

UPPER COLORADO RIVER ENDANGERED FISH RECOVERY PROGRAM

FY 2022-23 SCOPE OF WORK

PROJECT: C-6 EASEMENT

**Project Title**

Easements & weeds mgmt..

**Bureau of Reclamation Agreement Number:**

**R18PG00023 Reclamation Agreement Term**

October 1, 2017 — September 30, 2021

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*Note: Recovery Program FY22-23 scopes of work are drafted in May 2021. They often are revised before final Program approval and may subsequently be revised again in response to changing Program needs. Program participants also recognize the need and allow for some flexibility in scopes of work to accommodate new information (especially in nonnative fish management projects) and changing hydrological conditions.*

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**Lead Agency:**

FWS

**Principal Investigator:**

Robert Bundy, Project Leader  
U.S. Fish and Wildlife Service  
Ouray National Wildlife Refuge  
HC 69 Box 232  
Randlett, UT 84063  
Phone: (406) 788-5041  
Email: rob\_bundy@fws.gov

Category:

- Ongoing project
- Ongoing-revised project
- Requested new project
- Unsolicited proposal

Expected Funding Source:

- Annual funds
- Capital funds
- Other

**Relationship to RIPRAP:**

Define relationship to [RIPRAP](#).

-GREEN RIVER ACTION PLAN: MAINSTEM

II.A.2. Acquire interest in high priority flooded bottomland habitats between Ouray NWR and Jensen to benefit endangered fish

-COLORADO RIVER ACTION PLAN: MAINSTEM

II.A.5. Acquire interest in high priority flooded bottomland habitats

-COLORADO RIVER ACTION PLAN: GUNNISON RIVER

FY 2022/2023 Project Number C6-Easement Scope of Work

Last updated: 2/23/2021 3:28 PM

## UPPER COLORADO RIVER ENDANGERED FISH RECOVERY PROGRAM

### II.A.3. Acquire interest in high priority flooded bottomland habitats

#### **Study Background/Rationale and Hypotheses:**

- I. Easements have been acquired on 17 properties totaling 1,347.12 acres. The last easement was acquired on the Colorado River (Hoaglund property) in April 2006. Easements acquired by the Recovery Program were transferred to the U.S. Fish and Wildlife Service, Division of Refuges for management as part of the Colorado River Wildlife Management Area established in July 1999. All easements are managed in accordance with an easement management manual (“Administrative and Enforcement Guidelines and Procedures for Management of Perpetual Floodplain Easements, Colorado River Wildlife Management Area” dated April 3, 2000). Management primarily consists of monitoring easements to ensure that landowners comply with easement terms and special use conditions. The Refuge Manager and/or staff visit with landowners once annually to ensure that they understand the terms of the easement. Enforcement and penalty procedures are identified in the Easement Enforcement Manual in the event of a violation.

#### **Study Goals, Objectives, End Product:**

Goal: Monitor and manage easements acquired by the Recovery Program for the purpose of supporting and sustaining recovery of the endangered fishes.

##### Objectives:

1. To restore, enhance, and/or protect floodplain habitats to benefit endangered fishes.
2. To maintain positive working relationships with Colorado River Wildlife Management Area landowners.

End Product: Annual report submitted to the Recovery Program

- I. Study Area: Easements are located within priority geographic areas which include the Green River floodplain between Pariette Draw (RM 238) and Dinosaur National Monument (RM 318); the Gunnison River floodplain between Escalante SWA (RM 50) and the North Fork (RM 75) and the Whitewater area; and the Colorado River floodplain between Westwater (RM 127) and Rifle (RM 240).

Study Methods/Approach: After an easement is acquired by the Recovery Program and transferred to the U.S. Fish and Wildlife Service, Division of Refuges, contact is established between the Refuge Manager and the landowner as soon as possible. A letter is sent by the Refuge Manager to the landowner that introduces the easement Manager and describes what the landowner can expect during easement administration. Attached to the letter are maps, photos, and legal descriptions that delineate easement boundaries; and lists of activities that are allowed, not allowed, or allowed only with a permit. Floodability enhancement plans accompany the letter where applicable. The landowner needs to be notified prior to any construction activities, and a pre-construction meeting will be held with the landowner in attendance.

