



— BUREAU OF —  
RECLAMATION

**Notice of Funding Opportunity No. R22AS00163**

# **WaterSMART Cooperative Watershed Management Program Phase I Grants**



## **Mission Statements**

The U.S. Department of the Interior protects and manages the Nation's natural resources and cultural heritage; provides scientific and other information about those resources; and honors its trust responsibilities or special commitments to American Indians, Alaska Natives, and affiliated Island Communities.

The mission of the Bureau of Reclamation is to manage, develop, and protect water and related resources in an environmentally and economically sound manner in the interest of the American public.

# Synopsis

<b>Federal Agency Name:</b>	Department of the Interior, Bureau of Reclamation, Water Resources and Planning Office
<b>Funding Opportunity Title:</b>	WaterSMART Cooperative Watershed Management Program Phase I Grants
<b>Announcement Type:</b>	Notice of Funding Opportunity
<b>Funding Opportunity Number:</b>	R22AS00163
<b>Catalog of Federal Domestic Assistance (CFDA) Number:</b>	15.554
<b>Dates:</b> (See NOFO Sec. D.4)	Application due Date: Thursday, March 31, 2022, 4:00 p.m. Mountain Daylight Time
<b>Eligible Applicants:</b> (See NOFO Sec. C.1)	<p>Applicants eligible to receive financial assistance to fund activities under this NOFO include the following entities located in the Western United States or United States Territories including Alaska, Arizona, California, Colorado, Hawaii, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wyoming, American Samoa, Guam, the Northern Mariana Islands, the Virgin Islands, and Puerto Rico.</p> <p><b>New Watershed Group:</b> States, Indian Tribes, local and special districts (e.g., irrigation and water districts), local governmental entities, interstate organizations, and non-profit organizations.</p> <p><b>Existing Watershed Groups:</b> In order to be eligible to receive an award for funding as an Existing Watershed Group, the applicant must be an eligible entity as described immediately above for New Watershed Groups and must either be: (1) an Existing Watershed Group, (i.e., a grassroots, non-regulatory legal entity that otherwise meets the definition of a watershed group in <i>Section A.3. Notice of Funding Opportunity Objectives</i>); or (2) a participant in an Existing Watershed Group.</p>
<b>Recipient Cost-Share:</b> (See NOFO Sec. C.2)	A non-Federal cost-share contribution is not required for Phase I CWMP activities funded under this NOFO.
<b>Federal Funding Amount:</b> (See NOFO Sec. B.1)	Up to \$200,000 per applicant
<b>Estimated Number of Agreements to be Awarded:</b> (See NOFO Sec. B.1)	Approximately 15 to 20 projects per application submittal period contingent on appropriations.
<b>Intergovernmental Review:</b> (See NOFO Sec. D.5)	This NOFO is subject to Executive Order 12372, "Intergovernmental Review of Federal Programs." A list of states that have elected to participate in the intergovernmental review process is at <a href="https://www.whitehouse.gov/wp-content/uploads/2020/04/SPOC-4-13-20.pdf">https://www.whitehouse.gov/wp-content/uploads/2020/04/SPOC-4-13-20.pdf</a> .

This page is intentionally left blank.

# Application Checklist

The following table contains a summary of the information that you are required to submit with your application.

√	What to submit	Required content	Form or format	When to submit
	Mandatory Federal Forms: Application for Federal Financial Assistance Budget Information Assurances Disclosure of Lobbying Activities	See Sec. D.2.2.1	SF-424, SF-424A, SF-424B, and SF-LLL <a href="http://www.grants.gov/web/grants/forms/sf-424-family.html">www.grants.gov/web/grants/forms/sf-424-family.html</a>	*
	Title page	See Sec. D.2.2.2	Page 13	*
	Table of contents	See Sec. D.2.2.3	Page 13	*
	Technical proposal: Executive summary Project location Project Description Evaluation criteria	See Sec. D.2.2.5 See Sec. D.2.2.6 See Sec. D.2.2.7 See Sec. E.1	Page 13 Page 14 Page 14 Page 27	* * * *
	Environmental and cultural resources compliance	See Sec. D.2.2.11	Page 20	
	Required permits or approvals	See Sec. D.2.2.12	Page 20	
	Project Budget: Budget narrative	See Sec. D.2.2.10	Page 17	* *
	Letters of support	See Sec. D.2.2.13	Page 20	*
	Official Resolution	See Sec. D.2.2.14	Page 21	**
	Unique Entity Identifier and System for Award Management	See Sec. D.3	Page 22	***

\* Submit materials with your application.

\*\* Document should be submitted with your application; however, please refer to the applicable section of the NOFO for extended submission date.

\*\*\* Should be completed prior to the application deadline; however, please refer to the applicable section of the NOFO for extended completion date.

\*\*\*\*Note that the statements in Sections *D.2.2.9. Overlap or Duplication of Effort*, *D.2.2.15. Conflict of Interest Disclosure*, *D.2.2.16. Single Audit Reporting Statement*, and *D.2.2.17. Certification Regarding Lobbying* are also required.

This page is intentionally left blank.

