

NATIONAL PARK SERVICE FINANCIAL ASSISTANCE: NOTICE OF INTENT TO AWARD

This announcement is not a request for applications.

This announcement is to provide public notice of the National Park Service's intention to award financial assistance for the following project activities. *Refer to Section 2. Grants.gov Posting Determination.*

ABSTRACT	
Grants.gov Opportunity Number	NPS-20-REG1-0016
Project Title	Collaborative Management Through Implementation of the Upper
Recipient	Upper Delaware Council, Inc. (UDC)
Anticipated Federal Funding	\$75,000.00
Non-Federal Cost Share	N/A
Total Anticipated Award Amount	\$75,000.00
Award Instrument	☐ Task Agreement ☒ Cooperative Agreement ☐ Grant Agreement
Anticipated Period of Performance	Through December 31, 2024
Legal Authority	54 U.S.C. §101702(a); PL 95-625, Section 704
CFDA # and Title	15.962 National Wild and Scenic Rivers System
Single Source Justification Criteria	Unique Qualifications
National Park Service Point of Contact	Patrick Reidy, Grants Management Specialist 215-597-5949

Section 1. Project Summary

PROJECT GOALS AND OBJECTIVES

The goal is to carry out the Upper Delaware River Management Plan (RMP) and applicable state and local laws, in furtherance of the Wild and Scenic Rivers Act, Section 704 of Public Law 95-62. The RMP provides for a broad range of land and water uses and scenic and recreational activities. The adoption and enforcement of local plans, laws, and ordinances which related to the protection of river corridor resources are the "backbone" of the RMP. The Land and Water Use Guidelines are intended to be standards for the fifteen towns and townships to use in the development or modification of their relevant plans, laws, and ordinances to carry out the purposes of the RMP implement the Upper Delaware legislation, and meet the objectives of the Wild and Scenic Rivers Act. On September 29, 1987, the Secretary of the Interior approved the RMP. The objective of this Agreement is to: Provide support to the Upper Delaware Council, Inc. in order to carry out the roles and functions assigned to it in coordinating implementation of the RMP.

STATEMENT OF PUBLIC PURPOSE

The project engages recipients, partners, communities, and/or visitors in shared environmental stewardship.

The project promotes greater public and private participation in historic preservation programs and activities. The project builds resource stewardship ethics in its participants.

The information, products and/or services identified or developed by this project will be shared through a variety of strategies to increase public awareness, knowledge and support for historic preservation and stewardship of the nation's cultural and historical heritage.

STATEMENT OF WORK SUMMARY

The statement of work for this Agreement is the Upper Delaware River Management Plan (RMP) (available at <https://www.upperdelawarecouncil.org/publications/>). The Plan describes a collaborative approach to management of Upper Delaware Scenic and Recreational River that if implemented as envisioned, ensures local interests will be protected and the federal interest will be assured. The Plan describes the functions and management responsibilities for the Upper Delaware Council, Towns and Townships, Counties, States (PA and NY), Delaware River Basin Commission, and the Secretary of the Interior.

RESPONSIBILITIES OF THE PARTIES

A. The recipient shall be responsible for the following items under this agreement:

1. Review, coordinate, and provide direction for all aspects of plan implementation. On an annual basis, the UDC will submit a consolidated annual work plan representing the proposed specific activities of the Council and UDC Committees that is consistent with the functions and management responsibilities described in the statement of work, to be mutually agreed upon prior to obligation of annual funds.
2. Review all relevant local plans, laws, and ordinances for the purpose of recommending to the Secretary whether such local plans, laws, and ordinances substantially conform to the River Management Plan. There are five parts to this review process: (a) The determination of substantial conformance, (b) The review of ordinance amendments, (c) The review of significant projects, (d) The review of challenges and variances, and (e) The review of enforcement programs (see #4 below).
3. Provide recommendations to the National Park Service for the purpose of making a final determination regarding whether local plans, laws, and ordinances, ordinance amendments, challenges and variances, and significant projects substantially conform to the Land and Water Use Guidelines and River Management Plan. Recommendations will include town and

