

SJRIP Funds Management FY 2007 Final Report

Principal: Mark McKinstry
U.S. Bureau of Reclamation
Salt Lake City, UT
(801) 524-3835
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Project History

In 2001 Public Law 106-392 (and amended with 107-375 [2002] and 109-183 [2006]) authorized appropriations for capital and base funding in support of the Upper Colorado and San Juan River Basins Endangered Fish Recovery Programs. These two RIPs were established by law to recover endangered fish in the upper Colorado and San Juan River Basins while providing coverage for continued water development. Reclamation entered into a cooperative agreement for the SJRIP in 1992, recently extended to 2023, with Reclamation's responsibilities outlined therein. Base funding for the SJRIP was limited to \$2.0 mil/yr adjusted for inflation using the CPI starting in 2003. All funding must go towards accomplishing the objectives of the Recovery Implementation Programs. All types of funding instruments are authorized including contracts, grants, cooperative agreements, and interagency agreements. The annual RIP funding expires in 2011 unless reauthorized by Congress; however, power revenues may continue to be used to fund O&M of capital projects and monitoring activities for the fish.

Program activities for the SJRIP in FY 2007 included monitoring and research, fish propagation, operation and maintenance of capital facilities constructed using federal and state monies, non-native fish control, habitat restoration and improvement, and program management.

Program Management funds support Reclamation staff involved in program management. Funds are used for the administration of funding agreements, including issuing requisitions for program supplies, and the preparation and oversight of work conducted under interagency agreements, cooperative agreements, contracts, and grants. The funds are also used for formation and participation in the technical and peer-review committees not covered under Reclamation's commitment to fund participation on the Hydrology, Biology, and Coordination Committees, implementation of committee assignments not specifically identified in a scope of work, reporting, maintenance of the San Juan River Hydrology Model, and coordination of water operations. Management support for Capital Fund projects, including technical oversight, budgeting, preparation of bids and funding agreements is covered in a separate scope of work. Participation in Hydrology and Biology Committee meetings and business is paid for separately by Reclamation with funds unrelated to the SJRIP.

Objectives

The objectives of the "SJRIP Funds Management SOW " are:

1) Manage and administer funding and Hydrology Committee activities. Coordinate and manage the hydrology-related tasks performed by the Hydrology Committee, including administering cooperative agreements and contracts with consultants, accounting for expenditures, developing and providing status reports, and coordinating work items to ensure work is completed as planned.

2) Manage and administer funding for Recovery Program projects related to the Biology Committee activities. Funding Recovery Program projects requires establishment or modification of approximately 50-60

Reclamation funding agreements or contracts each year. Each financial agreement requires multiple steps and activities, including: submission of requests for Federal assistance for Recovery Program-approved projects; working with Recovery Program's office on funding issues; reviewing and approving (if warranted) project budgets; requesting obligations to cover funding agreement or contract awards; awarding agreements or contract funding to recipients; maintaining agreement and contract filing system including agreement instruments, invoices, and accruals; reviewing and tracking budgets; participating in audits; reviewing and approving invoices; performing periodic site visits to monitor project performance and progress; filing advanced procurement reports; organizing and participating on TPECs; drafting requests for proposals (RFPs); evaluating proposals and awarding contracts; performing agreement closeouts; answering agreement inquiries from auditors, assistance recipients, and the Recovery Program; recording project performance and status of deliverables; and filing recipient performance reports.

Deliverables/Due Dates

Requests from the Recovery Program for funding are processed as they are received. Generally, most continued-funding requests (i.e., modifications to existing agreements) are completed by November for the current fiscal year. This date can vary depending on several factors: if a new agreement is required; if a Continuing Resolution is in place, which hampers our ability to obligate the entire allocation; and if the work is being proposed as a sole-source agreement or contract. Other deadlines for committee activities are set by the Recovery Program participants during the development of the annual workplan. An annual report on program management activities is submitted at the annual meeting each year.

Key Findings

In FY2007 26 projects received continued funding. One additional project, a backwater evaluation project, was started and completed. A total of 27 separate agreements and other financial assistance awards were made in FY2007 along with 23 contracts in support of SJRIP activities. Administrative management costs for Reclamation totaled \$131,487 or 5.6% of the total budget. The budget for FY2007 was approved by August 15, 2006 and all modifications were completed and mailed to contractors by January 15, 2007.

Program revenues included \$2,275,000 in funding from Basin Fund Power Revenues, \$129,079 from the USFWS, and a \$33,000 deobligation from New Mexico Game and Fish Department from a prior-year commitment that was not spent (Table 1). Total revenues available to the SJRIP in 2007 were \$2,437,079.

Program expenditures totaled \$2,439,773.00 leaving a \$2,694.00 shortfall. The expenditures for FY 2007 are shown in Table 2.

