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	R15AS00023
Project Title	SDBOC Enclosed Lateral Improvement Projects (ELIPS-Phase IIC)
Recipient	Sunnyside Division Board of Control and operating agent Sunnyside Valley Irrigation District (SDBOC/SVID)
Principal Investigator / Program Manager	Ron Cowin Assistant Manager – Engineering Sunnyside Division Board of Control 120 South 11th Street P.O. Box 239 Sunnyside, WA 98944
Anticipated Federal Amount	$11,245,000
Cost Share	$3,027,500 (SDBOC/SVID) $3,027,500 (State of Washington, Department of Ecology (Ecology))
Total Anticipated Award Amount	$17,300,000
New Award or Continuation?	New
Anticipated Period of Performance	5 years
Award Instrument	Grant
Statutory Authority	Yavapai-Prescott Indian Tribe Water Settlement Act of 1994; P.L. 103-434, as amended by P.L.105-62 and P.L.106-372: Title XII—Yakima River Basin Water Enhancement Project, Sec 1203
CFDA # and Title	15.531 Yakima River Basin Water Enhancement Project
Single Source Justification Criteria Cited	(3) Legislative intent
Reclamation Point of Contact	Sharon Hamson Grants Management Specialist Columbia-Cascades Area Office 1917 Marsh Road Yakima, WA 98901

OVERVIEW

The United States owns, and Reclamation operates, the Yakima Project Storage Division and holds water rights in its name on behalf of itself and the Sunnyside Division; the United States owns the diversion, delivery, and drainage works of the Sunnyside Division. The Sunnyside Division Board of Control (SDBOC) was created pursuant to separate contracts between its members and Reclamation and is composed of constituent irrigation districts, ditch companies, and municipalities, each of which represent landowners and water users within their respective service areas receiving their irrigation water through the Sunnyside Canal and other works of the Sunnyside Division of the Yakima Federal Reclamation Project. SDBOC and constituent entities agree to be bound to the United States for funding of operation, maintenance, replacement and repair of their share of the Yakima Project Storage Division. The Sunnyside Valley Irrigation District (SVID) is the major entity of the Sunnyside Division.

The Yavapai-Prescott Indian Tribe Water Settlement Act of 1994, P.L. 103-434, Title XII—Yakima River Basin Water Enhancement Project (YRBWEP) authorized the Secretary of the Interior, acting through Reclamation, in consultation with the State of Washington, the Yakama Nation, Yakima River basin irrigators, and other interested parties, to establish and administer a Basin Water Conservation Program (Basin Conservation Program). The goal of the Basin Conservation Program is to improve the availability of water supplies for irrigation in dry years, and to protect and enhance fish and wildlife resources, including wetlands, while improving the quality of water in the Yakima River basin.

The Basin Conservation Program is a joint program funded in part by Ecology (17.5%), Reclamation (65%), and eligible entities in the Yakima River Basin (17.5%). Only districts with an approved water conservation plan and feasibility study are eligible for funding for implementation of approved projects. Following the provisions of the Basin Conservation Program, Roza-Sunnyside Division Board of Joint Control (RSBOJC) completed a Water Conservation Plan in June 1998. The RSBOJC is the umbrella entity created to plan, implement and administer joint projects and/or programs of the Roza Irrigation District (Roza Division) and the SDBOC. This Water Conservation Plan was reviewed and was accepted for Feasibility Investigation. The Feasibility Investigation was completed in June 2001.

On May 12, 2003, the Sunnyside Division, Ecology, the United States, and the Yakama Nation signed the "Sunnyside Division Water Right Settlement Agreement" (Settlement Agreement); the Parties subsequently amended the Settlement Agreement in 2003 and 2010. The goal of the Settlement Agreement is to implement water conservation measures within the SVID under the Basin Conservation Program that would result in reduced diversions to the Sunnyside Canal by 100 cubic feet per second (cfs); thus helping to fulfill YRBWEP's mission under Title XII to increase stream flows in the Yakima River for the benefit of ESA- listed steelhead and other species, and improve the quantity and availability of water supplies in the Yakima River basin.

In 2004 SDBOC/SVID was awarded financial assistance under the Basin Conservation Program to assist with the construction of three re-regulating reservoirs, 30 automated check structures, and a Supervisory Control and Data Acquisition system (Phase l) on the water delivery system of SVID. Also, in 2009 and 2011 SDBOC/SVID was awarded financial assistance under the Basin Conservation Program for major improvements to the water delivery system of SVID; specifically, installation of pipe, screens, and flows meters on multiple laterals (ELIPS-Phase IIA

and ELPIS-Phase IIB). With the completion of the projects under Phase I, and ELPIS-Phases IIA and IIB, approximately 72 cfs in diversion reductions will have been achieved on the water delivery system of SVID.

It is Reclamation's intent to award financial assistance to SDBOC/SVID under the Basin Conservation Program to install pipe, screens, and flow meters on up to 11 more laterals (approximately 24.5 miles of pipeline) through year 2020 (ELPIS-Phase IIC). Completion of the ELPIS-Phase IIC project is estimated to increase Yakima River instream flows by 2,190 acre feet per year, or a diversion reduction of 6 cfs. This project will further the YRBWEP's mission to increase stream flows in the Yakima River for the benefit of ESA- listed steelhead and other species, and the goal of the Settlement Agreement to reduce diversions to the Sunnyside Canal by 100 cfs.