## UPPER COLORADO RIVER ENDANGERED FISH RECOVERY PROGRAM

The Refuge Manager or biotech conducts an annual on-site meeting with the landowner and/or operator. At such a meeting, the Refuge Manager will review the terms and conditions of the easement contract, reaffirm the landowner's and the operator's understanding of the terms and conditions, visually inspect all dikes, dams, and levees, building sites and other improvements to assess whether any improvements or additions contrary to the easement or Service permits have been made, or that Service constructed inlets, outlets, gates, dikes, or levees are operating as designed and are in a good state of repair. Any management problems that the landowner or operator are experiencing will be discussed.

The annual meeting and inspection are also ways to reaffirm that the landowner, or possibly a new or second-generation landowner or operator, is aware and knowledgeable of the easement and its terms and conditions, and a way to establish more of a partnership or working relationship between the landowner/operator and the Service.

All easements are checked aerially for compliance once each year during spring runoff (May/June). If the easements are not aerially inspected they will be inspected on the ground. The objective is to detect all activities which may constitute a violation of the floodplain easement. Such violations would include alterations in floodplain topography or hydrology resulting from earth-moving, excavation, and/or construction or operation of flood-control features.

If violations are suspected as a result of the routine aerial flights, then follow-up ground inspections will be conducted as soon as possible. Once a violation is confirmed, it will be investigated and documented in detail.

If damage or harm to the floodplain easement can be demonstrated or articulated as a result of activities within the easement boundaries, an easement violation may have been committed. The findings will be documented and the landowner will be contacted in person. If the landowner does not repair the damage, the Refuge Manager or Special Agent may issue a notice of violation. Compliance contacts will be made until restoration or restitution has been made.

Global Positioning System (GPS) and GIS mapping may take place on all acquired easements. Easement boundary, access point and existing structures are recorded. Other points or areas of significance within or related to the easement will also be documented.

To address local concerns, easement management will include monitoring for noxious weeds. The monitoring may be conducted by refuge staff during annual ground inspections, or it may be contracted. The degree of noxious weed management depends on the severity of the infestation, plant species and the possible threat to the endangered fish.

### **Task Description, Deliverables and Schedule:**

1. Initial contact with landowner (within 30 days after easement is acquired or land ownership has been transferred)
2. Annual monitoring

## UPPER COLORADO RIVER ENDANGERED FISH RECOVERY PROGRAM

- a. Aerial inspections (May) if deemed necessary
- b. Ground inspections and annual meetings with landowners (September/October unless an easement violation was detected during an aerial inspection)
3. Pre-construction meetings (as needed)
4. Permit issuance (as needed)
5. Enforcement (as needed)

### **Budget Summary:**

FY Year	
2022	\$49,977
2023	\$49,977
2024	\$50,977
2025	\$51,996
2026	\$53,155
Total	\$256,083

This budget reflects labor costs only. Ouray NWR will pick up all costs associated with travel (2 trips/3 staff annually), fuel, herbicide, equipment, and all incidental expenses associated with monitoring and enforcement of the 17 easement contracts under Service oversight. Additionally, staff time will also be used to attend meetings and manage water to provide maximum benefit to endangered fish species and to implement the Lower Green River NWR Complex Habitat Management Plan to construct and maintain riverbank breaches and remove interior levees to enhance nursery habitat for razorback sucker.