During FY2006 a Solicitors Opinion was sought concerning two items 1) the feasibility of transferring annual funding for the program to the National fish and Wildlife Foundation (NFWF), and 2) the legality of using sole-source agreements and contracts for funding projects covered by the 1992 Cooperative Agreement and the subsequent legislation (P.L. 106-392). Subsequent findings from the Department of Interior Solicitor indicated that: 1) The annual funding could not be transferred to NFWF since the legislation intended for "funds that are *appropriated* to DOI agencies, rather than accruing directly to the Implementation Program, would be administered by methods normally used for agency appropriations." Funds "accruing directly to the Implementation Program" could go to NFWF; and 2) Reclamation does have the authority to enter into sole-source contracts and agreements with participants in the SJRIP since the "2000 ACT [P.L. 106-392] appears principally to provide a source of funding and specific authorization for the *continuation* of the pre-existing 1992 Cooperative Agreement." The "1992 Cooperative Agreement was created under the authority of the Endangered Species Act, 16 U.S.C 1531 et seq., under which the Secretary of Interior is directed to cooperate to the maximum extent practicable with States in

carrying out the Program...” Furthermore the solicitor found that “...Congress appears to have created a financial assistance arrangement that created a mandatory financial assistance situation, which does not require that Reclamation compete the financial assistance awards.”

Since Reclamation has the authority to enter into sole-source agreements with Program participants, including Indian Tribes, the Navajo Nation submitted a proposal requesting that pre-approved contractors suitable to the Navajo Nation be considered as agents of the tribe and be considered for limited competition or sole-source contracts and agreements. This proposal was modified in FY 2007 by incorporating language into any RFPs for work on Navajo Nation Lands that proposers to any RFP issued by Reclamation must supply proof of rights and permissions granted by the Navajo Nation for work done on Nation lands. In FY 2007 a contract was successfully awarded under this new system and future contracts will be handled in a similar manner.

Table 1. Available Funding for FY 2007

Source	Contractor	FY07 Budget
Reclamation Power Revenues		\$2,2275,000
USFWS Region 2		\$129,079
Deobligations	UNM for Database Managment	\$33,00
Total		\$2,437,079

Table 2. Expenditures for FY 2007

Project Title	Contractor	Agreement #	FY07 Power Revenues Budget	Comments
Monitoring				
Sub-Adult/Adult Large Bodied Fish Comm. Monitoring	FWS, GJ. UTDWR			
	USFWS, GJ	05-AA-40-2289	\$95,429.00	
	UTDWR	05-FG-40-2347	\$4,566.00	
	USFWS, ALBQ	05-AA-40-2335	\$9,645.00	
		Subtotal	\$109,640.00	
YOY/Small Bodied Fish Monitoring	NMDGF			
	NMG&FD	05-FG-40-2299	\$81,246.00	
		Subtotal	\$81,246.00	
Larval Colorado Pikeminnow Survey	NMG&FD			
	NMG&FD		\$68,851.00	
		Subtotal	\$68,851.00	
Larval Razorback Sucker Survey	NMG&FD			
	NMG&FD		\$62,514.00	
		Subtotal	\$62,514.00	
Specimen Curation/Identification	UNM			
	UNM	05-FG-40-2411	\$23,755.00	
		Subtotal	\$23,755.00	
Geomorphology, Habitat Mapping, Water Temperature Monitoring, and Endangered Fish Habitat Use	Keller-Bliesner; USBOR			
	Keller-Bliesner	07-SP-40-8185	\$255,051.00	
	USBOR, TSC			
	Helicopter flights videography	Denver	\$13,000.00	
		Subtotal	\$268,051.00	

