NATIONAL PARK SERVICE
FINANCIAL ASSISTANCE: NOTICE OF INTENT TO AWARD

This announcement is not a request for applications.
This announcement is to provide public notice of the National Park Service's intention to award financial assistance for the following project activities. *Refer to Section 2. Grants.gov Posting Determination.*

ABSTRACT	
Grants.gov Opportunity Number	P20AS00087
Project Title	2020-2024 Water Rights Administration for the NPS-MT Water Co
Recipient	MONTANA DEPARTMENT OF NATURAL RESOURCES AND
Anticipated Federal Funding	115000
Non-Federal Cost Share	N/A
Total Anticipated Award Amount	115000
Award Instrument	☐ Task Agreement ☑ Cooperative Agreement ☐ Grant Agreement
Anticipated Period of Performance	01 July 2020 – December 31, 2024
Legal Authority	54 USC §100703 Cooperative Study Units
CFDA # and Title	15:944 National Park Service Conservation, Protection, Outreach, a
Single Source Justification Criteria	
National Park Service Point of Contact	Tina Holland, Financial Assistance Agreements Officer tina_holland@nps.gov, 406-589-5586

Section 1. Project Summary

PROJECT GOALS AND OBJECTIVES

A. Project Goals – To provide water rights administrative support within the Yellowstone Controlled Groundwater Area (YCGA).

B. Project Objectives – Article IV of the Compact (Montana Code Annotated §85-20-401) outlines numerous duties and responsibilities to be performed by the Montana Department of Natural Resources and Conservation (DNRC) in the implementation of the YCGA portion of the Compact; through public and individual notice processes, rule promulgation, and the administration, management, and enforcement of the groundwater rights process.

STATEMENT OF PUBLIC PURPOSE

The public purpose of this agreement is the protection of Yellowstone National Park's world-unique hydrothermal system. This project engages partners, communities, and visitors through the shared information. This project will increase public awareness of the protection to this unique area.

STATEMENT OF WORK SUMMARY

Task 1 - Groundwater Use Permit Applications

Recipient shall be responsible for processing groundwater use permit applications in accordance with Article IV of the Compact. The DNRC must review permit applications with reports or data with elevated groundwater temperatures. Each review will require research, study, field inspection, and reporting. Department shall not issue a permit for appropriation of groundwater within the Yellowstone Controlled Groundwater Area unless the requirements of the Compact are met.

Task 2 – Meters

Recipient is required by the Compact to provide meters to all permitees, as well as specify the metering method and location of installation. Replacement meters are also provided if failure is not due to neglect. An inventory of various sizes of flow meters and installation parts is maintained in the DNRC Bozeman office for recording water use.

Task 3 – Well Site Inspections

Recipient will perform field work and site visits as necessary under Article IV of the Compact. Fieldwork will be performed to obtain specific conductance measurements, identify meter locations, verify temperatures and other data collection as the situation warrants.

RESPONSIBILITIES OF THE PARTIES

A. The recipient shall be responsible for the following items under this agreement:

1. Carry out the Statement of Work in accordance with the terms and conditions stated herein. The Recipient shall adhere to Federal, state, and local laws, regulations, and codes, as applicable.

B. The NPS Responsibilities:

☐ A task agreement is proposed;

☑ A cooperative agreement is proposed;

therefore substantial involvement by NPS is anticipated during the period of performance of this agreement. In support of this agreement NPS will:

A groundwater monitoring program continuing in an effort to determine the potential impact of groundwater development on Yellowstone National Park's geothermal system. The Park agrees to work with the MT DNRC to provide water rights administrative support within the Yellowstone Controlled Groundwater Area choose appropriate field sampling sites within the Park for sampling if needed.

☐ A grant agreement is proposed, therefore no substantial involvement on the part of the NPS is anticipated for the successful completion of the statement of work. It is anticipated that involvement will be limited to actions related to monitoring project performance and technical assistance at the request of the recipient.

Section 2. Grants.gov Posting Determination

☐ The National Park Service intends to award a task agreement under a previously competed or single source justified award.

☑ The National Park Service intends to award a single source justified cooperative agreement. *Refer to Section 3 Single Source Justification.*

☐ The National Park Service intends to award a single source justified grant agreement. *Refer to Section 3 Single Source Justification.*

Section 3. Single Source Justification

NATIONAL PARK SERVICE
SINGLE SOURCE POLICY REQUIREMENTS

National Park Service Policy FAP&P 1443-2015-06 requires a written justification which explains why competition is not practicable. The justification must address one of the following criteria.

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, for which competition would have a significant adverse effect on the continuity or completion of the activity. A single source on the basis of continuation must demonstrate that competition would result in a substantial duplicate cost to the government that cannot be recovered through competition;

(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, 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.

