draft Alternatives for New Corporate Identity	Submitted with draft Public Outreach Plan	1 Original – Task Order Manager 2 Copies – Contract Specialist

All deliverables shall be accompanied by a deliverable coversheet.

Conflict of Interest Review

Prior to commencing work associated with this contract, the Contractor shall complete a conflict of interest review. This review shall include all corporate affiliations, persons associated with/assigned to this contract, and subcontractors/consultants. The Contractor shall base its review on the “List of Potentially Responsible Parties” as provided in Attachment A to the above referenced contract. The results of the Contractor’s review shall be documented in its cover letter accompanying the its proposal to perform the services set forth herein.

NOAA Contract No. 50-DSNC-7-90032
Task Order No. 56-DSNC-1-20031