## Acronyms and Abbreviations

ASAP	Automated Standard Application for Payments
ARC	Application Review Committee
CE	Categorical Exclusion
CEC	Categorical Exclusion Checklist
CFDA	Catalog of Federal Domestic Assistance
CFR	Code of Federal Regulations
CWA	Clean Water Act
CWMP	Cooperative Watershed Management Program
D&B	Dun & Bradstreet
Department	U.S. Department of the Interior
DUNS	Data Universal Number System
EA	Environmental Assessment
EIN	Employer Identification Number
EIS	Environmental Impact Statement
E.O.	Executive Order
EPA	Environmental Protection Agency
ESA	Endangered Species Act
FAPIIS	Federal Award Performance Integrity Information System
FGDC	Federal Geospatial Data Committee
FOIA	Freedom of Information Act
FONSI	Finding of No Significant Impact
FY	fiscal year
GIS	geographic information system
HUC	Hydrologic Unit Code
MDT	Mountain Daylight Time
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NOAA	National Oceanic and Atmospheric Administration
NOFO	Notice of Funding Opportunity
NRCS	Natural Resources Conservation Service
P.L.	Public Law
SAM	System for Award Management
SF	Standard Form
SPOC	Single Point of Contact
Reclamation	Bureau of Reclamation
U.S.C.	United States Code
USACE	United States Army Corp of Engineers
USDA	United States Department of Agriculture
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey
WaterSMART	Sustain and Manage America's Resources for Tomorrow
West	Western United States

This page is intentionally left blank.



# Contents

	Page
<b>Section A. Funding Opportunity Description.....</b>	<b>1</b>
A.1. Authority .....	1
A.2. Background, Purpose, and Program Requirements .....	1
A.3. Notice of Funding Opportunity Objectives.....	2
A.4. Other Related Funding Opportunities.....	2
<b>Section B. Award Information.....</b>	<b>3</b>
B.1. Total Funding .....	3
B.2. Expected Award Amount.....	3
B.3. Anticipated Announcement and Federal Award Date .....	3
B.4. Number of Awards.....	3
B.5. Type of Award.....	4
<b>Section C. Eligibility Information .....</b>	<b>5</b>
C.1. Eligible Applicants.....	5
C.2. Cost Sharing Requirements .....	6
C.3. Other.....	6
C.4. Eligible Projects.....	6
C.5. Ineligible Projects.....	9
<b>Section D. Application and Submission Information .....</b>	<b>11</b>
D.1. Address to Request Application Package.....	11
D.2. Content and Form of Application Submission .....	11
D.3. Unique Entity Identifier and System for Award Management (SAM) .....	22
D.4. Submission Date and Time .....	23
D.5. Intergovernmental Review.....	26
D.6. Pre-Award Costs.....	26
D.7. Automated Standard Application for Payments Registration.....	26
<b>Section E. Application Review Information.....</b>	<b>27</b>
E.1. Technical Proposal: Evaluation Criteria.....	27
E.2. Review and Selection Process.....	34
E.3. Federal Award Performance Integrity Information System.....	36
<b>Section F. Federal Award Administration Information .....</b>	<b>37</b>
F.1. Federal Award Notices.....	37
F.2. Administrative and National Policy Requirements .....	37
F.3. Reporting Requirements and Distribution .....	40
F.4. Disclosures.....	41
F.5. Data Availability.....	41
F.6. Releasing Applications.....	43
<b>Section G. Agency Contacts.....</b>	<b>45</b>
G.1. Reclamation Financial Assistance Contact.....	45
G.2. Reclamation Program Coordinator Contact.....	45
<b>Section H. Other Information.....</b>	<b>47</b>
H.1. Environmental and Cultural Resource Considerations.....	47
H.2. Endangered Species Act.....	50

This page is intentionally left blank.

# Section A. Funding Opportunity Description

## A.1. Authority

This Notice of Funding Opportunity (NOFO) is issued under the authority of Section 6002 of the Cooperative Watershed Management Act, Subtitle A of Title VI of the Omnibus Public Land Management Act of 2009, Public Law (P.L.) 111-11 (42 United States Code [U.S.C.] 10364).

## A.2. Background, Purpose, and Program Requirements

The U.S. Department of the Interior's (Department) WaterSMART (Sustain and Manage America's Resources for Tomorrow) Program provides a framework for Federal leadership and assistance to stretch and secure water supplies for future generations in support of the Department's priorities. Through WaterSMART, the Bureau of Reclamation (Reclamation) leverages Federal and non-Federal funding to work cooperatively with states, Tribes, and local entities as they plan for and implement actions to increase water supply sustainability through investments in existing infrastructure and attention to local water conflicts.

WaterSMART's Cooperative Watershed Management Program (CWMP) provide support for priorities identified in Presidential Executive Order (E.O.) 14008: *Tackling the Climate Crisis at Home and Abroad* and aligned with other priorities, such as those identified in E.O. 13985: *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*. Environmental Water Resources Projects also support the goals of the Interagency Drought Relief Working Group established in March 2021 and the National Drought Resiliency Partnership.

Drought conditions across the Western United States (West) impact a wide range of communities and sectors, including agriculture, cities, Tribes, the environment, recreation, hydropower producers, and others. The West is experiencing its worst drought this century—historic in both duration and severity—threatening to kill crops, spark wildfires, and harm public health. As of July 2021, the U.S. Drought Monitor indicates that more than 93% of the land in nine of the Western states is in drought conditions, and nearly 60% of the area is experiencing extreme or exceptional drought. Through WaterSMART, Reclamation provides financial assistance to water managers for projects that seek to conserve and use water more efficiently and accomplish other benefits that contribute to sustainability in the Western United States. Through the CWMP, Reclamation provides funding to watershed groups to encourage diverse stakeholders to form local solutions to address their water management needs. By providing this funding Reclamation promotes water reliability and cooperation between stakeholders to reduce conflict, facilitate solutions to complex water issues, and stretch limited water supplies.

**This NOFO provides funding to watershed groups for Phase I projects for watershed group development and restoration planning.** For further information on the CWMP, see [www.usbr.gov/watersmart/cwmp](http://www.usbr.gov/watersmart/cwmp).

### A.3. Notice of Funding Opportunity Objectives

The objective of this NOFO is to invite states, Indian Tribes, irrigation districts, water districts, local governmental entities, non-profit organizations, Existing Watershed Groups, and local and special districts (e.g., irrigation and water districts, county soil conservation districts) to submit proposals for Phase I activities to develop a watershed group, complete watershed restoration planning activities, and design watershed management projects. See *Section C.4. Eligible Projects* for a more comprehensive description of eligible activities.

A “watershed group,” as defined in Section 6001(6) of the Cooperative Watershed Management Act (see *Section A.1. Authority* for full citation) is a grassroots, non-regulatory entity that addresses water availability and quality issues within the relevant watershed, is capable of promoting the sustainable use of water resources in the watershed, makes decisions on a consensus basis, and represents a diverse group of stakeholders, including hydroelectric producers, livestock grazing, timber production, land development, recreation or tourism, irrigated agriculture, the environment, municipal water supplies, private property owners, Federal, state and local governments, tribes, and disadvantaged communities.

A “disadvantaged community, as defined in Section 6001(2) of the Cooperative Watershed Management Act, means a community (including a city, town, county, or reasonably isolated and divisible segment of a larger municipality) with an annual median household income that is less than 100 percent of the statewide annual median house-hold income for the state in which the community is located, according to the most recent decennial census.

### A.4. Other Related Funding Opportunities

For information on the NOFOs listed here, please visit the WaterSMART Program website: [www.usbr.gov/watersmart](http://www.usbr.gov/watersmart).

Reclamation provides funding for water management projects through several other programs under WaterSMART. Reclamation provides financial assistance to implement on-the-ground watershed management projects through the **Environmental Water Resources Projects**.

Through WaterSMART Grants, Reclamation provides three funding opportunities. **Water and Energy Efficiency Grants** focus on projects that result in quantifiable and sustained water savings and projects that that increase hydropower use. The **Small-Scale Water Efficiency Projects** provides funding for small-scale water management projects (up to \$75,000 in Federal funding for each project) that have been identified through previous planning efforts. Finally, **Water Marketing Strategy Grants** provide support for entities exploring actions that can be taken to develop or facilitate water marketing.

Through the **Drought Response Program**, Reclamation provides funding to help build resilience to drought. Through Drought Contingency Planning, Reclamation supports the development of drought contingency plans with participation from a diverse set of stakeholders. Reclamation also provides funding for Drought Resiliency Projects supported by an existing drought contingency plan to build long-term resilience to drought.

## Section B. Award Information

### B.1. Total Funding

Approximately \$3 million is available for this NOFO, with per-project limits as described in *Section B.2. Expected Award Amount*. Reclamation will determine the final amount of funding available for award under this NOFO once final fiscal year (FY) 2022 appropriations have been made. This NOFO may be canceled if appropriations are insufficient to support new awards. Applications submitted under this NOFO may also be considered if other funding becomes available in FY 2022 or subsequently.

Through this NOFO, Reclamation plans to award funds to Phase I applicants under two Applicant Categories: **(1) New Watershed Groups and (2) Existing Watershed Groups** (see *Section C.1.3. Applicant Category Guidance* for additional information).

### B.2. Expected Award Amount

Maximum Award: \$200,000

Minimum Award: \$0

A total of up to \$200,000 in Federal funds may be awarded to an applicant over the two-year period, with no more than \$100,000 to be available per year. A non-Federal cost-share contribution is not required for Phase I activities funded under this NOFO. Within nine months from the initial date of award, Reclamation shall determine whether a recipient has made sufficient progress in the first year to justify second-year funding (see *Section F.3.4. Sufficiency Report* for additional information).

### B.3. Anticipated Announcement and Federal Award Date

*Anticipated Award Date:* 01/31/2023

Reclamation expects to contact potential award recipients and unsuccessful applicants in the early summer of 2022 (or later if necessary), subject to the timing of final FY 2022 appropriations.

*Anticipated Project Completion Date:* 01/31/2025

### B.4. Number of Awards

Approximately 15 to 20 awards, depending on the amount requested by each applicant and the amount of funding available.

## **B.5. Type of Award**

Project awards will be made through grants or cooperative agreements as applicable to each project. If a cooperative agreement is awarded, the recipient should expect Reclamation to have substantial involvement in the project.