RECIPIENT INVOLVEMENT

SDBOC/SVID will, on its own account or by contract(s), construct the ELPIS-Phase IIC project pursuant to detailed plans, designs, estimates, and specifications, and in accordance with sound engineering practices, all as approved by Ecology and Reclamation as adequate to protect the interests of the United States and the State of Washington. SDBOC/SVID will complete construction of the ELPIS-Phase IIC project works within a maximum of 5 years; provided, however, that such construction period may be extended if Federal and State funds are not available for whatever reason. Written approval of Ecology and Reclamation must be given to extend the work schedule. Additionally, SDBOC/SVID will pay for any increase in operation and maintenance costs associated with the proposed work, either from reserve accounts, tax revenues and/or assessments, and certify annually that water savings resulting in whole or in part from funds provided by the financial assistance agreement have not been applied to non-assessed lands or lands outside the SVID's current boundary.

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 review and approval of yearly work plans, yearly budgets in addition to 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:

(3) LEGISLATIVE INTENT

Single Source Justification Description:

Title XII of P.L. 103-434, as amended, provides authorization for each irrigation organization to plan and implement its own measures for water conservation with funding provided in part by the federal government. Only entities with an approved water conservation plan and feasibility study are eligible for implementation funding under the Basin Conservation Program. The RSBOJC completed Water Conservation Plan in June 1998 and their Feasibility Study in June 2001.

Also, as part of the Settlement Agreement (*State of Washington vs. Acquavela* Superior Court case (No. 77-2-01484-5)), SDBOC/SVID agreed to implement water conservation measures approved in the RSBOJC Water Conservation Plan to reduce diversions to the Sunnyside Canal by 100 cfs. The RSBOJC Water Conservation Plan and Feasibility Study is a prerogative of that

individual public body. Therefore, the funds discussed under this announcement are not open to competitive grant procedures and processes since SDBOC/SVID is the only entity that is authorized to implement conservation measures that result in SVID diversion reductions.

STATUTORY AUTHORITY

Yavapai-Prescott Indian Tribe Water Settlement Act of 1994; P.L. 103-434, as amended by P.L.105-62 and P.L.106-372: Title XII—Yakima River Basin Water Enhancement Project, Sec 1203 (applicable subsections only):

SEC. 1203. YAKIMA RIVER BASIN WATER CONSERVATION PROGRAM.

(a) ESTABLISHMENT-

(1) The Secretary, in consultation with the State of Washington, the Yakama Indian Nation, Yakima River basin irrigators, and other interested parties, shall establish and administer a Yakima River Basin Water Conservation Program for the purpose of evaluating and implementing measures to improve the availability of water supplies for irrigation and the protection and enhancement of fish and wildlife resources, including wetlands, while improving the quality of water in the Yakima Basin. The Secretary may make grants to eligible entities for the purposes of carrying out this title under such terms and conditions as the Secretary may require. Such terms and conditions shall include a requirement that all water districts, irrigation districts, individuals, or other entities eligible to participate in the Basin Conservation Program must equip all surface water delivery systems within their boundaries with volumetric water meters or equally effective water measuring methods within 5 years of the date of enactment of this Act.

(2) Conserved water resulting in whole or in part from the expenditure of Federal funds shall not be used to expand irrigation in the Yakima Basin, except as specifically provided in section 1204(a)(3) on the Yakama Indian Reservation.

(3) The provisions of this section shall not apply to the Yakama Indian Nation except as to any funds specifically applied for from the Basin Conservation Program.

(b) FOUR PHASES OF PROGRAM - The Basin Conservation Program shall encourage and provide funding assistance for four phases of water conservation, which shall consist of the following:

(3) The implementation of measures that have been identified in conservation plans and have been determined to be feasible.

(4) Post implementation monitoring and evaluation of implemented measures.

(d) COST SHARING-

(1) Except as otherwise provided by this title, costs incurred in the four phases of the Basin Conservation Program shall be shared as follows:

Program Phase	**Non-Federal**		**Federal Grant**
	State Grant	**Local**	
1. Development of water conservation plans	50% but not more than $200,000 per	(Residual amount if any)	50%
2. Investigation of specific water conservation measures	50% but sum of 1 and 2 not greater than $200,000 per recipient	20% after deducting State funds for Item 2	Residual amount after deducting State and local funds for Item 2
3 and 4. Implementation and post implementation monitoring and evaluation	17.5%	17.5%	65.0%

(j) AUTHORIZATION OF APPROPRIATIONS- There is hereby authorized to be appropriated to the Secretary, at September 1990 prices, plus or minus such amounts as may be justified by reason of ordinary fluctuations of applicable cost indexes, the following amounts for the Basin Conservation Program:

(3) Up to $67,500,000 for design, implementation, post-implementation monitoring and evaluation of measures, and addressing environmental impacts.