

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	R13AS20002
Project Title	Design Technical Assistance and Trinity Management Council (TMC) Support
Recipient	California Department of Water Resources
Principal Investigator / Program Manager	Teresa J. Connor, Senior Engineer, WR
Anticipated Federal Amount	\$1,054,250.00 (Total Estimated Project Amount For Federal and Non-Federal \$1,054,250.00)
Cost Share	N/A
Total Anticipated Award Amount	\$210,850.00
New Award or Continuation?	New
Anticipated Period of Performance	Date of execution through September 30, 2017
Award Instrument	Cooperative
Statutory Authority	Public Law 102-575, Central Valley Project Improvement Act, Section 3406 (b)(1) and 3407 (e)
CFDA # and Title	15.512 Central Valley Project Improvement Act, Title XXXIV
Single Source Justification Criteria Cited	Continuation and Unique Qualifications
Reclamation Point of Contact	Victor Haro, Acquisition Support Specialist

OVERVIEW

In December 2000, the Secretary of the Interior signed a Record of Decision (ROD) for the Trinity River Fishery Restoration Final Environmental Impact Statement/Report (FEIS/EIR). This decision recognized that restoration and maintenance of the Trinity River's fishery resources requires rehabilitating the river itself, and restoring the dynamic alluvial processes that maintain aquatic habitat.

Consequently, the ROD included five components to ensure long-term restoration and maintenance of the Trinity River: (a) Variable annual instream flows ranging from 369,000 acre-feet (af) in critically dry years to 815,000 af in extremely wet years; (b) Physical channel rehabilitation, including the removal of riparian berms and the establishment of side channel habitat; (c) Sediment management, including the supplementation of spawning gravels below Lewiston Dam and reduction in fine sediments which degrade fish habitats; (d) Watershed restoration projects to reduce fine sediment production in the Basin and its subsequent delivery to Trinity River aquatic resources; and (e) Infrastructure improvements or modifications, including rebuilding or fortifying bridges and addressing other structures affected by peak instream flows provided by the ROD. Forty-seven channel rehabilitation sites were identified in the FEIS/EIR. Approximately half of the channel rehabilitation sites have already been constructed to date with an anticipated completion of all 47 sites is expected to occur by 2018.

This project covers participation in activities under Public Law 102-575, Section 3406(b)(1) that rectify the physical impacts sustained by operation of the Trinity River Division (TRD). Impacts include changes in the physical habitat in the Trinity River that affect the public by affecting domestic water sources, septic systems, and other physical infrastructure. This includes activities under (b) and (c) above.

As a benefit to the public, this project will:

1. Assist in protecting the Trinity River basin by providing the technical information needed to design river rehabilitation projects that mitigate for the effects of the TRD on fish and wildlife.
2. Provide mitigation for domestic water sources, septic systems, and other physical infrastructures that may be affected in the floodplain.
3. Provide design services and monitoring for channel rehabilitation and sediment management which will support commercial, Tribal, and recreational fisheries
4. Assist in restoring and maintaining the Trinity River's fishery resources by rehabilitating the river itself, and restore the dynamic alluvial processes that maintain aquatic habitat.

RECIPIENT INVOLVEMENT

The California Department of Water Resources agrees to:

- Support the Trinity Management Council (TMC) by preparing technical presentations about geomorphology and physical characteristics of rivers and participating in quarterly TMC meetings; providing technical assistance as to physical surveying methods and geomorphic analysis and coordinating with Trinity River Restoration Program (TRRP) staff on geomorphic, bathymetric, topographic surveys; providing technical peer review of documents including scientific journal articles, technical reports, annual technical investigation plans and budget proposals; developing technical agenda topics about river

function and models for management and technical workgroup meetings; and completing follow-up technical assignments (literature searches, analyses, models) between meetings.

- Design technical assistance in support of TRRP

RECLAMATION INVOLVEMENT

Reclamation will:

- Provide close coordination with Recipient during the development of conceptual designs with the TRRP
- Begin realty discussions with landowners once designs are initiated
- Coordinate with private and non-private landowners for access to rehabilitation sites, with the environmental compliance contractor, and with program partners for the development of design concepts and design criteria
- Provide assistance in the development and review of final design drawings, survey locations, and identification of future funding needs

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; AND (3) UNIQUE QUALIFICATIONS

Single Source Justification Description:

Cooperative Agreement (Agreement) R11AC20517 (formerly 09FC200009) was entered into by Reclamation and the California Department of Water Resources to provide design services and monitoring for the channel rehabilitation sites identified in the FEIS/EIR. This agreement is a fundamental instrument for providing the TRRP with required rehabilitation site designs to meet implementation schedules. The State of California is specifically named as one of the designees in the TMC as directed in the ROD.

The applicant is uniquely qualified to perform the activity based upon their responsibilities as the California agency responsible for managing and protecting California's water, including the Trinity River. Established in 1955, the Department of Water Resources (DWR) carries out the California Water Plan. In addition to bringing this expertise to the TRRP as a member of the TMC (the decision-making body for the TRRP), DWR provides the following: 1) acts as Responsible Trustee under the California Environmental Quality Act, 2) manages public lands along the river where TRRP projects have been/will be built, 3) provides project design support to the TRRP based on their local knowledge, and 4) provides hydrologic modeling support for TRRP projects based on DWR long term hydrologic monitoring records.

STATUTORY AUTHORITY

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

(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. s 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.

(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.