

# 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                                          |                                                                                                                                                                                                                                                                                                                                      |
|---------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Funding Announcement</b>                       | BOR-MP-18- N015                                                                                                                                                                                                                                                                                                                      |
| <b>Project Title</b>                              | Pyramid Lake AIS Station Roof                                                                                                                                                                                                                                                                                                        |
| <b>Recipient</b>                                  | Pyramid Lake Fisheries                                                                                                                                                                                                                                                                                                               |
| <b>Principal Investigator / Program Manager</b>   | Albert John, Pyramid Lake Fisheries Executive Director                                                                                                                                                                                                                                                                               |
| <b>Anticipated Federal Amount</b>                 | \$45,109.00                                                                                                                                                                                                                                                                                                                          |
| <b>Anticipated Non-Federal Amount</b>             | \$0.00                                                                                                                                                                                                                                                                                                                               |
| <b>New Award or Continuation?</b>                 | New Award                                                                                                                                                                                                                                                                                                                            |
| <b>Anticipated Period of Performance</b>          | Approximately 18 months from date of execution                                                                                                                                                                                                                                                                                       |
| <b>Award Instrument</b>                           | Grant                                                                                                                                                                                                                                                                                                                                |
| <b>Statutory Authority</b>                        | 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 limited and delegated by the Secretary of the Interior delegation of authority to the Bureau of Reclamation at 255 DM 1.1B |
| <b>CFDA # and Title</b>                           | 15.517 – Fish and Wildlife Coordination Act                                                                                                                                                                                                                                                                                          |
| <b>Single Source Justification Criteria Cited</b> | (4) Unique Qualifications                                                                                                                                                                                                                                                                                                            |
| <b>Reclamation Point of Contact</b>               | Amanda Brinnand / Crystal Oliver                                                                                                                                                                                                                                                                                                     |

## OVERVIEW

The Pyramid Lake Reservation for the Pyramid Lake Paiute Tribe (PLPT) is located approximately 35 miles northeast of Reno, Nevada. The Reservation covers 476,728 acres and was established in 1874. It contains Pyramid Lake and over 25 miles of the lower Truckee River, this terminal lake's primary tributary. Pyramid Lake is 350 feet deep, 15 miles long, 11 miles wide and has a surface area of approximately 112,000 ac (as of 2015). Pyramid Lake and the Truckee River are habitat for Lahontan cutthroat trout (LCT), (*Oncorhynchus clarkii henshawi*) and cui-ui (*Chasmistes cujus*), which are both listed under the Endangered Species Act of 1973, as amended (ESA; 16 United States Code 1531 et seq.). These type of fish are important to the culture of the Pyramid Lake Paiute People, and fishing and other recreational (day use, camping) activities by the public at Pyramid Lake.

Aquatic Invasive Species (AIS) are various species of nonnative plants and animals that have the potential to cause economic and/or ecosystem disruption. Their presence may harm native ecosystems or commercial, agricultural, and recreational activities dependent on these ecosystems. Particular AIS of concern to Pyramid Lake include, but are not limited to: Quagga mussels (*Dreissena rostriformis bugensis*), zebra mussels (*Dreissena polymorpha*), New Zealand mudsnails (*Potamopyrgus antipodarum*), curly-leaf pondweed (*Potamogeton crispus*), Eurasian water milfoil (*Myriophyllum spicatum*), and Asian clams (*Corbicula fluminea*). New Zealand mudsnails, curly-leaf pondweed, Eurasian water milfoil, and Asian clams are already established in either Lake Tahoe and/or the Truckee River. Therefore, preventing introductions of quagga and zebra mussels are of greatest concern to Pyramid Lake Fisheries (PLF). PLF has developed and implemented an AIS management plan and developed regulations for Reservation waters regarding watercraft inspections for AIS and decontamination of potentially-contaminated watercraft. Other actions implemented by PLF include measures to increase education of boaters and anglers regarding AIS.

A permanent AIS decontamination station in Sutcliffe, Nevada is currently under construction. In order to protect the structural components of the station and its Staff from the elements, a roof will be built.

## RECIPIENT INVOLVEMENT

The Recipient will build a roof structure over an existing AIS decontamination station located in Sutcliffe, Nevada. This will protect the AIS station components and employees from the elements.

This project will:

- (1) Assist in the prevention or spread of AIS in Pyramid Lake and other waterbodies via contaminated watercraft.
- (2) Assist in preventing introductions of new AIS in Pyramid Lake by contaminated watercraft.
- (3) Assist with protecting the waters, native wildlife, and recreational fisheries by preventing or slowing the spread of AIS.

- (4) Extend the life of the current AIS decontamination station.

### **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:

#### **(4) UNIQUE QUALIFICATIONS**

##### **Single Source Justification Description:**

The applicant, Pyramid Lake Fisheries (PLF), is uniquely qualified to perform the activities based upon a variety of demonstrable factors such as location, property ownership, and extensive history with managing Pyramid Lake fisheries.

The proposed grant funding would be used by the Recipient to complete a roof structure over the permanent AIS decontamination station. The AIS roof will increase the useful life of the station, allow for year-round operations, protect individuals staffing the station and reduce the risk of introduced invasive species into Pyramid Lake. The AIS decontamination station is located adjacent to Pyramid Lake, in Sutcliffe, Nevada, on Pyramid Lake Paiute Tribe reservation property. PLF is the tribal entity that manages the fisheries, the fish hatcheries and raises the federally listed fish species for Pyramid Lake. PLF has completed all aspects of the AIS decontamination station in Sutcliffe, currently have the existing staff and has the technical expertise to oversee the completion of this roof structure . For these demonstrable reasons, PLF is uniquely qualified to perform the proposed grant activities.

##### **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.*