### **Reviewers:**

### **References:**

**SUMMARY OF PROPOSED COSTS**

<b>Name of Servicing Agency:</b>	U.S. Fish and Wildlife Service--Ouray National Wildlife Refuge
<b>Project Name:</b>	C-6 Easement

	YEAR 1		YEAR 2		YEAR 3		YEAR 4		YEAR 5		TOTAL
	Enter the BEGINNING dates for each year ----->		Enter the BEGINNING dates for each year ----->		Enter the BEGINNING dates for each year ----->		Enter the BEGINNING dates for each year ----->		Enter the BEGINNING dates for each year ----->		
	10/1/2021	10/1/2022	10/2/2023	10/1/2024	10/1/2025	Through	Through	Through	Through		
	Enter the ENDING dates for each year ----->		Enter the ENDING dates for each year ----->		Enter the ENDING dates for each year ----->		Enter the ENDING dates for each year ----->		Enter the ENDING dates for each year ----->		
	9/30/2022	10/1/2023	9/30/2024	9/30/2025	9/30/2026						
<b>DIRECT LABOR AND FRINGE BENEFIT COSTS:</b>											
Direct Labor - Hourly	\$ 36,264.07	\$ 36,264.07	\$ 36,989.35	\$ 37,729.14	\$ 38,483.72	\$ 185,730.35					
Fringe Benefits - Hourly	\$ 12,257.50	\$ 12,257.50	\$ 12,502.65	\$ 12,752.70	\$ 13,123.14	\$ 62,893.49					
Subtotal of Direct Labor & Fringe Benefits:	\$ 48,521.57	\$ 48,521.57	\$ 49,492.00	\$ 50,481.84	\$ 51,606.86	\$ 248,623.84					
<b>OTHER DIRECT COSTS:</b>											
Materials and Supplies	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -					
Travel Costs	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -					
Equipment	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -					
Contractors	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -					
Subtotal of Other Direct Costs:	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -					
<b>INDIRECT/OVERHEAD COSTS:</b>											
Subtotal of Labor and Other Direct Costs:	\$ 48,521.57	\$ 48,521.57	\$ 49,492.00	\$ 50,481.84	\$ 51,606.86	\$ 248,623.84					
Total dollars exempt from indirect/overhead base:											
<Enter Description of Indirect/OH Cost #1>	3.00%	\$ 1,455.65	3.00%	\$ 1,455.65	3.00%	\$ 1,484.76	3.00%	\$ 1,514.46	3.00%	\$ 1,548.21	\$ 7,458.72
Total dollars exempt from indirect/overhead base:		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<Enter Description of Indirect/OH Cost #2>	0.00%	\$ -	0.00%	\$ -	0.00%	\$ -	0.00%	\$ -	0.00%	\$ -	\$ -
Subtotal of Indirect/Overhead Costs:	\$ 1,455.65	\$ 1,455.65	\$ 1,484.76	\$ 1,514.46	\$ 1,548.21	\$ 7,458.72					
	YEAR 1	YEAR 2	YEAR 3	YEAR 4	YEAR 5	TOTAL					
<b>GRAND TOTAL:</b>	\$ 49,977.22	\$ 49,977.22	\$ 50,976.76	\$ 51,996.30	\$ 53,155.07	\$ 256,082.56					

# SUMMARY OF DIRECT LABOR & FRINGE BENEFITS

Enter Escalation Rates ----->	Yr 2 Escalation Rate	0.00%
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	Task # or Description	Federal Employee Name	Position Title	GS/WG Grade	GS/WG Step	OPM Pay Location	Current Hourly Rate	YEAR 1					YEAR 2				
								10/1/2021		Through	9/30/2022		10/1/2022		Through	10/1/2023	
								# of Hours	Hourly Rate	Salary Cost	Fringe Rate	Fringe Cost	# of Hours	Hourly Rate	Salary Cost	Fringe Rate	Fringe Cost
1	1	Vacvant	Biotech	7	1	Rest of US	\$ 20.93	1,039.0	\$ 20.93	\$ 21,746.27	33.00%	\$ 7,176.27	1,039.0	\$ 20.93	\$ 21,746.27	33.00%	\$ 7,176.27
2	1	Dan Schaad	Station Mgr ORY	12	10	Rest of US	\$ 48.27	140.0	\$ 48.27	\$ 6,757.80	35.00%	\$ 2,365.23	140.0	\$ 48.27	\$ 6,757.80	35.00%	\$ 2,365.23
3	1	Danielle Fujii-Doe	Station Mgr BRP	12	3	Rest of US	\$ 39.60	80.0	\$ 39.60	\$ 3,168.00	35.00%	\$ 1,108.80	80.0	\$ 39.60	\$ 3,168.00	35.00%	\$ 1,108.80
4	1	Rob Bundy	Project Leader LGR	13	10	Rest of US	\$ 57.40	80.0	\$ 57.40	\$ 4,592.00	35.00%	\$ 1,607.20	80.0	\$ 57.40	\$ 4,592.00	35.00%	\$ 1,607.20
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**SUMMARY OF DIRECT LABOR & FRINGE BENEFITS**