Substantial involvement by Reclamation may include:

- Collaboration and participation with the recipient in the management of the project and close oversight of the recipient's activities to ensure that the program objectives are being achieved.
- Oversight may include review, input, and approval at key interim stages of the project.

At the request of the recipient, Reclamation can provide technical assistance after award of the project. If you receive Reclamation's assistance, you must account for these costs in your budget. To discuss available assistance and these costs, contact the program coordinator identified in *Section G. Agency Contacts*.

## Section C. Eligibility Information

### C.1. Eligible Applicants

#### C.1.1. Applicant Eligibility for New Watershed Groups

Applicants eligible to receive an award as a New Watershed Group include states, Indian Tribes, local and special districts (e.g., irrigation and water districts), local governmental entities, interstate organizations, and non-profit organizations. To be eligible, applicants must also meet all the following requirements:

- Significantly affect or be affected by the quality or quantity of water in a watershed
- Be capable of promoting the sustainable use of water resources
- Be located in one of the following states or territories: Alaska, Arizona, California, Colorado, Hawaii, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wyoming, American Samoa, Guam, the Northern Mariana Islands, the Virgin Islands, and Puerto Rico

#### C.1.2. Applicant Eligibility for Existing Watershed Groups

In order to be eligible to receive an award as an Existing Watershed Group, the applicant must be an eligible entity as described immediately above and must be either:

1. An Existing Watershed Group, (i.e., a grassroots, non-regulatory legal entity that otherwise meets the definition of a watershed group)
2. A participant in an Existing Watershed Group that meets the definition of a watershed group as described above in *Section A.2. Objective of this Notice of Funding Opportunity*

#### C.1.3. Applicant Category Guidance

In general, applicants should apply as a New Watershed Group if the group is just getting started, has completed little or no watershed restoration planning, and requires more substantial support for building the capacity of the watershed group and completing outreach to stakeholders. Groups that have been active in the watershed for several years and have previously conducted some watershed planning should apply as an Existing Watershed Group. Entities that have previously received funding through CWMP Phase I should apply as an Existing Watershed Group and explain how their new project differs from and builds on their past Phase I project(s). Although New and Existing Watershed Groups will be scored using the same evaluation criteria (see *Section E.1. Technical Proposal: Evaluation Criteria*), they will be ranked separately to ensure fairness. Note: The Application Review Committee (ARC) (see *Section E.2.2. Application Review Committee*) has the discretion to change the Applicant Category when they deem appropriate.

### C.1.4. Ineligible Applicants

Those not eligible include, but are not limited to, the following entities:

- Federal governmental entities
- Institutes of higher education, except those institutes of higher education sponsoring watershed groups
- 501(c)4 organizations
- 501(c)6 organizations
- Individuals

## C.2. Cost Sharing Requirements

There is no requirement for a non-Federal cost-share contribution for Phase I activities, and an application will not receive additional priority under the evaluation criterion (see *Section E. Application Review Information*) for providing non-Federal cost-share. If the applicant is voluntarily providing a non-Federal cost-share this must be noted in the budget proposal (see *Section D.2.2.10. Project Budget*).

### C.3. Other

Reclamation conducts a review of the [SAM.gov Exclusions database](#) for all applicant entities and their key project personnel prior to award. Reclamation cannot award funds to entities or their key project personnel identified in the [SAM.gov Exclusions database](#) as ineligible, prohibited/restricted or otherwise excluded from receiving Federal contracts, certain subcontracts, and certain Federal assistance and benefits, as their ineligibility condition applies to this Federal program.

### C.4. Eligible Projects

Applicants can apply for funding for activities within one or more of the following three Task Areas. It is acceptable and expected for an applicant not to address all three Task Areas. For example, a New Group might focus exclusively on Task A: Watershed Group Development or an Existing Group might focus exclusively on Task C: Watershed Management Project Design. An application will not receive more points simply because they are addressing more than one Task Area.

Developing *articles of incorporation, bylaws, and business practices* are eligible activities for both New and Existing Watershed Groups and can be completed as part of any Task Area. Note: In order to be eligible costs, salaries and wages and contractor costs must be allocated to specific tasks as outlined in the technical project description. See *Section C.1.3. Applicant Category Guidance* for a description of New and Existing Watershed Groups.



## Section C. Eligibility Information

1. **Task A: Watershed Group Development:** Watershed group development activities include, but are not limited to:
  - Developing a mission statement, vision statement, and goals for the watershed group.
  - Hiring a facilitator to assist with outreach to stakeholders.
  - Conducting outreach activities, such as the creation of an outreach plan and information materials (e.g., brochures, advertisements, website, videos) and conducting stakeholder meetings to establish broad-based, diverse membership.
  - Gathering information about issues and needs related to water quality and quantity within the watershed (e.g., through research and talking to government agencies and local universities).
  - Conducting pre-planning activities, including outlining a watershed restoration plan, researching existing plans related to the watershed, collecting baseline information, and identifying restoration needs for the watershed.
2. **Task B: Watershed Restoration Planning:** Watershed restoration planning activities may include, but are not limited to:
  - Completing a watershed restoration plan, improving existing restoration plans, or conducting water quality or quantity studies needed to provide baseline information about the watershed.
  - Conducting mapping and other technical analyses, including obtaining data, performing modeling, or developing goals and benchmarks for the restoration plan.
  - Obtaining project management services or software technology required to formulate the watershed restoration plan.
  - Interviewing watershed group members and stakeholders to gain an idea of projects that would improve the watershed.
  - Working with watershed group members, landowners, Federal agencies, and state or local governments to determine how the watershed can be improved.
  - Reviewing watershed-specific best management practices established by Federal, state, and local government agencies.
  - Developing general watershed management project concepts or performing an analysis of the watershed to identify and prioritize watershed management projects. For example, creating a matrix within the watershed restoration plan that outlines and prioritizes watershed management projects.

