

RECLAMATION

Managing Water in the West

U.S. Department of the Interior
Bureau of Reclamation

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-N032
Project Title	Aquatic Invasive Species (AIS) Watercraft Inspection Stations
Recipient	Nevada Department of Wildlife (NDOW)
Principal Investigator / Program Manager	Karen Vargas, Wildlife Staff Specialist
Anticipated Federal Amount	\$129,739.00
Anticipated Non-Federal Amount	\$0.00
New Award or Continuation?	Continuation
Anticipated Period of Performance	May 16, 2017 through November 30, 2019
Award Instrument	Grant
Statutory Authority	Fish and Wildlife Coordination Act of 1934, Public Law 85-624, 16 U.S.C. 661 et seq., as amended, and Section 7(a) of the Fish and Wildlife Coordination Act (FWCA) (70 Stat 1122; 16 U.S.C. 742f(a)); as amended and delegated by the Department of the Interior Manual Part 255 DM1.
CFDA # and Title	15.517 – Fish and Wildlife Coordination Act
Single Source Justification Criteria Cited	(2) Continuation
Reclamation Point of Contact	Karen Ervin / Crystal Oliver

OVERVIEW

The Recipient will hire seasonal staff to operate the three watercraft inspection stations at Lahontan State Recreation Area (LSRA) from April to mid-September or until low reservoir water levels prevent boat launching. The inspection stations will be open seven days per week during summer high recreational use periods. The inspection helps determine if the watercraft is a high risk coming from an aquatic invasive species (AIS) infected waterbody or if it is returning to the same lake. The inspection process consists of ensuring the watercraft is clean, drained and dry. These preventative actions will stop the spread of quagga mussels and other AIS at Lahontan Reservoir and can be accomplished with providing necessary staffing for three AIS watercraft inspection stations at LSRA. These inspection stations provide a precautionary measure to prevent the spread of AIS and minimize damages to fish and wildlife in the reservoir and associated wetland.

RECIPIENT INVOLVEMENT

The recipient will employ seasonal staff for the operation of the three watercraft inspection stations, including two or three with associated decontamination stations, at the Lahontan State Recreation Area to help ensure minimization of introduction of AIS species into Lahontan Reservoir and potential subsequent transfer to other area lakes and reservoirs. Continuation of Notice of Intent BOR-MP-18-N031.

This project will continue efforts:

- (1) Preventing the spread of AIS and to prevent new introduction of AIS.
- (2) Providing three staff watercraft inspection stations and a Watercraft Inspection and Decontamination Station Supervisor from November 30, 2018 through November 30, 2019. Staffing is dependent on sufficient water available for boat launching at the Lahontan Reservoir.
- (3) Providing watercraft inspection stations that will be open to the public from eight to ten hours per day and seven days per week.
- (4) Providing public education regarding aquatic invasive species at the inspection stations.

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, technical assistance at the request of the recipient, etc.

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:

(2) CONTINUATION

Single Source Justification Description:

Nevada Department of Wildlife (NDOW) is uniquely qualified to implement its mission to protect, preserve, manage and restore wildlife and its habitat for the aesthetic, scientific, educational, recreational, and economic benefits to citizens of Nevada being the only state program with authority under Assembly Bill 167 by the Nevada State Legislatures to implement and/or approve watercraft inspections and decontamination stations. The bill was passed by both houses of the Nevada State Legislature and signed by the Governor in 2011. Since its inception, the program has focused on preventing the spread of aquatic invasive species, primarily quagga mussels transported by watercraft. The course of action has been to implement watercraft inspections and decontamination stations. In 2013, NDOW in a cooperative agreement with the National Park Service, opened three year-round inspection stations at Lake Mead National Recreation Area (LMNRA). LMNRA has been infested with quagga mussels since their discovery in 2007. NDOW's stations at LMNRA has inspected over 20,000 watercraft and decontaminated over 1200 vessels contaminated with quagga mussels. Inspections are performed on outgoing watercraft, however, NDOW staff also performs inspections on incoming watercraft especially if they are coming from another state and/or waterbody.

NDOW is also uniquely qualified having worked cooperatively with Nevada State Parks in 2013, to implement seasonal stations at Lahontan, Rye Patch and Wildhorse Reservoirs. State Parks through a contract with NDOW, operated the stations until 2016 at these particular reservoirs. Due to significant drought conditions, the stations generally closed early in the season and had limited staff available. In 2016, NDOW assumed responsibility for the operation of the programs at Lahontan and Rye Patch Reservoir. NDOW moved the Wildhorse Reservoir station and relocated it to a roadside station along Highway 226 north of Elko.

Since 2013, NDOW has implemented seasonal inspection/decontamination stations in various locations around the state, such as along the Colorado River near Laughlin, Nevada, South Fork Reservoir and Topaz Lake. In addition, NDOW has traveling seasonal rovers that visit Eagle Valley State Park and Cave Lake State Park. The AIS Program also has traveling rovers inspecting watercraft at NDOW's Kirch Wildlife Management Area. In 2017, NDOW is anticipating to implement another roadside station to intercept northbound traffic on Highway 93 near Alamo, NV. Statewide in 2017, NDOW is anticipating having 13 stationary statewide inspection stations and another 6 traveling rover stations.