NPS did not solicit full and open competition for this award based the following criteria:

☐ Task Agreement issued under previously competed or single source master cooperative agreement per Section 2 above. Single Source Justification not applicable.

☐ Unsolicited Proposal ☐ Continuation ☐ Emergency

☑ Legislative Intent ☐ Unique Qualifications

Explanation of the proposed recipient's qualifications or the criteria of the proposed project which requires use of the single source criteria cited.

Article IV of the U.S. National Park Service/Montana Compact outlines numerous duties and responsibilities to be performed by the Montana Department of Natural Resources and Conservation (DNRC) in the implementation of the Yellowstone Controlled Groundwater Area portion of the Compact; through public and individual notice processes, rule promulgation, and the administration, management, and enforcement of the groundwater rights process.

Section 4. Department of the Interior Secretary's Priorities

This award will support the following DOI Secretary priority(ies):

Other Key Initiatives:

- [ ] Employment of veterans.
- [ ] Supporting DOI Infrastructure needs.
- [x] Creating jobs in the American economy.
- [ ] Access to outdoor recreation opportunities.

Priority 1: Creating a conservation stewardship legacy second only to Teddy Roosevelt

- [x] Utilize science to identify best practices to manage land and water resources and adapt to changes in the environment.
- [ ] Examine land use planning process and land use designations that govern public use and access.
- [ ] Revise and streamline the environmental and regulatory review process while maintaining environmental standards.
- [ ] Review DOI water storage, transportation, and distribution systems to identify opportunities to resolve conflicts and expand capacity.
- [ ] Foster relationships with conservation organizations advocating for balanced stewardship and use of public lands.
- [ ] Identify and implement initiatives to expand access to DOI lands for hunting and fishing.
- [ ] Shift the balance towards providing greater public access to public lands over restrictions to access.

Priority 2: Utilizing our natural resources

- [ ] Ensure American energy is available to meet our security and economic needs.
- [ ] Ensure access to mineral resources, especially the critical and rare earth minerals.
- [ ] Refocus timber programs to embrace the entire 'healthy forests' lifecycle.
- [ ] Manage competition for grazing resources.

Priority 3: Restoring trust with local communities

- [x] Be a better neighbor with those closest to our resources by improving dialogue and relationships with persons and entities bordering our lands.
- [x] Expand the lines of communication with Governors, state natural resource offices, Fish and Wildlife offices, water authorities, county commissioners, Tribes, and local communities.

Priority 4: Ensuring sovereignty means something

- [ ] Support tribal self-determination, self-governance, and sovereignty.
- [x] Solidify mutual interests between the U.S. and the freely associated states and territories.

Priority 5: Generating additional revenues to support DOI & National interests

- [ ] Ensure that the public receives the full market value for the natural resources produced on Federal lands.
- [ ] Ensure that fees or costs levied for DOI services are reasonable and targeted to achieve cost recovery.
- [ ] Consider the impact of DOI decisions on economic development and job creation.

Priority 6: Protecting our people and the border

- [ ] Actively support efforts to secure our southern border.
- [ ] Ensure DOI law enforcement staffing addresses public safety risks anticipated on DOI land.
- [ ] Promote a "public service" demeanor within our law enforcement community.

Priority 7: Striking a regulatory balance

- [ ] Reduce the administrative and regulatory burden imposed on U.S. industry and the public.
- [ ] Ensure that Endangered Species Act decisions are based on strong science and thorough analysis.

Priority 8: Modernizing our infrastructure

- [ ] Support the White House Public/Private Partnership Initiative to modernize U.S. infrastructure.
- [ ] Remove impediments to infrastructure development and facilitate private sector efforts to construct infrastructure projects serving American needs.
- [ ] Prioritize DOI infrastructure needs to highlight:
    1. Construction of infrastructure;
    2. Cyclical maintenance;
    3. Deferred maintenance.

Priority 9: Reorganizing for the next 100 years

☐ Improve alignment and integration of the DOI organizational structure. Redistribute organizational resources (people and funding) to enhance mission achievement and improved public service.

☐ Improve organizational alignment with Executive Branch counterparts with major land management assets or influence.

Priority 10: Achieving our goals and leading our team forward

☐ Senior executives are expected to provide leadership in achieving goals of the President and the Secretary.

☐ The Management Team is expected to:

1. Ensure cost-effective operations and quality service to the public;
2. Facilitate organizational cooperation and conflict resolution;
3. Ensure the workplace environment is conducive to employee productivity and safety;
4. Hold individuals accountable for actions that violate DOI policies and requirements.

The proposed project does not support any of the DOI Secretary priorities, but the project is being funded for the following reasons: