

NOTICE OF INTENT TO AWARD

This Funding Announcement is not a request for applications. This announcement is to provide public notice of the Bureau of Reclamation's intention to fund the following project activities without full and open competition.

ABSTRACT	
Funding Announcement	BOR-MP-18-N030
Project Title	Tidal Parr Study
Recipient	California Department of Water Resources (DWR)
Principal Investigator / Program Manager	Brett Harvey, Senior Environmental Scientist
Anticipated Federal Amount	\$750,000.00 / FY18: \$250,000.00
Anticipated Non-Federal Amount	\$81,686.00
New Award or Continuation?	New Award
Anticipated Period of Performance	May 1, 2018 through October 31, 2022
Award Instrument	Grant Agreement
Statutory Authority	Public Law 102-575, Central Valley Improvement Act (CVPIA), Section 3406(b)(1) and Section 3407(e)
CFDA # and Title	15.512— Central Valley Project Improvement Act
Single Source Justification Criteria Cited	(4) Unique Qualifications
Reclamation Point of Contact	Ian Smith / Megan Bryant

OVERVIEW

The National Marine Fisheries Service's (NMFS) 2009 Biological Opinion (BO) and Conference Opinion on the Long-term Operations of the Central Valley Project (CVP) and the State Water Project (SWP) (NMFS 2009) Reasonable and Prudent Alternative (RPA) Action Suite I.6: *Sacramento River Basin Salmonid Rearing Habitat Improvements* requires restoration and

monitoring of floodplain rearing habitat for juvenile winter-run Chinook salmon (*Oncorhynchus tshawytscha*); Central Valley spring-run Chinook salmon (*O. tshawytscha*); and California Central Valley steelhead (*O. mykiss*) (henceforth referred to as salmonids); in the lower Sacramento River basin, to compensate for unavoidable adverse effects of project operations.

This financial assistance agreement will partially address RPA Action I.6.1 of the 2009 NMFS BO which states the need to restore floodplain rearing habitat for salmonids in the lower Sacramento River basin. The U.S. Fish and Wildlife Service 2008 on the Long-term Operations of the CVP and SWP BO (USFWS 2008) includes an action to restore 8,000 acres of tidal habitat for the benefit of Delta smelt. If these 8,000 acres also provide suitable rearing habitat for salmonids, they may be used in partial satisfaction of the RPA Action I.6.1 (NMFS 2009). RPA Action I.6.1 calls for restoration of biologically appropriate durations and magnitudes. To gain better biological understanding, RPA Action I.6.1 requires performance goals and associated monitoring, including habitat attributes, juvenile metrics, and inundation depth and duration criteria. Uncertainty in the biological response associated with tidal wetland restoration was also identified as a significant uncertainty in the Central Valley Project Improvement Act (CVPIA) structure decision model efforts and new information will improve these models aimed to integrate project selection and monitoring into adaptive management. The Tidal Parr Study (Study) will create methodology to address gaps in biological monitoring data of juvenile salmonids in the Sacramento-San Joaquin River Delta and Suisun Bay region for use in the CVPIA and BO monitoring and project selection efforts. The Study results should be useful for designing and adaptively managing higher functioning juvenile salmonid habitat restoration in the Sacramento-San Joaquin River Delta and associated regions.

RECIPIENT INVOLVEMENT

DWR Project Manager, Brett Harvey, will implement and oversee the Tidal Parr Study in collaboration with other agencies including the CVPIA Science Integration Team (SIT).

DWR shall complete the following objectives:

Objective #1: Expand, and execute, a planned study of juvenile salmon in the Sacramento-San Joaquin River Delta and Suisun Bay region. The Study will be conducted at sampling locations and using methods with a focus on restored and soon-to-be-restored marsh location to gain better understanding the impact to juvenile salmonid distribution, abundance, and growth.

Objective #2: Update the CVPIA SIT salmon life-cycle models and structured decision making models with quantitative information from the Study to assist in restoration project prioritization and design.

RECLAMATION INVOLVEMENT

No substantial involvement on the part of Reclamation is anticipated for the successful completion of the objectives to be funded by this award. It is anticipated that Reclamation's involvement will consist of standard federal stewardship responsibilities such as monitoring project performance and technical assistance at the request of the recipient.

SINGLE-SOURCE JUSTIFICATION

DEPARTMENT OF THE INTERIOR SINGLE SOURCE POLICY REQUIREMENTS

Department of the Interior Policy (505 DM 2) requires a written justification which explains why competition is not practicable for each single-source award. The justification must address one or more of the following criteria as well as discussion of the program legislative history, unique capabilities of the proposed recipient, and cost-sharing contribution offered by the proposed recipient, as applicable.

