

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	R13AS20018
Project Title	Watershed Rehabilitation and Sediment Control
Recipient	Trinity County Resource Conservation District
Principal Investigator / Program Manager	Alex Cousins
Anticipated Federal Amount	\$335,427.00
Cost Share	\$49,529.00
Total Anticipated Award Amount	\$831,427.00
New Award or Continuation?	Continuation
Anticipated Period of Performance	September 11, 2012 through December 31, 2016
Award Instrument	Grant Agreement
Statutory Authority	Central Valley Project Improvement Act, Public Law 102-575, Section 3402, 3406(b)(1), and 3407(e)
CFDA # and Title	15.532
Single Source Justification Criteria Cited	Justification Criteria: (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; and (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)
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OVERVIEW

The Watershed Rehabilitation and Sediment Control Project was identified through a public solicitation process and selected and approved by the Trinity River Watershed Council and the Trinity River Restoration Watershed Workgroup. The Watershed Rehabilitation and Sediment Control Project involves the modification to the implement designated watershed restoration projects to implement watershed rehabilitation and sediment source control for projects identified and approved by the Trinity River Watershed Council.

The implementation of four additional projects is needed to improve aquatic habitat conditions by controlling fine sediment delivery within the watershed to the Trinity River, and enhancement of fish passage by the removal of fish passage barriers within the watershed. The additional work will be accomplished by revising the existing statement of work to the agreement, so it captures all the needed work and addresses problems with high sediment production.

RECIPIENT INVOLVEMENT

Under the modification to the Agreement, Recipient agrees to carry out the revised statement of work (Attachment 1) to the basic agreement.

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:

(2) CONTINUATION

This agreement is a multi-year agreement, where projects within watersheds have been prioritized. Therefore it is critical that work within identified watersheds is performed in the proper sequence to obtain both maximum restoration and cost benefits. Work performed out of sequence or by another organization not aware of current work could significantly impact previous work and nullify previously completed restoration work. Other groups or organizations will not know where previously completed restoration work was completed and left off. Multi-year agreements have been developed with both public and private landowners, which other groups may or may not be able to obtain, or obtain in a timely fashion to allow for continuity in project implementation.

(4) UNIQUE QUALIFICATIONS

The Recipient is a non-profit organization with staff personnel and equipment suited for watershed restoration activities. Their influence and relationship with the local community and contractors allows them to perform work in areas where other agencies or groups could not, and obtain and deploy the necessary resources to complete sophisticated watershed restoration projects by using their own, local, or a combination of both, their own and local resources as projects require. The Recipient has staffed project coordinators, managers, biologists, technicians, operators, and laborers with significant local knowledge and watershed restoration experience which is applied to restoration activities. Their significant knowledge, influence, and community presence has enabled them to develop agreements with both private and public organizations that would otherwise prevent access to significantly impaired watershed areas in need of restoration.

Single Source Justification Description:

STATUTORY AUTHORITY

Central Valley Project Improvement Act, Public Law 102-575:

3402. Purposes

The purposes of this title shall be:

- (a) To protect, restore, and enhance fish, wildlife, and associated habitats in the Central Valley and Trinity River basins of California;
- (b) To address impacts of the Central Valley Project on fish, wildlife and associated habitats;
- (c) To improve the operational flexibility of the Central Valley Project;
- (d) To increase water-related benefits provided by the Central Valley Project to the State of California through expanded use of voluntary water transfers and improved water conservation;
- (e) To contribute to the State of California's interim and long-term efforts to protect the San Francisco Bay/Sacramento-San Joaquin Delta Estuary;
- (f) To achieve a reasonable balance among competing demands for use of Central Valley Project water, including the requirements of fish and wildlife, agricultural, municipal and industrial and power contractors.

and

3406. FISH, WILDLIFE AND HABITAT RESTORATION.

(b) **FISH AND WILDLIFE RESTORATION ACTIVITIES-** The Secretary, immediately upon the enactment of this title, shall operate the Central Valley Project to meet all obligations under State and Federal law, including but not limited to the Federal Endangered Species Act, 16 U.S.C. 1531, et seq., and all decisions of the California State Water Resources Control Board establishing conditions on applicable licenses and permits for the project. The Secretary, in consultation with other State and Federal agencies, Indian tribes, and affected interests, is further authorized and directed to:

(1) develop within three years of enactment and implement a program which makes all reasonable efforts to ensure that, by the year 2002, natural production of anadromous fish in Central Valley rivers and streams will be sustainable, on a long-term basis, at levels not less than twice the average levels attained during the period of 1967-1991; Provided, That this goal shall not apply to the San Joaquin River between Friant Dam and the Mendota Pool, for which a separate program is authorized under subsection 3406(c) of this title; Provided further, That the programs and activities authorized by this section shall, when fully implemented, be deemed to meet the mitigation, protection, restoration, and enhancement purposes established by subsection 3406(a) of this title; And provided further, That in the course of developing and implementing this program the Secretary shall make all reasonable efforts consistent with the requirements of this section to address other identified adverse environmental impacts of the Central Valley Project not specifically enumerated in this section.

and

3407. RESTORATION FUND

(e) **FUNDING TO NON-FEDERAL ENTITIES-** If the Secretary determines that the State of California or an agency or subdivision thereof, an Indian tribe, or a nonprofit entity concerned with restoration, protection, or enhancement of fish, wildlife, habitat, or environmental values is able to assist in implementing any action authorized by this title in an efficient, timely, and cost effective manner, the Secretary is authorized to provide funding to such entity on such terms and conditions as he deems necessary to assist in implementing the identified action.