## Notice of Funding Opportunity No. R22AS00163

**Watershed Restoration Plan Guidance:** A watershed restoration plan is a tool designed to help a watershed group plan for and implement restoration activities in their watershed. A watershed restoration plan should describe the issues of concern related to water resources within the watershed and identify potential solutions. Reclamation understands that watershed restoration plans may take different forms depending on their purpose. Rather than prescribing particular requirements, Reclamation encourages recipients to develop a restoration plan that best meets the needs of the watershed. However, recipients should consider that the Phase II funding opportunity, which provides funding for on-the-ground watershed management projects, prioritizes projects outlined in watershed restoration plans that are more holistic, addresses multiple issues related to water resources within the watershed, and supports plans developed by stakeholders with diverse interests. You can find watershed restoration plans completed by previously selected CWMP Phase I recipients on Reclamation's website, [www.usbr.gov/watersmart/cwmp/plans.html](http://www.usbr.gov/watersmart/cwmp/plans.html).

3. **Task C: Watershed Management Project Design:** Project design activities can include, but are not limited to:
  - **Completing an analysis in order to prioritize watershed management projects and identify specific project locations.**
  - Completing site-specific project design and engineering.
  - **Developing project timelines and milestones.**
  - **Researching what type of site-specific environmental compliance will be necessary to implement a project,** particularly if the applicant intends to seek Federal funding to implement the project in the future (e.g., under Phase II of this program). We recommend contacting your local Reclamation office ([www.usbr.gov/main/offices.html](http://www.usbr.gov/main/offices.html)) as part of such research, to discuss the required environmental and cultural resource compliance and costs associated with potential projects. If a potential project is located on land owned by a different Federal agency, other than Reclamation, we also recommend contacting that agency.

### C.4.1. Eligibility of Education and Training Activities

To be considered eligible activities, all outreach activities, training, and conferences must be specifically linked to the proposed watershed group development, watershed restoration planning, or watershed management project design activities. General education activities, implementing citizen science training programs, or general staff training are not eligible under this NOFO. Note: The ARC (see *Section E.2.2. Application Review Committee*) has the discretion to determine whether a specific education/outreach activity, training, or conference is eligible.

### C.4.2. Eligibility of Monitoring, Measurement, and Field Work

If some monitoring, measurement, or other field work (e.g., water quality monitoring, or vegetation surveys) is needed to inform the watershed restoration planning activities or watershed management project design, such work may be eligible for funding so long as it comprises only a minor part of the work described in the proposal.

## C.5. Ineligible Projects

Projects not eligible for funding under this NOFO include, but are not limited to, scientific research and the project types identified immediately below.

### C.5.1. Other Planning Projects

Proposals for developing planning efforts other than watershed restoration plans are not eligible for funding under this NOFO. This includes proposals for developing drought plans, appraisal investigations, feasibility studies, special studies, Basin Studies, or studies authorized under the Title XVI Water Recycling and Reuse Program, through P.L.102-575, as amended (43 U.S.C. 390h et seq.), or under the Rural Water Program, pursuant to the Rural Water Supply Act of 2006, P.L.109-45.

### C.5.2. On-the-Ground Watershed Management Projects

Implementing on-the-ground watershed management projects is funded under the Environmental Water Resources Projects NOFO and is not eligible for funding under this NOFO. On-the-ground watershed management projects include, but are not limited to, removing fish passage barriers or installing fish passage structures, streambed and streambank modifications, invasive species removal, vegetation restoration, installing fences, and water conservation and efficiency projects (e.g., canal lining and piping).

### C.5.3. Water and Land Purchases and Easements

A project that proposes using Federal funding primarily for the purchase of water or land, or to secure an easement, is not eligible under this NOFO.

### C.5.4. Building Construction

A project that proposes to construct a building is not eligible for Federal funding under this NOFO (e.g., a building to house administrative staff or to promote public awareness of water conservation).

### C.5.5. On-Farm Irrigation Efficiency Improvements

Projects to conduct on-farm irrigation efficiency improvements are not eligible under this NOFO. Applicants interested in on-farm irrigation efficiency improvements should contact the U.S. Department of Agriculture's (USDA) Natural Resources Conservation Service (NRCS) to investigate opportunities for Federal assistance. For more information on NRCS programs, including application deadlines and a description of available funding, please contact your local NRCS office or visit [www.nrcs.usda.gov](http://www.nrcs.usda.gov) for further contact information in your area.