Yr 3 Escalation Rate 2.00%

Yr 4 Escalation Rate 2.00%

								YEAR 3					YEAR 4				
								10/2/2023		Through	9/30/2024		10/1/2024		Through	9/30/2025	
Task # or Description	Federal Employee Name	Position Title	GS/WG Grade	GS/WG Step	OPM Pay Location	Current Hourly Rate		# of Hours	Hourly Rate	Salary Cost	Fringe Rate	Fringe Cost	# of Hours	Hourly Rate	Salary Cost	Fringe Rate	Fringe Cost
1	1	Vacvant	Biotech	7	1	Rest of US	\$ 20.93	1,039.0	\$ 21.35	\$ 22,181.20	33.00%	\$ 7,319.79	1,039.0	\$ 21.78	\$ 22,624.82	33.00%	\$ 7,466.19
2	1	Dan Schaad	Station Mgr ORY	12	10	Rest of US	\$ 48.27	140.0	\$ 49.24	\$ 6,892.96	35.00%	\$ 2,412.53	140.0	\$ 50.22	\$ 7,030.82	35.00%	\$ 2,460.79
3	1	Danielle Fujii-Doe	Station Mgr BRP	12	3	Rest of US	\$ 39.60	80.0	\$ 40.39	\$ 3,231.36	35.00%	\$ 1,130.98	80.0	\$ 41.20	\$ 3,295.99	35.00%	\$ 1,153.60
4	1	Rob Bundy	Project Leader LGR	13	10	Rest of US	\$ 57.40	80.0	\$ 58.55	\$ 4,683.84	35.00%	\$ 1,639.34	80.0	\$ 59.72	\$ 4,777.52	35.00%	\$ 1,672.13
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# SUMMARY OF DIRECT LABOR & FRINGE BENEFITS

Yr 5 Escalation Rate	2.00%
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								YEAR 5							
								10/1/2025		Through	9/30/2026				
Task # or Description	Federal Employee Name	Position Title	GS/WG Grade	GS/WG Step	OPM Pay Location	Current Hourly Rate		# of Hours	Hourly Rate	Salary Cost	Fringe Rate	Fringe Cost	Total Salary Cost	Total Fringe Cost	Total Labor Cost
1	1	Vacvant	Biotech	7	1	Rest of US	\$ 20.93	1,039.0	\$ 22.21	\$ 23,077.32	33.50%	\$ 7,730.90	\$ 111,375.87	\$ 36,869.42	\$ 148,245.29
2	1	Dan Schaad	Station Mgr ORY	12	10	Rest of US	\$ 48.27	140.0	\$ 51.22	\$ 7,171.43	35.00%	\$ 2,510.00	\$ 34,610.80	\$ 12,113.78	\$ 46,724.58
3	1	Danielle Fujii-Doe	Station Mgr BRP	12	3	Rest of US	\$ 39.60	80.0	\$ 42.02	\$ 3,361.91	35.00%	\$ 1,176.67	\$ 16,225.25	\$ 5,678.84	\$ 21,904.09
4	1	Rob Bundy	Project Leader LGR	13	10	Rest of US	\$ 57.40	80.0	\$ 60.91	\$ 4,873.07	35.00%	\$ 1,705.57	\$ 23,518.42	\$ 8,231.45	\$ 31,749.87
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