

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-17-N002
Project Title	Implementation of Truckee River Operating Agreement
Recipient	California Department of Water Resources
Principal Investigator / Program Manager	Paul Larson
Anticipated Federal Amount	\$499,420.00
Anticipated Non-Federal Amount	\$0.00
New Award or Continuation?	New Award
Anticipated Period of Performance	July 1, 2016 through June 30, 2021
Award Instrument	Grant Agreement
Statutory Authority	Public Law 113-79 Title II, Section 2507 (a)(3)(B), (d)(1)(C)(2), (e)(2) and Public Law 108-7 Sec. 207. (a)(b)
CFDA # and Title	15.508 - Providing Water to At-Risk Natural Desert Terminal Lakes
Single Source Justification Criteria Cited	(4) Unique Qualifications
Reclamation Point of Contact	Caryn Hunt DeCarlo \ Crystal Oliver

OVERVIEW

The State of California, represented by the California Department of Water Resources (DWR), is a mandatory signatory to Truckee River Operating Agreement (TROA). On November 16, 1990, Public Law 101-618 was enacted. Section 205(a), Truckee River Water Supply Management, Operating Agreement, directed the Secretary of the Interior to negotiate an operating agreement for operation of Truckee River Reservoirs with the states of California and Nevada. The Secretary was required under the Public Law to negotiate and implement a TROA with the States of Nevada and California, the Pyramid Lake Paiute Indian Tribe, and the Truckee Meadows Water Authority. Reclamation was delegated to represent the Secretary.

Great strides have been made towards finalizing the Truckee River Settlement Act. The TROA document was signed on September 6, 2008 and partial implementation of TROA began December 1, 2015. Both legal and administrative issues remain to be resolved and it is expected to take years of work by the TROA parties, which includes DWR, for full and uncontested implementation to occur in a sustained manner.

RECIPIENT INVOLVEMENT

California Department of Water Resources' will implement the following objectives:

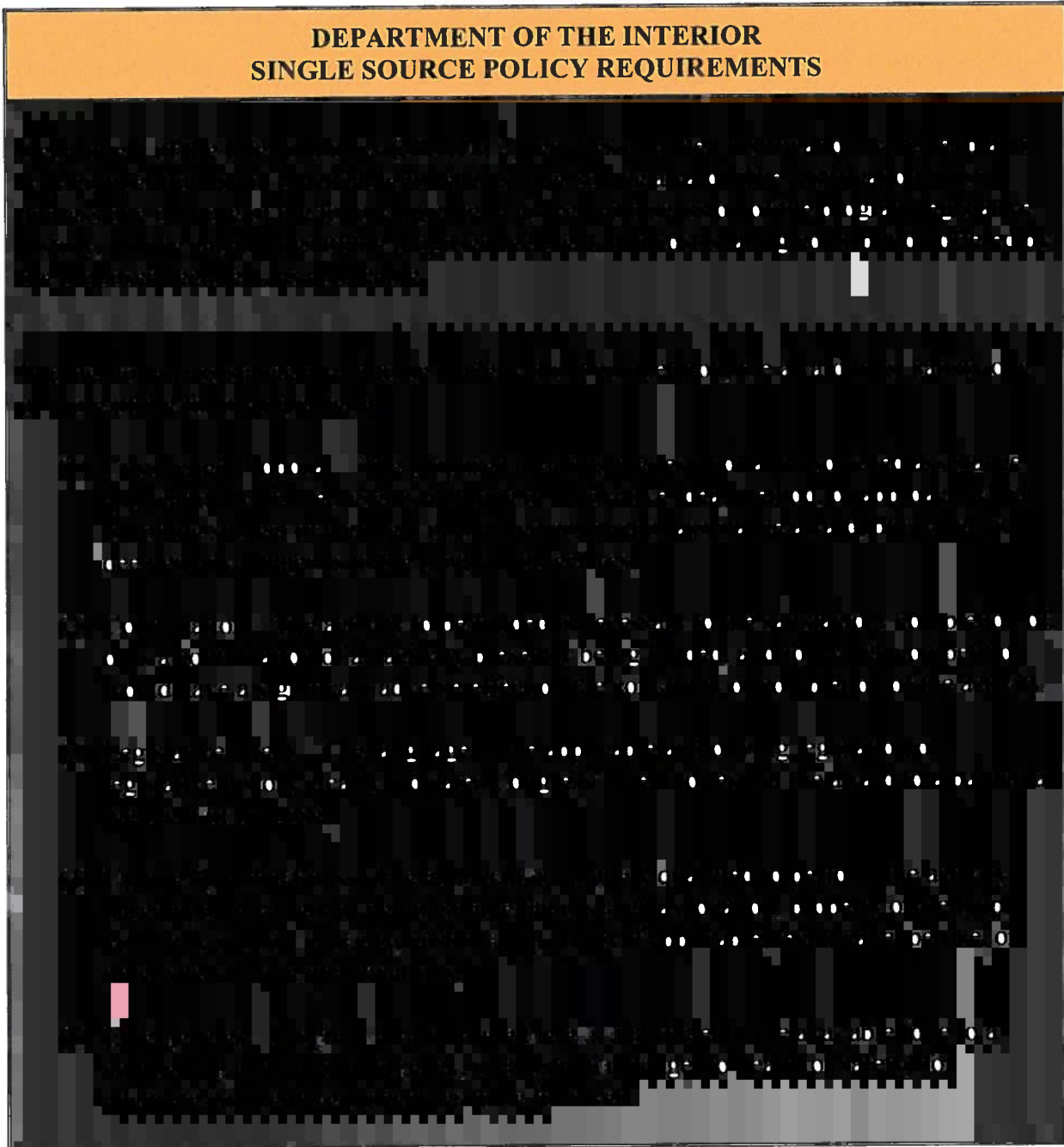
Objective #1 Full implementation of the Truckee River Operating Agreement (TROA) will provide stability and finality for operating and managing water resources under established water rights and negotiated guidelines between the major beneficiaries of Truckee River waters.

Objective #2 TROA also contains provisions for the conversion of a portion of certain municipal Credit Waters to Fish Credit Water and for establishment of other environmental credit waters for the purpose of enhancing Truckee River water quality and sustaining reservoir storage levels and in-stream flows from the upper Truckee River Basin in California to Pyramid Lake in Nevada; this will provide for additional drought protection, recreational opportunities and environmental benefits including associated fish, wildlife, plant, and habitat resources of the Truckee River from Lake Tahoe to Pyramid Lake.

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



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

(4) UNIQUE QUALIFICATIONS

Single Source Justification Description:

California Department of Water Resources (DWR) is uniquely qualified to continue the necessary TROA implementation/administration tasks because they are a necessary and dedicated stakeholder whose participation is essential to TROA and its implementation in

cooperation with all interstate signing parties. They have the experience, designated responsibilities, and knowledge to implement their requirements under TROA. This is a continuation of work that DWR has been doing under a previous grant agreement with Reclamation.

STATUTORY AUTHORITY

1. Public Law 108-7 allows provision of financial assistance to State agencies (**pertinent sections below, full Public Law in Appendix A of the document**):

**Public Law 108-7, Consolidated Appropriations Resolution
SEC. 207. RESTORATION OF FISH, WILDLIFE, AND ASSOCIATED HABITATS IN
WATERSHEDS OF CERTAIN LAKES.**

(a) IN GENERAL.--In carrying out section 2507 of Public Law 107 171, the Secretary of the Interior, acting through the Commissioner of Reclamation, shall--

...

(b) ADMINISTRATION.--The Secretary of the Interior, acting through the Commissioner of Reclamation, may provide financial assistance to State and local public agencies, Indian tribes, nonprofit organizations, and individuals to carry out this section and section 2507 of Public Law 107-171.

2. Public Law 113-79 provides authorization for activities proposed in the SOW (**pertinent sections below full Public Law provided in Appendix B of this document**):

**Public Law 113-79 Title II, Section 2507, enacted February 7, 2014
Agricultural Act of 2014 (Farm Bill)**

“SEC. 2507. TERMINAL LAKES ASSISTANCE.

Section 2507 of the Farm Security and Rural Investment Act of 2002 (43 U.S.C. 2211 note; Public Law 107–171) is amended to read as follows:

“(a) DEFINITIONS.—In this section:

“(3) TERMINAL LAKE.—The term ‘terminal lake’ means a lake and its associated riparian and watershed resources that is—

“(B) considered terminal because it has no natural outlet and is at risk due to a history of consistent Federal assistance to address critical resource conditions, including insufficient water available to meet the needs of the lake, general uses, and water rights.

“(d) WATER ASSISTANCE.—

“(1) IN GENERAL.—The Secretary of the Interior, acting through the Commissioner of Reclamation, may use the funds described in subsection (e)(2) to administer and provide financial assistance to carry out this subsection to provide water and assistance to a

terminal lake described in subsection (a)(3)(B) through willing sellers or willing participants only—

“(C) to carry out research, support, and conservation activities for associated fish, wildlife, plant, and habitat resources.

“(2) EXCLUSIONS.—The Secretary of the Interior may not use this subsection to deliver assistance to the Great Salt Lake in Utah, lakes that are considered dry lakes, or other lakes that do not meet the purposes of this section, as determined by the Secretary of the Interior.

“(e) FUNDING.—

...
“(2) COMMODITY CREDIT CORPORATION.—As soon as practicable after the date of enactment of the Agricultural Act of 2014, the Secretary shall transfer to the ‘Bureau of Reclamation— Water and Related Resources’ account \$150,000,000 from the funds of the Commodity Credit Corporation to carry out subsection (d), to remain available until expended.