### C.5.6. Pilot Projects

A project that proposes to conduct a pilot study to evaluate technical capability, economic feasibility, or viability for full-scale implementation or to test an unproven material or technology is not eligible for Federal funding under this NOFO.

This page is intentionally left blank.

# Section D. Application and Submission Information

## D.1. Address to Request Application Package

This document contains all information, forms, and electronic addresses required to obtain the information required to submit an application.

If you are unable to access this information electronically, you can request paper copies of any of the documents referenced in this NOFO by emailing the Financial Assistance Support Section staff at [sha-dro-fafoa@usbr.gov](mailto:sha-dro-fafoa@usbr.gov).

## D.2. Content and Form of Application Submission

All applications must conform to the requirements set forth below.

### D.2.1. Application Format and Length

The total technical proposal and criteria section (defined below) shall be limited to a maximum of **25** consecutively numbered pages. If this section exceeds **25** pages, only the first **25** pages will be evaluated. The font shall be at least 12 points in size and easily readable. Page size shall be 8½ by 11 inches, including charts, maps, and drawings. Margins should be standard 1-inch margins. Oversized pages will not be accepted.

Applications will be prescreened for compliance to the above page number limitation. Excess pages will be removed and not considered in the evaluation of the proposed project.

### D.2.2. Application Content

The application must include the following elements to be considered complete:

- **Mandatory Federal Forms**
  - **SF-424 Application for Federal Assistance**
  - **SF-424A Budget Information**
  - **SF-424B Assurances**
  - **SF-LLL Disclosure of Lobbying Activities (if applicable)**

These forms may be obtained at [www.grants.gov/web/grants/forms/sf-424-family.html](http://www.grants.gov/web/grants/forms/sf-424-family.html).

- Title page
- Table of contents

## Notice of Funding Opportunity No. R22AS00163

- Technical proposal and evaluation criteria (limited to 25 pages)
  - Executive summary
  - Project location
  - Technical project description
  - Evaluation criteria
- Project budget
  - Funding plan and letters of funding commitment
  - Budget proposal
  - Budget narrative
- Environmental and cultural resources compliance, if applicable.
- Required permits or approvals

Letters of support for the project and letters of participation (will not count towards the page limitation)
- Official resolution (will not count towards the page limitation)

It is highly recommended that application packages be structured in the order identified above.

### ***D.2.2.1. Mandatory Federal Forms***

The application must include the following standard Federal forms. Questions regarding forms should be referred to the Financial Assistance Point of Contact under Agency Contacts.

- **SF-424 Application for Federal Assistance.** A fully completed SF-424, Application for Federal Assistance signed by a person legally authorized to commit the applicant to performance of the project must be submitted with the application. Failure to submit a properly signed SF-424 may result in the elimination of the application from further consideration. For application purposes, an SF-424A can be used for both construction and non-construction projects.
- **SF-424A Budget Information.** A fully completed SF-424A Budget Information must be submitted with the application.
- **SF-424B Assurances.** A SF-424B Assurances for Non-Construction Programs signed by a person legally authorized to commit the applicant to performance of the project shall be included. A SF-424B Assurances for Non-Construction Programs signed by a person legally authorized to commit the applicant to performance of the project shall be included. Failure to submit a properly signed SF-424B may result in the elimination of the application from further consideration.

## Section D. Application and Submission Information

- **SF-LLL Disclosure of Lobbying Activities.** A fully completed and signed SF-LLL, Disclosure of Lobbying Activities is required if the applicant has made or agreed to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. *Note—this form cannot be submitted by a contractor or other entity on behalf of an applicant.*

### **D.2.2.2. Title Page**

Provide a brief, informative, and descriptive title for the proposed work that indicates the nature of the project. Include the name and address of the applicant, and the name and address, e-mail address, and telephone of the Project Manager.

### **D.2.2.3. Table of Contents**

List all major sections of the proposal in the table of contents.

### **D.2.2.4. Technical Proposal and Evaluation Criteria**

The technical proposal and evaluation criteria (25 pages maximum) include:

- (1) Executive summary
- (2) Project location
- (3) Technical project description
- (4) Evaluation criteria

### **D.2.2.5. Executive Summary**

The executive summary should include:

- The date, applicant name, city, county, and state.
- A one paragraph project summary that briefly describes the location of the watershed area in which the group will work, the activities that will be carried out, any partners involved, watershed concerns in the watershed area, area and how the activities completed through this grant are expected to help alleviate impacts of those conditions. This information will be used to create a summary of your project for our website if the project is selected for funding.

**Example:** *The Nez Perce Tribe, in northwestern Idaho, will establish the Little Salmon River Watershed Advisory Group and develop a restoration plan. The Tribe will engage a diverse group of stakeholders including landowners, the cities of New Meadows and Riggins, Adams and Idaho Counties, DF Development Inc., Payette Land Trust, Adams Soils and Water Conservation District, the U.S. Forest Service, the Bureau of Land Management, the Natural Resources Conservation Service, state agencies, Idaho Conservation League, and other affected stakeholders. Heavy livestock grazing, highway encroachment, wastewater treatment plant point source pollution, and timber harvesting have resulted in riparian degradation and water quality impairments. The Little Salmon River is an important habitat for several different fish species, including Chinook salmon, which is of significant cultural importance to the Tribe and is impacted by excess sediment, fish passage barriers, low summer flows, and high-water temperatures. The Tribe will facilitate the development of the collaborative watershed group, including the development of mission and vision statements and a prioritized restoration plan.*

## Notice of Funding Opportunity No. R22AS00163

- State the length of time and estimated completion date for the proposed project (month/year).
- Whether or not the proposed planning efforts are focused on a Federal facility or will involve Federal land.

### **D.2.2.6. Project Location**

Provide specific information on the geographic location of the area in which the watershed group will work including a map showing the geographic location. For example, {watershed area} is located in {state and county} approximately {distance} miles {direction, e.g., northeast} of {nearest town}. If applicable, please provide the United States Geological Survey (USGS) Hydrologic Unit Codes (HUC) in which the group will work. If you are selected for funding, Reclamation may request additional detail regarding your project location. If the project will focus on site-specific planning or watershed management project design, please identify both the watershed area the watershed group works in and the location the site-specific planning or project will focus on.

### **D.2.2.7. Technical Project Description**

The technical project description should describe the work, including specific activities that will be accomplished. As part of this discussion, please address the following:

- **Applicant Category:** Please indicate whether you are seeking funding as a New or Existing Watershed Group and explain why you chose to apply under that Applicant Category. As part of this discussion, please provide a brief history of the group, including discussion of (1) when and how the group was initiated, and (2) ongoing projects or efforts (e.g., previous watershed planning activities).
- **Eligibility of Applicant:** Please write a narrative summary indicating how the applicant meets the eligibility requirements, as described in *Section C.1. Eligible Applicants*. Please include an explanation of the applicant's role in the New or Existing Watershed Group.
- **Goals:** Discuss the preliminary goals and objectives of the New or Existing Watershed Group.
- **Approach:** Provide a more comprehensive description of your planned approach for completing watershed group development, restoration planning, and watershed management project design activities. Please identify which of the Task Areas described in *Section C.4. Eligible Projects* you will address as part of this project, including a detailed discussion of what activities you will undertake within each Task Area. Note: If the watershed group previously received a CWMP Phase I grant, please explain how the scope of work of this project differs from and builds upon the past grant. This section provides an opportunity for the applicant to provide a clear description of the technical nature of the project and to address any aspect of the project that reviewers may need additional information to understand.

*Please do not include your project schedule and milestones here; that information is requested in response to Evaluation Criterion C—Implementation and Results. In addition, please avoid discussion of the benefits of the project, which are also requested in response to evaluation criteria. This section is solely intended to provide an understanding of the technical aspects of the project. Please note, if the work for which you are requesting funding is a phase of a larger project, please only describe the work that is reflected in the budget and exclude description of other activities or components of the overall project.*



**D.2.2.8. Evaluation Criteria**

(See *Section E.1. Technical Proposal: Evaluation Criteria* for additional details, including a detailed description of each criterion and sub-criterion and points associated with each).

The evaluation criteria portion of your application should thoroughly address each criterion and sub-criterion in the order presented to assist in the complete and accurate evaluation of your proposal.

*It is suggested that applicants copy and paste the evaluation criteria and sub-criteria in Section E.1. Technical Proposal: Evaluation Criteria into their applications to ensure that all necessary information is adequately addressed.*

**D.2.2.9. Overlap or Duplication of Effort Statement**

Applicants must provide a statement that addresses if there is any overlap between the proposed project and any other active or anticipated proposals or projects in terms of activities, costs, or commitment of key personnel. If any overlap exists, applicants must provide a description of the overlap in their application for review.

Applicants must also state if the proposal submitted for consideration under this program is or is not in any way duplicative of any proposal or project that has been or will be submitted for funding consideration to any other potential funding source—whether it be Federal or non-Federal. If such a circumstance exists, applicants must detail when the other duplicative proposal(s) were submitted, to whom (Agency name and Financial Assistance program), and when funding decisions are expected to be announced. If at any time a proposal is awarded funds that would be duplicative of the funding requested from Reclamation, applicants must notify the NOFO point of contact or the Program Coordinator immediately.

**D.2.2.10. Project Budget**

The project budget includes:

- (1) Budget proposal
- (2) Budget narrative

If the proposed project is selected, the awarding Reclamation Grants Officer will review the proposed pre-award costs to determine if they are consistent with program objectives and are allowable in accordance with the authorizing legislation. Proposed pre-award costs must also be compliant with all applicable administrative and cost principles criteria established in 2 Code of Federal Regulations (CFR) Part 200, available at [www.ecfr.gov](http://www.ecfr.gov), and all other requirements of this NOFO. **In no case will costs incurred prior to July 1, 2022, be considered for inclusion in the proposed project budget.**

*Please note that the costs for preparing and submitting an application in response to this NOFO, including developing data necessary to support the proposal, are not eligible project costs under this NOFO and must not be included in the project budget. In addition, budget proposals must not include costs for the purchase of water or land, or to secure an easement other than a construction easement. These costs are not eligible project costs under this NOFO.*

**Notice of Funding Opportunity No. R22AS00163**

**Budget Proposal**

The total project cost is the sum of all allowable items of costs, including all required cost sharing and voluntary committed cost sharing, including third-party contributions, that are necessary to complete the project. Please include the following chart (Table 1) to summarize all funding sources. Denote in-kind contributions with an asterisk (\*).