B. The NPS Responsibilities:

- ☐ A task agreement is proposed;
- ☒ A cooperative agreement is proposed;

therefore substantial involvement by NPS is anticipated during the period of performance of this agreement. In support of this agreement NPS will:

1. Monitor and provide Federal oversight of activities performed under this Agreement. Monitoring and oversight includes review and approval of financial status and performance reports, payment requests, and tasks identified below. Additional monitoring activities may include site visits, conference calls, and other on-site and off-site monitoring activities. At the Recipient's request, NPS may also provide technical assistance to the Recipient in support of the objectives of this Agreement.
2. Participate actively in the discussions, deliberations, activities and proceedings of the Recipient.
3. Provision, at the Recipient's request, of technical assistance to the states, the counties, and the towns to enable them to develop and implement programs compatible with the management plan.
4. Consider the recommendations of the Recipient in management of lands, structures, and property owned and/or leased by the National Park Service, and administration of its other management responsibilities, in a manner consistent with the Special Provisions for the Upper Delaware and the Wild and Scenic Rivers Act.
5. Identify, in consultation and cooperation with other Council members, any project which would be, or has the potential to be, a clear and direct threat to valley resources or which, if approved by town government, would mean that the town would not be

- ☐ A grant agreement is proposed, therefore no substantial involvement on the part of the NPS is anticipated for the successful completion of the statement of work. It is anticipated that involvement will be limited to actions related to monitoring project performance and technical assistance at the request of the recipient.

Section 2. Grants.gov Posting Determination

- ☐ The National Park Service intends to award a task agreement under a previously competed or single source justified award.
- ☒ The National Park Service intends to award a single source justified cooperative agreement. *Refer to Section 3 Single Source Justification.*
- ☐ The National Park Service intends to award a single source justified grant agreement. *Refer to Section 3 Single Source Justification.*

Section 3. Single Source Justification

NATIONAL PARK SERVICE SINGLE SOURCE POLICY REQUIREMENTS

National Park Service Policy FAP&P 1443-2015-06 requires a written justification which explains why competition is not practicable. The justification must address one of the following criteria.

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. The unsolicited proposal must demonstrate an innovative capability or concept not currently available to the government, and prepared without Government involvement. ;
- (2) Continuation – The activity to be funded is necessary to the satisfactory completion of, or is a continuation of, an activity presently being funded, 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, technical expertise, or other such unique qualifications. Successful past performance, familiarity with existing requirements, capabilities that can be obtained or matched by a competitor, or a positive reputation, are not considered to be 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.

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

- ☐ Task Agreement issued under previously competed or single source master cooperative agreement per Section 2 above. Single Source Justification not applicable.
- ☐ Unsolicited Proposal ☐ Continuation ☐ Emergency
- ☐ Legislative Intent ☒ Unique Qualifications

Explanation of the proposed recipient's qualifications or the criteria of the proposed project which requires use of the single source criteria cited.

On September 29, 1987, the Secretary of the Interior approved a River Management Plan for the Upper Delaware Scenic and Recreational River. The River Management Plan recommends the establishment of an intergovernmental Upper Delaware Council to implement the cooperative management system envisioned by the Act, to ensure effective implementation of the plan and to oversee its administration on a continuing basis, utilizing the existing authorities of its members who will work together in a cooperative fashion. The Upper Delaware Council has been carrying out this work since incorporation in 1988.

The Upper Delaware Council, Inc. is classified as a tax-exempt organization under Section 501(c)(3) of the IRS Code, and is incorporated in the Commonwealth of Pennsylvania as a non-profit organization and authorized to conduct business in the State of New York. Contributions are tax-deductible to the extent allowed by law.