STATUTORY AUTHORITY

The Fish and Wildlife Coordination Act of 1934 (March 10, 1934; Public Law 85-624; 16 U.S.C. 661 et seq.), as amended, was enacted to protect fish and wildlife when federal actions result in the control or modification of a natural stream or body of water.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, [16 U.S.C. 661] For the purpose of recognizing the vital contribution of our wildlife resources to the nation, the increasing public interest and significance thereof due to expansion of our national economy and other factors, and to provide that wildlife conservation shall receive equal consideration and be coordinated with other features of water-resources development programs through the effectual and harmonious planning, development, maintenance, and coordination of wildlife conservation and rehabilitation for the purposes of this Act in the United States, its Territories and possessions, the Secretary of the Interior is authorized (1) to provide assistance to, and cooperate with Federal, State, and public or private agencies and organizations in the development, protection, rearing, and stocking of all species of wildlife, resources thereof, and their habitat, in controlling losses from the same from disease or other causes, in minimizing damages from overabundant species, in providing public shooting and fishing areas, including elements across public lands for access thereto, and in carrying out other measures necessary to effectuate the purposes of this Act.

The Fish and Wildlife Act of 1956 (August 8, 1956; 16 U.S.C. 742f; 70 Stat. 1122), as amended, establishes a comprehensive national fish, shellfish, and wildlife resources policy with emphasis on the commercial fishing industry but also with a direction to administer the Act with regard to the inherent right of every citizen and resident to fish for pleasure, enjoyment, and betterment and to maintain and increase public opportunities for recreational use of fish and wildlife resources. Section 7(a) of the Act requires the Secretary of the Interior to:

- 1) develop measures for "maximum sustainable production of fish";*
- 2) make economic studies of the industry and recommend measures to insure stability of the domestic fisheries;*
- 3) undertake promotional and information activities to stimulate consumption of fishery products; and*
- 4) take steps "required for the development, advancement, management, conservation, and protection of the fisheries resources," and take steps "required for the development, management, advancement, conservation, and protection of fish and wildlife resources" through research, acquisition of land and water or interests therein, development of existing facilities, and other means.*

Departmental Manual Part 255 DM 1, Chapter 1 authorizes the Commissioner of Reclamation:

1.1 Delegation. Subject to the exceptions in Section 1.2, the Commissioner of Reclamation (Commissioner) is delegated the authority of the Assistant Secretary – Water and Science to:

B. Take the following actions, either directly or by providing financial assistance to non-Federal parties, pursuant to the Conservation of Wild Life, Fish and Game Act of March 10, 1934 (Pub. L. 73-121; 48 Stat. 401) as amended by the Fish and Wildlife Coordination Act of August 14, 1946 (Pub. L. 85-624; 72 Stat. 563; 16 U.S.C. 661-666c); Section 5 of the Endangered Species Act of 1973, December 28, 1973 (Pub. L. 93-205; 87 Stat. 884; 16 U.S.C. 1534); and Section 7(a) of the Fish and Wildlife Coordination Act of 1956, August 8, 1956 (70 Stat. 1122; 16 U.S.C. 742f(a)), regarding the construction and/or continued operation and maintenance of any Federal reclamation project:

- (1) plan, design, and construct, including acquiring lands or interest therein as needed for:
 - (a) fish passage and screening facilities at any non-Federal water diversion or storage project; or*
 - (b) projects to create or improve instream habitat.**
- (2) acquire or lease water or water rights from willing sellers or lessors; or*
- (3) monitor and evaluate the effect of Reclamation actions on Endangered Species Act-listed species.*

The Bureau of Reclamation intends to issue a grant agreement to the **Nevada Department of Wildlife** under the authority of Catalog of Federal Domestic Assistance (CFDA) 15.508, Fish and Wildlife Coordination Act of 1934, Public Law 85-624, 16 U.S.C. 661 et seq., as amended, and Section 7(a) of the Fish and Wildlife Coordination Act (FWCA) (70 Stat 1122; 16 U.S.C. 742f(a)); as amended and delegated by the Department of the Interior Manual Part 255 DM1. Estimated total amount of agreement is \$129,739.00. Reclamation is providing \$50,000.00 in Fiscal Year 2018.

The objectives of the project are to continue:

- (1) Preventing the spread of AIS and to prevent new introduction of AIS.
- (2) Providing three staff watercraft inspection stations and a Watercraft Inspection and Decontamination Station Supervisor from November 30, 2018 through November 30, 2019. Staffing is dependent on sufficient water available for boat launching at the Lahontan Reservoir.
- (3) Providing watercraft inspection stations that will be open to the public from eight to ten hours per day and seven days per week.
- (4) Providing public education regarding aquatic invasive species at the inspection stations.

(Refer to the **Notice of Intent to Award Announcement No. BOR-MP-18-N032** for additional information)

A Determination by the Government not to compete this proposed financial assistance based upon Departmental Manual 505 DM 2, paragraph 2.14(B)(4) is solely within the discretion of the Government. This notice of intent is **NOT** a request for competitive proposals. Questions concerning this announcement should be directed to Crystal Oliver/Grants Management Specialist, by e-mail at coliver@usbr.gov.