

## NOTICE OF INTENT (NOI) 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	
<b>Funding Announcement</b>	NOI R10AS20022
<b>Project Title</b>	Trinity River Watershed Coordination - Trinity County
<b>Recipient</b>	Trinity County Resource Conservation District
<b>Principle Investigator (if applicable)</b>	Not Applicable
<b>Total Anticipated Award Amount</b>	Fiscal Year 2010 obligation - \$50,000.00 (estimated) Total Amount of Agreement \$276,260.00 (estimated)
<b>Cost Share</b>	N/A
<b>New Award or Continuation?</b>	New Award
<b>Anticipated Length of Agreement</b>	Approximately 5 Years
<b>Anticipated Period of Performance</b>	Date of execution through March 31, 2015
<b>Award Instrument</b>	Grant Agreement
<b>Statutory Authority</b>	Central Valley Project Improvement Act, Public Law 102-575, Title 34
<b>CFDA Number &amp; Title</b>	15.512 Central Valley Project Improvement Act, Title XXXIV
<b>Single Source Justification Criteria Cited</b>	Department of Interior Policy (505 DM 2) (2) Continuation, (3) Legislative intent and (4) Unique Qualifications
<b>Reclamation Point of Contact</b>	Judy A. Hudson, Contract Specialist Email: <a href="mailto:jhudson@usbr.gov">jhudson@usbr.gov</a>

## OVERVIEW

In December 2000, the Secretary of the Interior signed a Record of Decision (ROD) for the Trinity River Fishery Restoration Final Environmental Impact Statement/Report. This decision recognized that restoration and maintenance of the Trinity River's fishery resources requires rehabilitating the river itself, and restoring the dynamic alluvial processes that maintain aquatic habitat. Consequently, the ROD included five components to ensure long-term restoration and maintenance of the Trinity River: a) Variable annual instream flows ranging from 369,000 acre-feet (af) in critically dry years to 815,000 af in extremely wet years; b) Physical channel rehabilitation, including the removal of riparian berms and the establishment of side channel habitat; c) Sediment management, including the supplementation of spawning gravels below Lewiston dam and reduction in fine sediments which degrade fish habitats; d) Watershed restoration projects to reduce fine sediment production in the Basin and its subsequent delivery to Trinity River aquatic resources; and e) Infrastructure improvements or modifications, including rebuilding or fortifying bridges and addressing other structures affected by peak instream flows provided by the ROD.

Watershed restoration described in the ROD is for the expressed purpose of reducing the impact of land management activities in tributary basins on the Trinity River fishery, primarily by controlling fine sediment delivery to the Trinity River and portions of its tributaries used by anadromous fishes, and by maintaining fish passage into those tributary areas. Potential Trinity River Restoration Program (TRRP) watershed activities therefore include mitigation projects in areas of high sediment production, preventative maintenance to reduce the likelihood the high rates of sediment production will develop in the future, sediment detention, enhancing fish passage at road crossings or other obstructions, and assessments for identifying and prioritizing the watershed activities that will most effectively improve aquatic habitat conditions.

## RECIPIENT INVOLVEMENT

*Under this Grant agreement Trinity County Resource Conservation District (TCRCD) shall complete the following tasks:*

This five-year project will enable the Recipient to coordinate and prioritize restoration efforts and act as a liaison between the TRRP, US Department of Agriculture – Forest Service, Bureau of Land Management, and Trinity County landowners to include the following tasks:

**TASK 1:** Facilitate collaboration of local stakeholders in identifying and developing watershed restoration projects in the Trinity River Basin downstream from Lewiston Dam. The Recipient will actively engage local stakeholders by leading at least six public meetings per year in which potential watershed projects are proposed, prioritized and selected for possible implementation, and potential funding sources are identified. The required meetings will engage the existing Trinity River Watershed Council.

**TASK 2:** Identify watershed restoration projects eligible for TRRP funding. The Recipient will work with TRRP staff and partners to identify watershed restoration projects that directly contribute to recovery of anadromous salmonid populations in the Trinity River and its tributaries. As part of this task, the Recipient will participate in the TRRP Watershed Workgroup (quarterly meetings).

**TASK 3:** Seek outside funding sources to complement TRRP obligations to watershed projects. The Recipient will submit or facilitate the submittal of watershed restoration grant proposals to match or otherwise complement TRRP watershed funds. The number of proposals submitted and the dollar amounts of the submitted proposals should be sufficient to equal or exceed the TRRP funds committed to the watershed projects identified via Task 2.

## 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 Trinity County Resource Conservation District (TCRCD) has provided similar services under several previous financial assistance agreements, i.e., R09AC20018 for the Trinity Management Council (TMC) and 07FG200019 for the Trinity River Watershed Coordination.

**(3) Legislative Intent –**

Legislative authorization – Title 34, CVPIA, 102-575, Sec. 3407(e), Funding to Non-Federal Entities – If the Secretary determines that the State of California or an agency or subdivision thereof, an Indian Tribe, or a non-profit entity concerned with restoration, protection, or enhancement of fish, wildlife, habitat, or environmental values is able to assist in implementing any action authorized by this title in an efficient,

timely, and cost effective manner, the Secretary is authorized to provide funding to such entity on such terms and conditions as he deems necessary to assist in implementing the identified action.

**(4) Unique Qualifications –**

The agency has been involved in watershed restoration efforts for the past twenty years. They have demonstrated the ability and capacity to work with a variety of stakeholders and agencies. The TCRCDD has also demonstrated the ability to leverage significant funding from outside sources to supplement TRRP funding for watershed restoration.

**PROGRAM AUTHORITY**

**Section 3406(b)(1)**

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:

(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. s 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:

(1) Develop within three years of enactment and implement a program which makes all reasonable efforts to ensure that, by the year 2002, natural production of anadromous fish in Central Valley rivers and streams will be sustainable, on a long-term basis, at levels not less than twice the average levels attained during the period of 1967-1991; Provided, That this goal shall not apply to the San Joaquin River between Friant Dam and the Mendota Pool, for which a separate program is authorized under subsection 3406(c) of this title; Provided further, That the programs and activities authorized by this section shall, when fully implemented, be deemed to meet the mitigation, protection, restoration, and enhancement purposes established by subsection 3406(a) of this title; And provided further, That in the course of developing and implementing this program the Secretary shall make all reasonable efforts consistent with the requirements of this section to address other identified adverse environmental impacts of the Central Valley Project not specifically enumerated in this section.

**Section 3407(e)**

(e) Funding to Non-Federal Entities.--If the Secretary determines that the State of California or an agency or subdivision thereof, an Indian tribe, or a non-profit entity concerned with restoration, protection, or enhancement of fish, wildlife, habitat, or environmental values is able to assist in implementing any action authorized by this title in an efficient, timely, and cost effective manner, the Secretary is authorized to provide funding to such entity on such terms and conditions as he deems necessary to assist in implementing the identified action.