

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	R11AS20015
Project Title	Grassland Bypass Project – Collect Samples of Fish
Recipient	Department of Fish and Game
Principal Investigator / Program Manager	Dr. Andrew Gordus
Anticipated Federal Amount	\$425,860.00
Cost Share	None
Total Anticipated Award Amount	\$77,070.00
New Award or Continuation?	Continuation
Anticipated Period of Performance	Date of Execution through September 30, 2015
Award Instrument	Grant
Statutory Authority	San Luis Unit, Central Valley Project, Public Law 86-488, Sections 1 (a), 5 and 8
CFDA # and Title	15.527
Single Source Justification Criteria Cited	(2) Continuation
Reclamation Point of Contact	Maria E. Castaneda at mcastaneda@usbr.gov

OVERVIEW

The purpose this modification is to continue funding to monitor the effects of the Grassland Bypass Project on biota in Mud Slough (north) and the San Joaquin River.

The Grassland Bypass Project has separated agricultural drainage water from wetland water supply channels since October 1996. This drainage water previously flowed through the wetland channels, contaminating them with selenium and other trace elements. The drainage water is now conveyed in the San Luis Drain to Mud Slough (north), a tributary of the San Joaquin River in central California.

Reclamation and the California Department of Fish & Game (CDFG) have monitored how the Project discharges have changed selenium concentrations in fish, invertebrates, and plants in Mud Slough (north) and the San Joaquin River. This is an important measure of the success of the Project.

The Agreement will fund the collection of fish, invertebrates, and plants at three locations through 2015. The sampling requirements are specified in the Grassland Bypass Project Monitoring Plan.

The Project is based on an agreement to use the federal San Luis Drain to convey agricultural drainage water to Mud Slough. The current Use Agreement will terminate December 31, 2019. The discharge of this water into Mud Slough is regulated by the California Regional Water Quality Control Board under a Waste Discharge Requirement (WDR) that specifies monitoring of the Project's effects on the slough and river.

RECIPIENT INVOLVEMENT

As part of a multi-agency monitoring program for the Grassland Bypass Project (GBP), the California Department of Fish and Game (CDFG) will collect and analyze biota at three locations affected by the GBP. Reclamation will administer this agreement and another contract with the analytical laboratory and provide limited field assistance.

The CDFG will collect fish, aquatic invertebrates, and plants at three sample sites:

- Site E - Mud Slough (north) at Highway 140;
- Site G - San Joaquin River at Fremont Ford (Highway 140); and
- Site H - San Joaquin River at Hills Ferry.

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 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:

(2) CONTINUATION

Single Source Justification Description:

The proposed agreement will continue biological monitoring that has been conducted by the recipient since 1999. The provision of a non-competitive agreement is justified for these reasons:

1. The California Department of Fish and Game has the staff and equipment available to collect, identify, process and analyze biological samples.
2. The California Department of Fish and Game is familiar with Reclamation's requirements through previous biological surveys for the Grassland Bypass Project since 1999.
3. The California Department of Fish and Game is capable of conducting the required work at a cost much less than another contractor due to lower personnel and travel costs that would be charged by any IDIQ contractor.
 - There are no laboratories or consultants in Fresno that can collect the water and invertebrate samples, or have staff or equipment to collect or analyze biological samples.

- The consultants on the IDIQ list would cost much more because none are located in Fresno, thus requiring greater travel expenses, and generally have higher personnel costs for biological staff than the Department.