Section 4. Department of the Interior Secretary's Priorities

This award will support the following DOI Secretary priority(ies):

Other Key Initiatives:

- ☐ Employment of veterans.
- ☐ Supporting DOI Infrastructure needs.
- ☐ Creating jobs in the American economy.
- ☐ Access to outdoor recreation opportunities.

Priority 1: Creating a conservation stewardship legacy second only to Teddy Roosevelt

- ☐ Utilize science to identify best practices to manage land and water resources and adapt to changes in the environment.
- ☒ Examine land use planning process and land use designations that govern public use and access.
- ☐ Revise and streamline the environmental and regulatory review process while maintaining environmental standards.
- ☐ Review DOI water storage, transportation, and distribution systems to identify opportunities to resolve conflicts and expand capacity.
- ☐ Foster relationships with conservation organizations advocating for balanced stewardship and use of public lands.
- ☐ Identify and implement initiatives to expand access to DOI lands for hunting and fishing.
- ☐ Shift the balance towards providing greater public access to public lands over restrictions to access.

Priority 2: Utilizing our natural resources

- ☐ Ensure American energy is available to meet our security and economic needs.
- ☐ Ensure access to mineral resources, especially the critical and rare earth minerals.
- ☐ Refocus timber programs to embrace the entire 'healthy forests' lifecycle.
- ☐ Manage competition for grazing resources.

Priority 3: Restoring trust with local communities

- ☒ Be a better neighbor with those closest to our resources by improving dialogue and relationships with persons and entities bordering our lands.
- ☒ Expand the lines of communication with Governors, state natural resource offices, Fish and Wildlife offices, water authorities, county commissioners, Tribes, and local communities.

Priority 4: Ensuring sovereignty means something

- ☐ Support tribal self-determination, self-governance, and sovereignty.
- ☐ Solidify mutual interests between the U.S. and the freely associated states and territories.

Priority 5: Generating additional revenues to support DOI & National interests

- ☐ Ensure that the public receives the full market value for the natural resources produced on Federal lands.
- ☐ Ensure that fees or costs levied for DOI services are reasonable and targeted to achieve cost recovery.
- ☐ Consider the impact of DOI decisions on economic development and job creation.

Priority 6: Protecting our people and the border

- ☐ Actively support efforts to secure our southern border.
- ☐ Ensure DOI law enforcement staffing addresses public safety risks anticipated on DOI land.
- ☐ Promote a "public service" demeanor within our law enforcement community.

Priority 7: Striking a regulatory balance

- ☐ Reduce the administrative and regulatory burden imposed on U.S. industry and the public.
- ☐ Ensure that Endangered Species Act decisions are based on strong science and thorough analysis.

Priority 8: Modernizing our infrastructure

- ☐ Support the White House Public/Private Partnership Initiative to modernize U.S. infrastructure.
- ☐ Remove impediments to infrastructure development and facilitate private sector efforts to construct infrastructure projects serving American needs.
- ☐ Prioritize DOI infrastructure needs to highlight:
 1. Construction of infrastructure;
 2. Cyclical maintenance;
 3. Deferred maintenance.

Priority 9: Reorganizing for the next 100 years

- ☐ Improve alignment and integration of the DOI organizational structure. Redistribute organizational resources (people and funding) to enhance mission achievement and improved public service.
- ☐ Improve organizational alignment with Executive Branch counterparts with major land management assets or influence.

Priority 10: Achieving our goals and leading our team forward

- ☐ Senior executives are expected to provide leadership in achieving goals of the President and the Secretary.
- ☐ The Management Team is expected to:
 1. Ensure cost-effective operations and quality service to the public;
 2. Facilitate organizational cooperation and conflict resolution;
 3. Ensure the workplace environment is conducive to employee productivity and safety;
 4. Hold individuals accountable for actions that violate DOI policies and requirements.

The proposed project does not support any of the DOI Secretary priorities, but the project is being funded for the following reasons: