

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	R15AC00015
Project Title	Bubbling Ponds Hatchery, razorback sucker production
Recipient	Arizona Game and Fish Department
Principal Investigator / Program Manager	Geoffrey Rabinovich Assistant Chief, Fisheries - Hatchery Management Arizona Game and Fish Department
Anticipated Federal Amount	\$289,000.00 (Estimated)
Cost Share	0.00%
Total Anticipated Award Amount	\$1,445,000.00 (Estimated)
New Award or Continuation?	New Award – Continuation of RASU production (MSCP)
Anticipated Period of Performance	10/01/2015 – 09/30/2020 (five years)
Award Instrument	Cooperative Agreement
Statutory Authority	Fish and Wildlife Coordination Act of 1934 as delegated by Department Manual (DM) 255 DM 1.1.B(3)
CFDA # and Title	15.538, Lower Colorado River Multi-Species Conservation Program
Single Source Justification Criteria Cited	(2) Continuation
Reclamation Point of Contact	Shawna Thompson, smthompson@usbr.gov

OVERVIEW

The Lower Colorado River Multi-Species Conservation Program (LCR MSCP) is a federal and non-federal partnership responding to the need to balance use of lower Colorado River (LCR) water resources and the conservation of native species and their habitats in compliance with the Endangered Species Act (ESA). This is a long-term (50-year) program to conserve at least 26 species of plants and animals (including razorback sucker *Xyrauchen texanus* (RASU)) along the LCR from Lake Mead to the Southerly International Boundary with Mexico through the implementation of a Habitat Conservation Plan (HCP). RASU is listed by the Arizona Game and Fish Department (AZGFD) as a species of special concern and was listed federally in 1991 as endangered under the ESA. This project is for the principal purpose of maintaining viable RASU populations in the lower Colorado River and associated drainages pursuant to goals set forth in the LCR MSCP. Objectives include annual production of between 5,000 and 15,000 RASU, transportation and stocking of RASU throughout LCR drainages, and ongoing hatchery maintenance and repair.

Recipient Responsibilities

The Recipient shall carry out the Scope of Work in accordance with the terms and conditions of the proposed financial assistance agreement. The Recipient shall adhere to Federal, state, and local laws, regulations, and codes, as applicable, and shall coordinate with Reclamation on all required approvals and permits.

The following are specific Recipient Responsibilities under this award:

Task A: Conducted in each of the five years of the agreement.

Continue to rear and maintain razorback sucker for distribution in the Lower Colorado River. This will include the following: receive fry from Dexter NFH; feed and care for these fish from fry life stage to adults; monitor fish health and administer treatments as necessary; maintain earthen and lined ponds, build and repair screens, crowders, and boxes, perform grounds-keeping duties, harvest fish, sort, tag, and distribute fish into designated waters. Also, personnel will participate in required department training, meetings, and ceremonies. And finally, staff will monitor budget, procure equipment and supplies, and keep hatchery records. AZGFD expects to reach the MSCP target goal of between 5,000 and 15,000 fish over 305 mm TL stocked in the LCR in each year of the agreement.

Task B: Hatchery repair and Renovation, conducted as agreed-upon and funded.

Over the five years of the agreement, AZGFD seeks funding to: replace inflow piping with pipe previously supplied by Reclamation; install catch basins in the ponds; conduct levee and liner repairs; conduct pier and ladder replacements and repairs.

Reclamation Responsibilities

Reclamation will 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 any other deliverables identified as part of the Scope of Work. Additional monitoring activities may include site visits, conference calls, and other on-site and off-site monitoring activities. At the Recipient's request, Reclamation may also provide technical assistance to the Recipient in support of the Scope of Work and objectives of this Agreement.

Substantial involvement by Reclamation is anticipated during the performance of activities funded under this cooperative agreement. In support of this Agreement, Reclamation will be responsible for the following:

Reclamation will assist Arizona Game and Fish Department (AZGFD) in harvesting of ponds; sorting, marking, loading, and distributing fish; and minor facility maintenance and repair at Bubbling Ponds Hatchery. Specific distribution points of the hatchery-produced razorback sucker will be determined by Reclamation prior to stocking.

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:
(2) CONTINUATION

Single Source Justification Description:

(2) Continuation

Arizona Game and Fish Department (AZGFD) is one of the original signatory partners of the LCR MSCP and has actively conducted and cooperated in monitoring and research activities for RASU augmentation on the Lower Colorado River since 1989. Beginning in the late 1990's limited rearing of RASU began at Bubbling Ponds Hatchery (BPH), a facility which had primarily produced sport fish since the 1950's. In the late 1990's six earthen ponds were lined with plastic liners to prevent water loss. Bureau of Reclamation provided the liners and AZGFD provided the labor to install the liners. Wild captured fingerling razorback suckers were brought on station and production of target size (>300 mm) sub-adult fish began. Over the course of one and a half to two years razorbacks suckers were reared to target size, >300 mm, harvested, marked, and stocked into the lower Colorado River, which these threatened and endangered fish species are native to. These renovations enhanced AZGFD's ability to rear wild-caught Lake Mohave RASU larvae, and provided the additional rearing space required to contribute adult RASU towards future augmentation efforts.

STATUTORY AUTHORITY

The authority for the Bureau of Reclamation to enter into this agreement is derived from the Fish and Wildlife Coordination Act of 1934, as delegated by Department Manual (DM) 255 DM 1.1.B(3). The following section, provided in full text, authorizes Reclamation to award this financial assistance agreement:

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.