

NOTICE OF INTENT TO AWARD

THIS FUNDING ANNOUNCEMENT IS NOT A REQUEST FOR APPLICATIONS. This announcement is to provide public notice of Reclamation's intention to fund the following project activities without full and open competition.

ABSTRACT	
Funding Announcement	R10AS20007
Project Title	Sacramento River Green Sturgeon Migration and Population Assessment
Recipient	University of California, Davis
Principle Investigator (if applicable)	Dr. A. Peter Klimley
Total Anticipated Award Amount	\$1,930,480.00
Cost Share	None
New Award or Continuation?	New Award
Anticipated Length of Agreement	3 Years
Anticipated Period of Performance	Date of execution to December 31, 2012
Award Instrument	Californian Cooperative Ecosystems Studies Unit (CESU) Cooperative Agreement
Statutory Authority	Central Valley Project Improvement Act, Public Law 102-575, Section 3406(b)(10)
CFDA Number	15.512
Single Source Justification Criteria Cited	Justification Criteria: (2) (Continuation) and (4) (Unique Qualifications), of the Department of the Interior Single Source Policy Requirements
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OVERVIEW

The Bureau of Reclamation (Reclamation) received a June 4, 2009, Biological Opinion (Opinion) covering the continued operation of the Central Valley Project (CVP), pursuant to section 7 of the federal Endangered Species Act (ESA). The Opinion included a reasonable and Prudent Alternative (RPA) to Reclamation's proposed operation of the Project. The elements of the RPA must be implemented in order to not cause jeopardy to species listed as threatened or

endangered under the ESA. Green sturgeon occurring in the Sacramento River are listed as threatened. One element of the RPA is a suite of green sturgeon studies described in an appendix to the Opinion.

Reclamation intends to award a cooperative agreement for Sacramento River Green Sturgeon Migration and Population Assessment funding.

The University of California, Davis (UC Davis) provided the green sturgeon study proposal that was included in the Opinion. The proposal included six tasks:

1. Genetic evaluation of green sturgeon in the Sacramento River. This is a continuation of a previous study performed under a previous cooperative agreement between UC Davis and Reclamation. It includes characterization of Sacramento River green sturgeon, and estimating the abundance of spawning adults based on kinship reconstruction methods.
2. Telemetric studies of movements of adult green sturgeon in the Sacramento River. This is continuation of a previous study performed under a previous cooperative agreement between UC Davis and Reclamation. It includes acoustic tagging of captured green sturgeon adults, locating and tracking tagged sturgeon movements in the river, and characterizing water quality and physical parameters of areas known to be occupied by green sturgeon.
3. Characterization of green sturgeon spawning grounds. This is partially a continuation of a previous study performed under a previous cooperative agreement between UC Davis and Reclamation. It includes locating spawning fish and deploying a radio-positioning array of acoustic tag receivers, recording the horizontal and vertical positions of tagged fish, and characterizing water temperature and cross-channel velocities, and other water quality parameters.
4. Juvenile green sturgeon movements and identification of critical rearing habitat. This task includes tagging juvenile green sturgeon with acoustic tags and depth encoding tags to enable tracking, tracking the position of tagged fish using mobile and fixed acoustic receivers, and the characterization of physical and water quality parameters.
5. Spawning of wild caught Sacramento River green sturgeon and rearing of juveniles for use in telemetry and laboratory studies. This task includes capturing ripe adult green sturgeon and transfer to holding facilities, the artificial spawning of these fish, and rearing the resulting juvenile fish to a size appropriate for acoustic tagging and for laboratory studies.
6. Larval and juvenile green sturgeon swimming performance and behavior: responses to fish-protection screens and louvers. This task includes determining the age, mass and length of larval green sturgeon as they first exhibit behavioral responses to water currents, conducting swimming velocity tests to determine position holding abilities of these fish, performing laboratory test to evaluate juvenile green sturgeon encounters with positive and passive fish barriers, and evaluating the effectiveness of behavioral deterrent devices such as near-field vibrations and strobe-lights.

RECIPIENT INVOLVEMENT

Under this cooperative agreement, UC Davis agrees to provide:

1. Green sturgeon tagging and tracking materials and supplies,
2. Equipment and personnel needed to track the position of tagged fish,
3. Equipment and personnel necessary to characterize physical and water quality parameters of areas occupied by green sturgeon,
4. Genetic analysis equipment and supplies,
5. Captive spawning facilities and expertise,
6. Laboratory facilities and personnel necessary to evaluate the swimming performance of larval and juvenile green sturgeon, and
7. Detailed analyses and reports on all study results.

RECLAMATION INVOLVEMENT

Reclamation agrees to supply:

1. Green sturgeon tagging and tracking materials and supplies,
2. Equipment and personnel to facilitate effective tagged fish tracking,
3. Equipment and supplies necessary to collect genetic samples, and
4. Personnel to coordinate with other fishery researchers in the upper Sacramento River (e.g., U.S. Fish and Wildlife Service personnel collecting green sturgeon eggs and juvenile fish).

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

The continued genetic characterization of Sacramento River green sturgeon, and developing population estimates using kinship analysis methods is a continuation of studies under a previous cooperative agreement 07FG200058 (CESU #3FC810873) between UC Davis and Reclamation. Tagging and tracking of adult green sturgeon in the Sacramento River is also a continuation of activities provided in the previous agreement, and necessary for compliance with the Opinion pursuant to the federal ESA.

(4) UNIQUE QUALIFICATIONS

UC Davis has:

- A. Previously established an array of acoustic receivers in the Sacramento River,
- B. Established procedures for artificially inducing green sturgeon spawning,
- C. Proven green sturgeon spawning and rearing facilities and techniques,
- D. The necessary laboratory facilities to assess larval and juvenile green sturgeon swimming performance, and
- E. Researchers with extensive expertise in green sturgeon research and is exhibited in a number of publications in scientific journals.

STATUTORY AUTHORITY

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

Sec. 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:

(10) develop and implement measures to minimize fish passage problems for adult and juvenile anadromous fish at the Red Bluff Diversion Dam in a manner that provides for the use of associated Central Valley Project conveyance facilities for delivery of water to the Sacramento Valley National Wildlife Refuge complex in accordance with the requirements of subsection (d) of this section. Costs associated with implementation of this paragraph shall be reimbursed in accordance with the following formula: 37.5 percent shall be reimbursed as main project features, 37.5 percent shall be considered a nonreimbursable Federal expenditure, and 25 percent shall be paid by the State of California.