STATUTORY AUTHORITY

San Luis Unit, Public Law 86-488, Sections 1 (a) and 5

Section 1(a) - To authorize the Secretary of the Interior to construct the San Luis unit of the Central Valley project, California, to enter into an agreement with the State of California with respect to the construction and operation of such unit, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) for the principal purpose of furnishing water for the irrigation of approximately five hundred thousand acres of land in Merced, Fresno, and Kings Counties, California, hereinafter referred to as the Federal San Luis unit service area, and as incidents thereto of furnishing water for municipal and domestic use and providing recreation and fish and wildlife benefits, the Secretary of the Interior (hereinafter referred to as the Secretary) is authorized to construct, operate, and maintain the San Luis unit as an integral part of the Central Valley project. The principal engineering features of said unit shall be a dam and reservoir at or near the San Luis site, a forebay and afterbay, the San Luis Canal, the Pleasant Valley Canal, and necessary pumping plants, distribution systems, drains, channels, levees, flood works, and related facilities, but no facilities shall be constructed for electric transmission or distribution service which the Secretary determines, on the basis of an offer of a firm fifty-year contract from a local public or private agency, can through such contract be obtained at less cost to the Federal Government than by construction and operation of Government facilities. The works (hereinafter referred to as joint-use facilities) for joint use with the State of California (hereinafter referred to as the State) shall be the dam and reservoir at or near the San Luis site, forebay and afterbay, pumping plants, and the San Luis Canal. The joint-use facilities consisting of the dam and reservoir shall be constructed, and other joint-use facilities may be constructed, so as to permit future expansion or the joint-use facilities shall be constructed initially to the capacities necessary to serve both the Federal San Luis unit service area and the State's service area, as hereinafter provided. In constructing, operating, and maintaining the San Luis unit, the Secretary shall be governed by the Federal reclamation laws (Act of June 17, 1902 (32 Stat. 388), and Acts amendatory thereof or supplementary thereto). Construction of the San Luis unit shall not be commenced until the Secretary has (1) secured, or has satisfactory assurance of his ability to secure, all rights to the use of water which are necessary to carry out the purposes of the unit and the terms and conditions of this Act, and (2) received satisfactory assurance from the State of California that it will make provision for a master drainage outlet and disposal channel for the San Joaquin Valley, as generally outlined in the California water plan, Bulletin Numbered 3, of the California Department of Water Resources, which will adequately serve, by connection therewith, the drainage system for the San Luis unit or has made provision for constructing the San Luis interceptor drain to the delta designed to meet the drainage requirements of the San Luis unit as generally outlined in the report of the Department of the Interior, entitled "San Luis Unit, Central Valley Project," dated December 17, 1956.

Section 5 – In constructing, operating, and maintaining a drainage system for the San Luis unit, the Secretary is authorized to permit the use thereof by other parties under contracts the terms of which are as nearly similar as is practicable to those required by the Federal Reclamation laws

in the case of irrigation repayment or service contracts and is further authorized to enter into agreements and participate in construction and operation of drainage facilities designed to serve the general area of which the lands to be served by the San Luis unit are a part, to the extent the works authorized in section 1 of this Act contribute to drainage requirements of said area. The Secretary is also authorized to permit the use of the irrigation facilities of the San Luis unit, including its facilities for supplying pumping energy, under contracts entered into pursuant to Section 1 of the Act of February 21, 1981 (36 Stat. 925; 43 U.S.C.523).

Section 8 - There is hereby authorized to be appropriated for construction of the works of the San Luis unit, including joint-use facilities, authorized by this Act other than distribution systems and drains, the sum of \$290,430,000, plus such additional amount, if any, as may be required by reason of changes in costs of construction of the types involved in the San Luis unit as shown by engineering indexes. Said base sum of \$290,430,000 shall, however, be diminished to the extent that the State makes funds or lands or interests in land available to the Secretary pursuant to sections 2 or 3 of this Act which decrease the costs which would be incurred if the works authorized in section 1 of this Act (including provision for their subsequent expansion) were constructed solely as a Federal project. There are also authorized to be appropriated) in addition thereto, such amounts as are required (a) for construction of such distribution systems and drains as are not constructed by local interests, but not to exceed in total cost the sum of \$192,650,000, and (b) for operation and maintenance of the unit: Provided, That no funds shall be appropriated for construction of distribution systems and drains prior to ninety calendar days (which ninety days) however, shall not include days on which either the House of Representatives or the Senate is not in session because of an adjournment of more than three calendar days to a day certain) after a contract has been submitted to the Congress calling for complete repayment of the distribution systems and drains within a period of forty years from the date such works are placed in service. All moneys received by the Secretary from the State under this Act shall be covered into the same accounts as moneys appropriated hereunder and shall be available, without further appropriation, to carry out the purposes of this Act.