

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	R12SS40044
Project Title	Recovery Program Gage Operation & Maintenance UCRIP
Recipient	Colorado River Water Conservancy District (CRWCD)
Principal Investigator / Program Manager	Ms. Erin Light Assistant Division Engineer Colorado River Water Conservancy District 505 Anglers Drive, Suite 101 Steamboat Springs, CO 80487
Anticipated Federal Amount	\$7,714
Cost Share	\$2,572
Total Anticipated Award Amount	\$7,714
New Award or Continuation?	New
Anticipated Period of Performance	Five Years
Award Instrument	Cooperative Agreement
Statutory Authority	PL 106-392
CFDA # and Title	15.529
Single Source Justification Criteria Cited	(1) 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;
Reclamation Point of Contact	Dave Speas Fish Biologist 125 South State Street, Room 6107 Salt Lake City, UT 84138 801.524.3863 dspeas@usbr.gov

OVERVIEW

The purpose of this project is to assist with the conservation and management of endangered fish in the Colorado River Basin, as required of Reclamation under several Biological Opinions for the operations of its facilities and for the delivery of water and power to people in the Colorado River Basin.

RECIPIENT INVOLVEMENT

The gage on the Williams Fork of the Yampa River is needed to administer releases from the enlarged Elkhead Reservoir. This gage, owned and operated by the recipient, requires period visits to recalibrate instrumentation, perform other light maintenance tasks, assure accurate operation, and deal with emergencies such as ice formation or debris accumulation.

RECLAMATION INVOLVEMENT

Substantial involvement on the part Reclamation is anticipated for the successful completion of the objectives to be funded by this award. In particular, Reclamation will be responsible for the following:

Reclamation provides representation on Recovery Program technical and management committees which directly oversee the implementation of this project and many others, including servicing technical and financial aspects of all interagency and cooperative agreements; development, review, and input on scope of work and final report preparation; and site visits and assistance with operation, maintenance, research and monitoring as needed. Recovery Program projects deal with in-stream flow protection, habitat maintenance, nonnative fish removal, fish propagation, research and monitoring, information and education, and program management.

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: (2) 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;

- (3) 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;
- (4) 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;
- (5) 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;
- (6) 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:

The Upper Colorado River Endangered Fish Recovery Program (Recovery Program), authorized by PL 106-392, relies heavily on the Colorado River Water Conservancy District's (CRWCD) operation and maintenance of their stream gage on the Williams Fork of the Yampa River to accurately monitor flow necessary for the recovery of endangered fish under the Endangered Species Act of 1973 (as amended). The CRWCD contributes funding to Recovery Program activities and as such are not required to enter a competitive process for Reclamation funding. Discontinued support to CRWCD would result in significant setbacks to the Recovery Program process and perhaps Reclamation's compliance with the Endangered Species Act and PL 106-392.

STATUTORY AUTHORITY

Public Law 106-392: **Authorizing Legislation.** P.L. 106-392 authorizes Reclamation to fund activities of the UCRIP and SJRIP

The specific language is:

Public Law 106-392 The purpose of this Act is to authorize and provide funding for the Bureau of Reclamation to continue the implementation of the endangered fish recovery implementation programs for the Upper Colorado and San Juan River Basins in order to accomplish the objectives of these programs within a currently established time schedule.

Section 3.(d)

Base Funding.--(1) Beginning in the first fiscal year commencing after the date of the enactment of this Act, the Secretary may utilize power revenues collected pursuant to the Colorado River Storage Project Act for the annual base funding contributions to the Recovery Implementation Programs by the Bureau of Reclamation. Such funding shall be treated as nonreimbursable and as having been repaid and returned to the general fund of the Treasury as costs assigned to power for repayment under section 5 of the Colorado River Storage Project Act.

(2) For the Recovery Implementation Program for the Endangered Fish Species in the Upper Colorado River Basin, the contributions to base funding referred to in paragraph (1) shall not exceed \$4,000,000 per year. For the San Juan River Recovery Implementation Program, such contributions shall not exceed 2,000,000 per year. The Secretary shall adjust such amounts for inflation in fiscal years commencing after the enactment of this Act. The utilization of power revenues for annual base funding shall cease after the fiscal year 2011, unless reauthorized by Congress; except that power revenues may continue to be utilized to fund the operation and maintenance of capital projects and monitoring.

(f) Additional Authority.--The Secretary may enter into agreements and contracts with Federal and non-Federal entities, acquire and transfer interests in land, water, and facilities, and accept or give grants in order to carry out the purposes of this Act.