

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	P19AS00567
Project Title	AML Closures in NPS units in the State of California\$0.00
Recipient	State of California, Department of Conservation, Division of Mine ☒
Anticipated Federal Funding	\$0.00
Non-Federal Cost Share	\$0.00
Total Anticipated Award Amount	\$0.00
Award Instrument	☐ Task Agreement ☒ Cooperative Agreement ☐ Grant Agreement
Anticipated Period of Performance	Up to 5 years from signing date.
Legal Authority	54 USC§ 101702(a)
CFDA # and Title	CFDA: 15.944 – Natural Resources Stewardship
Single Source Justification Criteria	
National Park Service Point of Contact	nps_waso_financial_assistance@nps.gov

Section 1. Project Summary

PROJECT GOALS AND OBJECTIVES

The objective of this Agreement is the elimination of public safety hazards, rehabilitation of affected natural resources, particularly restoration and maintenance of species of management concern's critical wildlife habitat affected by abandoned mineral lands, and stabilization and interpretation of culturally significant abandoned mine sites.

STATEMENT OF PUBLIC PURPOSE

The purpose of this agreement is to collaborate with the State of California, Department of Conservation to enhance National Park visitor experience by restoring abandoned mineral lands thereby eliminating potential hazards, removing blights on the natural environment, and bolstering the integrity of terrestrial ecosystems. This work will directly enhance the experience of park visitors engaged in outdoor recreation such as hiking, camping, and wildlife viewing. Visitor experience will also be enhanced by the closure and stabilization of abandoned mineral lands by protecting sensitive habitat for many plant and animal species. Furthermore, restoration of abandoned mineral lands results in an increase in visitor health and safety and a decrease in the Department of the Interior's potential for liability for visitor injuries while enjoying the park.

STATEMENT OF WORK SUMMARY

The Recipient and NPS, jointly, agree to:

1. Closely coordinate the timing of all AML closure and stabilization activities.
2. Designate representatives to carry out the work described in this Cooperative Agreement.
3. Share information, technical data, and technical expertise concerning AML projects with the other party and cooperate in public relations matters, on site investigations, and data collection.

D. The project and other activities pursuant to this Agreement will be individually authorized by separate NPS task agreements, with each project or activity having a separate statement of work and budget developed cooperatively between the NPS and Recipient.

RESPONSIBILITIES OF THE PARTIES

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

1. In collaboration with the NPS will oversee and manage AML physical hazard remediation projects on NPS lands in multiple system units located in the state of California, following and subject to requirements in NPS NEPA documents and NPS's Programmatic Agreement with the California State Historic Preservation Officer.
2. Collaborate with NPS staff on developing and displaying information for education and interpretation of natural, historic, and cultural mining resources at the site.
3. Collaborate with NPS staff on recommendations of appropriate closure types and stabilization methods for each feature identified for AML funding.
4. Arrange and participate in site-walks with prospective contractors or for Recipient's own knowledge if Recipient intends to complete the work.
5. Collaborate with NPS staff in writing scopes of work for individual task agreements and other language that will describe the AML closures and stabilization work and procedures to follow to complete the closure work.
- a. Recipient may proceed on AML closure work only with approval of the NPS Park Superintendent or his/her designee.

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:

1. Collaborate with Recipient on development of AML closure and stabilization design standards and specifications.
2. Collaborate with Recipient on developing and displaying information for education and interpretation of natural, historic, and cultural mining resources at the site.
3. Provide Recipient with any environmental studies, reports, and other necessary data that described natural and cultural resource conditions at the closure site.
4. Oversee and collaborate on AML closure and stabilization work during the period of performance.
5. Review all construction documents prior to release for bid. GRD contracting and resource specialists will conduct such reviews in collaboration with park staff.
6. Conduct all required compliance with the National Environmental Policy Act of 1969 (42 USC 4321 et seq.), Section 7 of the Endangered Species Act (16 USC 1531 et seq.), and cultural resources compliance in accordance with Section 106 of the National Historic Preservation Act (16 USC § 470) on AML closure and stabilization projects and issue appropriate documents prior to Recipient proceeding with closure construction. This is the responsibility of the Park Superintendent.
7. Review, evaluate, and respond to progress reports submitted by Recipient on closure and stabilization work.

- ☐ 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 or 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.

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 factors.

The DOC is the designated authority for the State of California responsible for implementation of a state wide program to reclaim abandoned mines. NPS has worked with DOC in the past and they have proven capable of handling this highly dangerous and highly technical work.

Priority 4: Ensuring sovereignty means something

- ☐ Support tribal self-determination, self-governance, and sovereignty.
- ☐ 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.