

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	R12AS20041
Project Title	Ball Ranch Fishing Pilot Project
Recipient	San Joaquin River Parkway & Conservation Trust, Inc
Principal Investigator / Program Manager	Dave Koehler, Executive Director
Anticipated Federal Amount	\$26,500.00
Cost Share	None
Total Anticipated Award Amount	\$26,500.00
New Award or Continuation?	New Award
Anticipated Period of Performance	Execution Date through 06/30/13
Award Instrument	Grant
Statutory Authority	Public Law 111-11, San Joaquin River Restoration Settlement, Title X, Part I; Section 10002, Section 10004(b)(2), (d)(1)(2), (h)(1) and Stipulation of Settlement CIV NO. S-88-1658-LKK/GGH—Paragraph 11(b)(3)
CFDA # and Title	15.555 San Joaquin River Restoration Program
Single Source Justification Criteria Cited	Unique Qualifications
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OVERVIEW

In order to implement the San Joaquin River Restoration Settlement Act (Settlement), an analysis was prepared in compliance with the National Environmental Policy Acts of 1969 (NEPA). To

be consistent with NEPA; Reclamation, which is the lead federal agency for Settlement implementation, prepared the San Joaquin River Restoration Program (SJRRP) Program Environmental Impact Statement/Report (PEIS/R). This report identifies implementation of measure *REC-5: Enhance Warm-Water Fishing Access and Fish Populations in the Vicinity of the San Joaquin River below Friant Dam* to reduce recreational impacts from filling and/or isolating gravel mining pits.

Some of the current warm-water fishing opportunities that would be lost as a result of implementing the Settlement through the filling and/or isolating gravel pits would be offset through enhancement of the remaining warm-water fishing opportunities or the creation of new opportunities in the vicinity. Specific actions to enhance warm-water fishing opportunities would be developed in cooperation with the San Joaquin River Conservancy, the San Joaquin River Parkway and Conservation Trust (River Parkway Trust), and other agencies participating in the management of the San Joaquin River Parkway. River Parkway Trust is creating the Ball Ranch pilot project in order to promote warm-water fishing opportunities and test the viability of measure REC-5 to better determine how to implement this measure when gravel pits are filled or isolated in the future.

RECIPIENT INVOLVEMENT

River Parkway Trust will provide the following for safe public use during the pilot program operation:

- Provide fishing access program services in the Ball Ranch pond on the weekends (Saturday and Sunday) , October 20 through mid December 2012 and mid February through mid April 2013.
- Obtain any state and local permits and/or approvals that may be required
- Recruit and train season staff members to provide fishing program services. Will remain on site during open fishing hours
- Print the program brochures
- Provide portable toilets and hand washing stations

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 San Joaquin River Parkway & Conservation Trust, Inc. (River Parkway Trust), a 501(c) 3 non-profit, public benefit corporation, was created in 1988 to establish a continuous greenway along 33 miles of river in the rapidly urbanizing Fresno-Madera region. In partnership with state and federal agencies and local governments, the River Parkway Trust has been successful in providing outdoor education programs for school children and recreational opportunities for the community for many years. . It would not be in the government's best interest to have another entity provide fishing opportunities when River Parkway Trust is currently engaged in another similar project on Sycamore Island.

STATUTORY AUTHORITY

Public Law 111-11, San Joaquin River Restoration Settlement, Title X, Part I; Section 10002, Section 10004(b)(2), (d)(1)(2), (h)(1) and Stipulation of Settlement CIV NO. S-88-1658-LKK/GGH—Paragraph 11(b)(3)

SEC. 10002. PURPOSE.

The purpose of this part is to authorize implementation of the Settlement.

SEC. 10004. IMPLEMENTATION OF SETTLEMENT.

(b) AGREEMENTS.—

(2) **OTHER AGREEMENTS.**—The Secretary is authorized to enter into contracts, memoranda of understanding, financial assistance agreements, cost sharing agreements, and other appropriate agreements with State, tribal, and local governmental agencies, and with private parties, including agreements related to construction, improvement, and operation and maintenance of facilities, subject to any terms and conditions that the Secretary deems necessary to achieve the purposes of the Settlement.

(d) **MITIGATION OF IMPACTS.**—Prior to the implementation of decisions or agreements to construct, improve, operate, or maintain facilities that the Secretary determines are needed to implement the Settlement, the Secretary shall identify—

- (1) the impacts associated with such actions; and
- (2) the measures which shall be implemented to mitigate impacts on adjacent and downstream water users and landowners

(h) INTERIM FLOWS.—

(1) **STUDY REQUIRED.**—Prior to releasing any Interim Flows under the Settlement, the Secretary shall prepare an analysis in compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.)

STIPULATION OF SETTLEMENT CIV NO. S-88-1658 – LKK/GGH—PARAGRAPHS 11(B)(3)

Paragraph 11(b)(3): Filling and/or isolating the highest priority gravel pits in Reach 1 (such “highest priority gravel pits” shall be determined by the Secretary, in consultation with the Restoration Administrator, based on the relative potential for reducing juvenile salmon mortality)