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	R15SS00013
Project Title	SJR Phase II Channel Restoration Site Monitoring
Recipient	The Nature Conservancy (TNC)
Principal Investigator / Program Manager	Dave Gori, Ph.D. Director of Science, The Nature Conservancy 212 E. Marcy St. #200, Santa Fe, NM 87501 dgori@tnc.org
Anticipated Federal Amount	$204,584.00
Cost Share	na
Total Anticipated Award Amount	$204,584.00
New Award or Continuation?	New Award
Anticipated Period of Performance	3 Years
Award Instrument	Grant
Statutory Authority	PL 106-392 Upper Colorado and San Juan River Basins Endangered Fish Recovery Programs
CFDA # and Title	15.529
Single Source Justification Criteria Cited	Unique Qualifications Continuation
Reclamation Point of Contact	Mark Mckinstry

OVERVIEW

The goals of the San Juan Recovery River Implementation Program (SJRIP) Long Range Plan include providing suitable habitat and suitable water quality to support recovery of the Colorado Pikeminnow and razorback sucker, including identification of types and sources of water quality contamination (Tasks 3.2.2, 3.4.1 and 3.4.3, SJRIP Draft Long-Range Plan). Accomplishing these goals remains pertinent to the recovery of the Colorado Pikeminnow and Razorback Sucker. The SJRIP is increasingly recognizing that flow regimes alone may not be sufficient to create and sustain the habitat necessary for the endangered fish. In addition, the 1994 San Juan Water Quality Contaminants and Review, discuss sampling results from the early 1990's that indicate San Juan fish have been exposed to hydrocarbons. Since that time development of both conventional oil and gas basins and coal bed methane deposits have continued. In an effort to further the SJRIP's progress in achieving this goal, The Nature Conservancy proposes to initiate conservation planning activities that will include the evaluation of the need for physical habitat enhancements and conduct an analysis of hazardous materials threats and impacts to the San Juan River ecosystems.

This approach requires no additional field data collection and the objective will be to conduct comprehensive analysis of existing data and information. The primary goal of this scope of work shall be to utilize existing data and analyses of essential habitats, flow-habitat relationships, and endangered fish distributions to identify locations for habitat improvement projects and use mechanical means to assist flows in the creation or improvement of endangered fish habitats.

RECIPIENT INVOLVEMENT

Habitat Restoration Planning

1) Review existing research, literature and regulatory databases pertaining to endangered species habitat and flow preferences in the San Juan;
2) Develop target habitat types;
3) Develop site evaluation criteria[1];
4) Conduct preliminary identification of potential habitat restoration sites based on aerial photographs and existing field data;
5) Conduct field surveys for potential habitat restoration sites and inspections of potential sites identified during data and aerial photography analysis;
6) Identify locations of discharges, heavy equipment use, tanks, drilling operations, storage pits, product pipelines and related infrastructure within the 100 year floodplain;
7) Consolidate analysis and develop site recommendations and priorities for mechanical habitat restoration projects;
8) Provide information consistent with related SJRIP activities (e.g., NMED River Ecosystem Restoration Initiative project).

Hazardous Materials Threats Assessment

1) Review existing research, literature and regulatory databases pertaining to contaminants in the San Juan;
2) Identify all hazardous waste regulators with jurisdiction;

3) Provide overview of relevant regulators' authorizations;
4) Review and describe historic and current non-compliance issues;
5) Review and analyze State and Federal hazardous materials spills response plans and implementation procedures

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 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, and other unique qualifications. The Nature Conservancy (TNC) is a member of the SJRIP and has the necessary expertise, experience and equipment to conduct this work. By not using TNC there would be the need for additional costs to provide the items, data, space and expertise to do what TNC already contains and provides. Furthermore it is a continuation of a project that they have been tasked with for the last four years. TNC has brought matching funds to the Recovery Program to conduct this work and they have consistently provided excellent products and deliverables for work they have completed.

STATUTORY AUTHORITY

Public Law 106-392 Upper Colorado & San Juan River Basins Recovery Act Section 3(d)(1)(2)(3f)

Authorizing Legislation. P.L. 106-392 authorizes Reclamation to fund activities of the Upper Colorado Recovery and Implementation Program (UCRIP) and San Juan Recovery and Implementation Program (SJRIP)

Authorizing Legislation for RIPs. P.L. 106-392 authorizes Reclamation to fund activities of the Upper Colorado and San Juan River Basins Endangered fish Recovery Programs

The specific language is:
Public Law 106-392 The purpose of this Act is to authorize and provide funding for the Bureau of Reclamation to continue the implementation of the endangered fish recovery implementation programs for the Upper Colorado and San Juan River Basins in order to accomplish the objectives of these programs within a currently established time schedule.

Section 3.(d)
Base Funding.--(1) Beginning in the first fiscal year commencing after the date of the enactment of this Act, the Secretary may utilize power revenues collected pursuant to the Colorado River Storage Project Act for the annual base funding contributions to the Recovery Implementation Programs by the Bureau of Reclamation. Such funding shall be treated as nonreimbursable and as having been repaid and returned to the general fund of the Treasury as costs assigned to power for repayment under section 5 of the Colorado River Storage Project Act.
(2) For the Recovery Implementation Program for the Endangered Fish Species in the Upper Colorado River Basin, the contributions to base funding referred to in paragraph (1) shall not exceed $4,000,000 per year. For the San Juan River Recovery Implementation Program, such contributions shall not exceed 2,000,000 per year. The Secretary shall adjust such amounts for

inflation in fiscal years commencing after the enactment of this Act. The utilization of power revenues for annual base funding shall cease after the fiscal year 2011, unless reauthorized by Congress; except that power revenues may continue to be utilized to fund the operation and maintenance of capital projects and monitoring.

3(f) Additional Authority.--The Secretary may enter into agreements and contracts with Federal and non-Federal entities, acquire and transfer interests in land, water, and facilities, and accept or give grants in order to carry out the purposes of this Act.