

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	
Funding Announcement	R12SS11015
Project Title	2012-2014 Brook Trout Suppression in the Upper Malheur River
Recipient	Burns Paiute Tribe
Principal Investigator / Program Manager	Erica Maltz Fisheries Program Manager Burns Paiute Tribe 100 Pasigo St. Burns OR 97720
Anticipated Federal Amount	\$79,150
Cost Share	None Required
Total Anticipated Award Amount	\$79,150
New Award or Continuation?	New Award
Anticipated Period of Performance	Approximately July 1, 2012 to April 30, 2015
Award Instrument	Grant Agreement
Statutory Authority	Fish and Wildlife Coordination Act , 16 U.S.C. § 661 et seq. (1958), as delegated to Reclamation under Departmental Manual 255 DM 1.
CFDA # and Title	15.517 Fish and Wildlife Coordination Act
Single Source Justification Criteria Cited	(4) Unique Qualifications
Reclamation Point of Contact	Ms. Melinda Ritacco Financial Assistance Specialist, PN-3713 Pacific Northwest Regional Office 1150 N Curtis Road, Suite 100 Boise, ID 83706-1234 Phone 208-378-5103 Email: mritacco@usbr.gov

OVERVIEW

In 2011, Reclamation funded an initial project with Burns Paiute Tribe (Tribe) to develop the use of environmental DNA sampling (eDNA) as a surrogate tool in comparison to more time consuming and/or invasive sampling techniques.

As a continuation of this sampling, Reclamation intends to enter into an agreement with the Tribe to experiment with increased replicates of field and lab samples and to measure the resulting effect on the detection sensitivity of this technique, as well as to pilot a new field DNA filtration device, which would allow more water to be sampled without packing out more water. The new device should increase the sensitivity of this lab method by allowing field personnel to filter greater quantities of water than is possible to pack out of field sites, or is unreasonable to ship for process.

RECIPIENT INVOLVEMENT

The Tribe will use cost-share funds from Reclamation to complete the following work objectives to support bull trout conservation objectives in the Malheur Recovery Unit:

The Tribe will remove brook trout in High Lake downstream to Lake Creek Falls through a combination of gill-netting, angling, and electro-shocking efforts. In addition, the Tribe will then monitor relative abundance of brook trout as a result of removal efforts.

The Tribe will evaluate changes in relative abundance of brook trout, as a result of removal efforts in High Lake, using environmental DNA detection. This is a new method of detecting presence and abundance, relative to population estimates determined by traditional methods, of fish species by taking water samples during events that cause release of genetic material into the water column (i.e. spawning and pre-spawning activity).

Goals included: 1) determine appropriate sampling methods (i.e. grab samples, transects, plankton tows) in High Lake given what is known/unknown about the hydrologic characteristics of the Lake; 2) obtain genetic samples from brook trout, bull trout, and visually identified hybrids for baseline genetic sequencing; 3) set up a long term monitoring plan for pre-removal relative abundance estimates.

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:

(4) UNIQUE QUALIFICATIONS

Single Source Justification Description: The Tribe has the sole right and authority to manage, maintain, construct, and protect their lands and their water resources entering into, on, and flowing out of Reservation lands. This is also a continuation of a project started in 2011. Competition would have a significant effect on the continuity of the project.

STATUTORY AUTHORITY

This Grant Agreement (Agreement) is entered into between the United States of America, acting through the Department of the Interior, Bureau of Reclamation, hereinafter referred to as “Reclamation,” and Burns Paiute Tribe, hereinafter referred to as the “Recipient,” “Tribe,” or “Grantee,” pursuant to the Fish and Wildlife Coordination Act, 16 U.S.C. as delegated to Reclamation in Departmental Manual 255 DM 1. The following section, provided in full text, authorizes Reclamation to award this financial assistance agreement:

The Fish and Wildlife Coordination Act, 16 U.S.C. § 661:

For the purpose of recognizing the vital contribution of our wildlife resources to the Nation, the increasing public interest and significance thereof due to expansion of our national economy and other factors, and to provide that wildlife conservation shall receive equal consideration and be coordinated with other features of water-resource development programs through the effectual and harmonious planning, development, maintenance, and coordination of wildlife conservation and rehabilitation for the purposes of sections 661 to 666c of this title in the United States, its Territories and possessions, the Secretary of the Interior is authorized (1) to provide assistance to, and cooperate with, Federal, State, and public or private agencies and organizations in the development, protection, rearing, and stocking of all species of wildlife, resources thereof, and their habitat, in controlling losses of the same from disease or other causes....

As delegated to Reclamation by Departmental Manual Part 255 DM 1:

1.1 Delegation. Subject to the exceptions in Section 1.2, the Commissioner of Reclamation (Commissioner) is delegated the authority of the Assistant Secretary – Water and Science to:

B. Take the following actions, either directly or by providing financial assistance to non-Federal parties, pursuant to the Conservation of Wild Life, Fish and Game Act of March 10, 1934 (Pub. L. 73-121; 48 Stat. 401) as amended by the Fish and Wildlife Coordination Act of August 14, 1946 (Pub. L. 85-624; 72 Stat. 563; 16 U.S.C. 661-666c); Section 5 of the Endangered Species Act of 1973, December 28, 1973 (Pub. L. 93-205; 87 Stat. 884; 16 U.S.C. 1534); and Section 7(a) of the Fish and Wildlife Coordination Act of 1956, August 8, 1956 (70 Stat. 1122; 16 U.S.C. 742f(a)), regarding the construction and/or continued operation and maintenance of any Federal reclamation project:

- (1) plan, design, and construct, including acquiring lands or interest therein as needed for
 - (a) fish passage and screening facilities at any non-Federal water diversion or storage project; or
 - (b) projects to create or improve instream habitat.
- (2) acquire or lease water or water rights from willing sellers or lessors; or
- (3) monitor and evaluate the effect of Reclamation actions on Endangered Species Act-listed species.

END OF ANNOUNCEMENT