Update and Maintenance of GIS Database

USFWS, Albq

In FY07 \$33,506 was added from a deobligation from UNM of FY05 money

USFWS, Albq

\$73,365.00

Subtotal \$73,365.00

Total \$687,422.00

Peer Review

USBOR with various contractors

Mel Warren 06-AA-40-2483 \$4,000.00

Steve Ross 06-PG-40-0145 \$10,000.00

Ron Ryel 06-PG-40-0146 \$5,000.00

John Pitlick 06-PG-40-0147 \$5,000.00

Population Model Review Zach Bowen, USGS 06-AA-40-2576 \$5,000

Population Estimate Review Lew Coggins Travel Voucher \$1,500.00

Population Estimate Review Kevin Bestgen Travel Voucher \$2,500.00

Total \$33,000.00

Population Model Workshop

MEC, ERI

Travel and Workshop Preparation ERI \$10,000.00

Travel MEC Travel voucher \$1,000.00

Constructed Backwater Evaluation

BioWest; Keller-Bliesner

BioWest; Keller-Bliesner 03-DI-40-8007 \$31,000.00

Total \$42,000.00

Nonnative Species Control in the Upper San Juan River

USFWS, Albq;
USFWS, GJ;
UTDWR;
NMG&FD
USFWS, Albq

05-AA-40-2337 \$126,072.00

	USFWS, GJ	05-AA-40-2352	\$7,939.00
	UTDWR	05-FG-40-2462	\$12,434.00
	NMG&FD	05-AA-40-2298	\$12,075.00
		Subtotal	\$158,520.00
Nonnative Species Control in the Lower San Juan River	USFWS, Albq; USFWS, GJ; UTDWR; NMG&FD		
	UTDWR	05-FG-40-2340	\$126,441.00
	USFWS, GJ	05-AA-40-2351	\$13,228.00
	USFWS, Albq	05-AA-40-2336	\$19,079.00
	NMG&FD	05-FG-40-2300	\$12,529.00
		Subtotal	\$171,277.00
Razorback Sucker Augmentation and Monitoring	USFWS, GJ; USFWS, Albq		
	USFWS, GJ	05-AA-40-2288	\$150,044.00
	USFWS, Albq	05-AA-40-2338	\$3,396.00
		Subtotal	\$153,440.00
Purchase of PIT Tags and Readers	USBOR		
	BioMark	06-CP-40-8126	\$48,450.00
		Total	\$48,450.00
Stocking of Fingerling Colorado Pikeminnow	USFWS, GJ		
	USFWS, GJ	05-AA-40-2287	\$22,438.00
		Subtotal	\$22,438.00
Colorado Pikeminnow Fingerling Production	USFWS, Dexter		
	USFWS, Dexter	05-AA-40-2380	\$84,798.00
		Subtotal	\$84,798.00
Razorback Sucker Production and Rearing	USFWS, Dexter		
	USFWS, Dexter	04-AA-40-2250	\$79,391.00
		Subtotal	\$79,391.00

Razorback Augmentation Dexter/Uvalde	USFWS, Dexter/Uvalde		
	USFWS, Dexter/Uvalde	06-AA-40-2514	\$61,616.00
		Subtotal	\$61,616.00

Operation of PNM Fish Passage Structure and NAPI Pond Management	Navajo GF; PNM		
	Navajo GF	04-FC-40-2055	\$132,872.00
Maintenance Contract	PNM	07-PG-40-0117	\$25,000.00
		Subtotal	\$157,872.00
		Total	\$937,802.00

Maintenance and Operation of the San Juan River Basin Hydrology Model, San Juan River Basin Recovery Implementation Program - Hydrology Committee	USBOR		
	USBOR		\$88,920.00
	USGS Guaging		\$6,500.00
		Total	\$95,420.00

Program Management

USFWS, Albuquerque (Region 2)	David Campbell	05-AA-40-2334	\$321,342.00	Amount includes \$129,079 from USFWS
Outreach	USFWS, R6 Debbie Felker	05-AA-40-2379	\$16,000.00	Money added to UCRIP's agreement.
LRP Revision	SWCA	07-PE-40-0109	\$32,000.00	
Program Base Funding Management	USBOR		\$131,487.00	
		Total	\$500,829.00	

Additional Purchases

Navajo Nation (pumps, equipment rental)	Navajo Nation	Simplified Acquisition	\$10,000.00
NAPI Pond Aeration and Bird Control (electricity costs)		Simplified Acquisition	\$9,000.00

4 Rafts	Clavey River Equipment	Simplified Acquisition	\$21,000.00
1 Raft, 3 Frames, Oars	AIRE Equipment	Simplified Acquisition	\$4,000.00
5 Smith-Root Electrofishers	Smith Root	Simplified Acquisition	\$55,000.00
2 Raft Frames, 4 Raft Trailers	Wildcat Crane, GJ	Simplified Acquisition	\$40,000.00
Miscellaneous Equipment for EF Rafts	Consolidated Electrical Equipment, GJ	Credit Card	\$2,700.00
Miscellaneous Equipment for EF Rafts	All Metals Welding, GJ	Credit Card	\$1,000.00
Miscellaneous Equipment for EF Rafts	Bonner supply, GJ	Credit Card	\$100.00
Miscellaneous Equipment for EF Rafts	D&M Wire Rope, GJ	Credit Card	\$200.00
Miscellaneous Equipment for EF Rafts	Bookcliff Auto Parts, GJ	Credit Card	\$100.00
Miscellaneous Equipment for EF Rafts	Fastners Inc, GJ	Credit Card	\$100.00
Miscellaneous Equipment for EF Rafts	True Value Hardware, GJ	Credit Card	\$100.00
Total			\$143,300.00

SUMMARY

Monitoring	\$687,422
Peer Review	\$33,000
Research	\$42,000
Recovery	\$937,802
Hydrology Committee	\$95,420
Program Management	\$500,829
Additional Purchases	\$143,300
Total Obligated Budget	\$2,439,773.00
Program Budget from Power Revenues, USFWS, and Deobligations	\$2,437,079.00
Difference in Revenues and Obligations	\$(2,694.00)