

# 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	
<b>Funding Announcement</b>	R11SS40018
<b>Project Title</b>	Stationary PIT detection system in the Maybell Canal, Yampa River, CO
<b>Recipient</b>	Colorado State University
<b>Principal Investigator / Program Manager</b>	John Hawkins Larval Fish Laboratory Department of Fishery and Wildlife Biology Colorado State University Ft. Collins, CO 80523 Ph: (970) 491-2777 FAX: (970) 491-5091 <a href="mailto:jhawk@lamar.colostate.edu">jhawk@lamar.colostate.edu</a>
<b>Anticipated Federal Amount</b>	\$2,853
<b>Cost Share</b>	na
<b>Total Anticipated Award Amount</b>	\$10,000
<b>New Award or Continuation?</b>	New
<b>Anticipated Period of Performance</b>	FY 11-13
<b>Award Instrument</b>	Grant
<b>Statutory Authority</b>	PL 106-392
<b>CFDA # and Title</b>	15.529
<b>Single Source Justification Criteria Cited</b>	(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;
<b>Reclamation Point of Contact</b>	Melynda Roberts, Grants Officer 801-524-3727 or Dave Speas, Regional Biologist 801-524-3863

## OVERVIEW

The Maybell Ditch is a gravity-fed, 12 mile (19 km) long irrigation ditch on the Yampa River located near the town of Maybell, CO. Since the ditch intake is unscreened and can divert a relatively large volume of water (129 cfs), it constitutes a potential entrainment hazard for endangered Colorado pikeminnow *Ptychocheilus lucius* that occupy the adjacent mainstem Yampa River. Evaluation of entrainment potential of Yampa River diversion structures is recommended in the Yampa Management Plan and a required reasonable and prudent measure in the Yampa Programmatic Biological Opinion.

Based on recommendations from the Recovery Program Biology Committee in October 2009, the Program Director's Office recommended use of a stationary PIT detection system in the Maybell Ditch to obtain more conclusive results on entrainment of Colorado pikeminnow. This system will require periodic inspections for maintenance and other operational needs. Since the recipient is already in the project area completing other duties, it is prudent for them to perform these inspections.

## RECIPIENT INVOLVEMENT

Depending on whether remote monitoring indicates it is necessary, the system will be accessed and inspected as frequently as once per month during August-October 2011 and 2012 by the CSU crew. The crew will contact private landowners prior to each visit and then download accumulated data, perform basic diagnostics, remove debris and coordinate with Utah State University personnel (by phone or e-mail) to perform minor adjustments or repairs. The crew will make the data available to Reclamation as soon as possible after each visit. If necessary, USU will visit the site to perform major repairs should they be necessary.

## RECLAMATION INVOLVEMENT

The Reclamation technical representative will be involved in all communications and decision making arising from or affecting completion of this project. Reclamation provides representation on Recovery Program technical and management committees which directly oversee the implementation of this project and many others, including servicing technical and financial aspects of all interagency and cooperative agreements; development, review, and input on scope of work and final report preparation; and site visits and assistance with operation, maintenance, research and monitoring as needed. Recovery Program projects deal with in-stream flow protection, habitat maintenance, nonnative fish removal, fish propagation, research and monitoring, information and education, and program management

## 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:

#### **(4) UNIQUE QUALIFICATIONS**

##### **Single Source Justification Description:**

The Upper Colorado River Endangered Fish Recovery Program (Recovery Program), authorized by PL 106-392, relies heavily on Colorado State University's Larval Fish Laboratory's (LFL) high-quality research, taxonomic, and curatorial services. The LFL has a proven track record of delivering products according to Recovery Program work plans and providing informed recommendations on Recovery Program actions and reports. The LFL is unique among ichthyological research laboratories in its orientation and functions, and since its inception in 1978, much of the LFL's focus has been on the study and identification of endangered and other fishes in the Upper Colorado River System. For the above reasons, the Recovery Program

recognizes the LFL's vital role in efforts to recover the endangered fishes by listing the LFL as the lead or co-lead for conducting certain activities in the Recovery Program's Recovery Action Plan, a distinction typically reserved for cooperating participants in the Recovery Program who are not required to enter a competitive process for Reclamation funding. Discontinued support to LFL would result in significant setbacks to the Recovery Program process and perhaps Reclamation's compliance with the Endangered Species Act and PL 106-392.

## STATUTORY AUTHORITY

**Authorizing Legislation for RIPs.** P.L. 106-392 authorizes Reclamation to fund activities of the Upper Colorado and San Juan River Basins Endangered fish Recovery Programs

**The specific language is:**

Public Law 106-392 The purpose of this Act is to authorize and provide funding for the Bureau of Reclamation to continue the implementation of the endangered fish recovery implementation programs for the Upper Colorado and San Juan River Basins in order to accomplish the objectives of these programs within a currently established time schedule.

Section 3.(d) Base Funding.--(1) Beginning in the first fiscal year commencing after the date of the enactment of this Act, the Secretary may utilize power revenues collected pursuant to the Colorado River Storage Project Act for the annual base funding contributions to the Recovery Implementation Programs by the Bureau of Reclamation. Such funding shall be treated as nonreimbursable and as having been repaid and returned to the general fund of the Treasury as costs assigned to power for repayment under section 5 of the Colorado River Storage Project Act.

(2) For the Recovery Implementation Program for the Endangered Fish Species in the Upper Colorado River Basin, the contributions to base funding referred to in paragraph (1) shall not exceed \$4,000,000 per year. For the San Juan River Recovery Implementation Program, such contributions shall not exceed 2,000,000 per year. The Secretary shall adjust such amounts for inflation in fiscal years commencing after the enactment of this Act. The utilization of power revenues for annual base funding shall cease after the fiscal year 2011, unless reauthorized by Congress; except that power revenues may continue to be utilized to fund the operation and maintenance of capital projects and monitoring.

(f) Additional Authority.--The Secretary may enter into agreements and contracts with Federal and non-Federal entities, acquire and transfer interests in land, water, and facilities, and accept or give grants in order to carry out the purposes of this Act.