In order for an assistance award to be made without competition, the award must satisfy one or more of the following criteria:

- (1) Unsolicited Proposal – The proposed award is the result of an unsolicited assistance application which represents a unique or innovative idea, method, or approach which is not the subject of a current or planned contract or assistance award, but which is deemed advantageous to the program objectives;
- (2) Continuation – The activity to be funded is necessary to the satisfactory completion of, or is a continuation of an activity presently being funded, and for which competition would have a significant adverse effect on the continuity or completion of the activity;
- (3) Legislative intent – The language in the applicable authorizing legislation or legislative history clearly indicates Congress' intent to restrict the award to a particular recipient of purpose;
- (4) Unique Qualifications – The applicant is uniquely qualified to perform the activity based upon a variety of demonstrable factors such as location, property ownership, voluntary support capacity, cost-sharing ability if applicable, technical expertise, or other such unique qualifications;
- (5) Emergencies – Program/award where there is insufficient time available (due to a compelling and unusual urgency, or substantial danger to health or safety) for adequate competitive procedures to be followed.

Reclamation did not solicit full and open competition for this award based the following criteria:

(4) UNIQUE QUALIFICATIONS

Single Source Justification Description:

Brett Harvey, DWR Program Manager, in the Division of Environmental Services (DES), is uniquely qualified to carry out these particular objectives of the Tidal Parr Study (Study) focused

on restored and soon-to-be-restored marsh location sites to gain a better understanding of the restoration impact to juvenile salmonid distribution, abundance, and growth. DES is already conducting a similar study in surrounding areas and this Study will expand to include more sampling locations. To preserve consistency with the overall tidal study and to ensure data compatibility, it is important that DWR, in partner with AECOM and sub-contractor ICF through an existing contract, conduct this Study which is necessary to further improve juvenile salmonid habitat restoration in the Sacramento-San Joaquin River Delta and associated regions.

ICF, through the contract with DWR, makes them uniquely qualified for the following reasons:

- DWR has already developed a study with ICF to conduct nearly identical work in the same time frame and general geographic area, such that this project will serve to expand work to be performed by ICF for DWR, allowing for more detailed study of restoration sites, and allowing study of additional sites specifically relevant to federally funded restoration projects.
- Ongoing planning and preparation for parallel and identical activities to occur under state funding will allow for increased efficiencies and substantial cost savings associated with planning, implementation, and reporting.
- Lenny Grimaldo, at ICF, is the sole entity which currently holds state and federal endangered species take permits allowing the type of work proposed under this project. These permits are extremely difficult to obtain and would preclude other contractors from performing this work.

STATUTORY AUTHORITY

Central Valley Project Improvement Act (CVPIA), Public Law 102-575, Title XXXIV Section 3406 (b)(1) and Section 3407 (e):

SECTION 3406 (b) FISH AND WILDLIFE RESTORATION ACTIVITIES - The Secretary, immediately upon the enactment of this title, shall operate the Central Valley Project to meet all obligations under State and Federal law, including but not limited to the Federal Endangered Species Act, 16 U.S.C. 1531, et seq., and all decisions of the California State Water Resources Control Board establishing conditions on applicable licenses and permits for the project. The Secretary, in consultation with other State and Federal agencies, Indian tribes, and affected interests, is further authorized and directed to: (1) develop within three years of enactment and implement a program which makes all reasonable efforts to ensure that, by the year 2002, natural production of anadromous fish in Central Valley rivers and streams will be sustainable, on a long-term basis, at levels not less than twice the average levels attained during the period of 1967-1991; Provided, That this goal shall not apply to the San Joaquin River between Friant Dam and the Mendota Pool, for which a separate program is authorized under subsection 3406(c) of this title; Provided further, That the programs and activities authorized by this section shall, when fully implemented, be deemed to meet the mitigation, protection, restoration, and enhancement purposes established by subsection 3406(a) of this title; And provided further, That in the course of developing and implementing this program the Secretary shall make all reasonable efforts consistent with the requirements of this section to address other identified

adverse environmental impacts of the Central Valley Project not specifically enumerated in this section

And

SECTION 3407(e) FUNDING TO NON-FEDERAL ENTITIES- If the Secretary determines that the State of California or an agency or subdivision thereof, an Indian tribe, or a nonprofit entity concerned with restoration, protection, or enhancement of fish, wildlife, habitat, or environmental values is able to assist in implementing any action authorized by this title in an efficient, timely, and cost effective manner, the Secretary is authorized to provide funding to such entity on such terms and conditions as he deems necessary to assist in implementing the identified action.