Table 1.—Summary of Non-Federal and Federal Funding Sources

<b>FUNDING SOURCES</b>	<b>AMOUNT</b>
<b>Non-Federal Entities</b>	
1.	
2.	
3.	
<b>Non-Federal Subtotal</b>	
<b>REQUESTED RECLAMATION FUNDING</b>	

The budget proposal should include detailed information on the categories listed below and must clearly identify *all* items of cost, *including those that will be contributed as non-Federal cost share by the applicant (required and voluntary), third-party in-kind contributions, and those that will be covered using the funding requested from Reclamation*, and any requested pre-award costs (Table 2).

Table 2. —Total Project Cost Table

<b>SOURCE</b>	<b>AMOUNT</b>
Costs to be reimbursed with the requested Federal funding	\$
Costs to be paid by the applicant	\$
Value of third-party contributions	\$
<b>TOTAL PROJECT COST</b>	<b>\$</b>

Unit costs must be provided for all budget items, including the cost of services or other work to be provided by consultants and contractors. Applicants are strongly encouraged to review the procurement standards for Federal awards found at 2 CFR §200.317 through §200.326 before developing their budget proposal. If you have any questions regarding your budget proposal or eligible costs, please contact the grants management specialist identified in *Section G. Agency Contacts*.

It is also strongly advised that applicants use the budget proposal format shown in Table 2 or a similar format that provides this information. It is also strongly advised that applicants use the budget proposal format shown in Table 3 or a similar format that provides this information. If selected for award, successful applicants must submit detailed supporting documentation for all budgeted costs.

Section D. Application and Submission Information

Table 3. —Sample Budget Proposal Format

BUDGET ITEM DESCRIPTION	COMPUTATION		Quantity Type	TOTAL COST
	\$/Unit	Quantity		
<b>Salaries and Wages</b>				
Employee 1				\$
Employee 2				\$
Employee 3				\$
<b>Fringe Benefits</b>				
Full-Time Employees				\$
Part-Time Employees				\$
<b>Equipment</b>				
Item A				\$
Item B				\$
Item C				\$
<b>Supplies and Materials</b>				
Item A				\$
Item B				\$
<b>Contractual/Construction</b>				
Contractor A				\$
Contractor B				
<b>Third-Party In-Kind Contributions</b>				
Contributor A				\$
Contributor B				\$
<b>Other</b>				
Other				\$
<b>TOTAL DIRECT COSTS</b>				<b>\$</b>
<b>Indirect Costs</b>				
Type of rate	percentage	\$base		<b>\$</b>
<b>TOTAL ESTIMATED PROJECT COSTS</b>				<b>\$</b>

**Budget Narrative**

Submission of a budget narrative is mandatory. An award will not be made to any applicant who fails to fully disclose this information. The budget narrative provides a discussion of, or explanation for, items included in the budget proposal. The types of information to describe in the narrative include, but are not limited to, those listed in the following subsections. Costs, including the valuation of third-party in-kind contributions, must comply with the applicable cost principles contained in 2 CFR Part §200, available at the Electronic CFR ([www.ecfr.gov](http://www.ecfr.gov)).

## Notice of Funding Opportunity No. R22AS00163

In addition, please identify whether the budget proposal includes any project costs that may be incurred prior to award. For each cost, describe:

- The project expenditure and amount
- The date of cost incurrence
- How the expenditure benefits the project

### *Salaries and Wages*

Indicate the Program Manager and other key personnel by name and title. The Project Manager must be an employee or board member of the applicant. Other personnel should be indicated by title alone. For all positions, indicate salaries and wages, estimated hours or percent of time, and rate of compensation. The labor rates must identify the direct labor rate separate from the fringe rate or fringe cost for each position. All labor estimates must be allocated to specific tasks as outlined in the applicant's technical project description. Labor rates and proposed hours shall be displayed for each task.

The budget proposal and narrative should include estimated hours for compliance with reporting requirements, including the final financial and performance reports. Please see *Section F.3 Reporting Requirements and Distribution* information on types and frequency of reports required.

Generally, salaries of administrative and/or clerical personnel will be included as a portion of the stated indirect costs. If these salaries can be adequately documented as direct costs, they should be included in this section; however, a justification should be included in the budget narrative.

### *Fringe Benefits*

Identify the rates/amounts, what costs are included in this category, and the basis of the rate computations. Federally approved rate agreements are acceptable for compliance with this item.

### *Travel*

Identify the rates/amounts, what costs are included in this category, and the basis of the rate computations. Federally approved rate agreements are acceptable for compliance with this item.

### *Equipment*

If equipment will be purchased, itemize all equipment valued at or greater than \$5,000. For each item, identify why it is needed for the completion of the project and how the equipment was priced.

*Note: If the value is less than \$5,000, the item should be included under materials and supplies.*

If equipment is being rented, specify the number of hours and the hourly rate. Local rental rates are only accepted for equipment actually being rented or leased. If the applicant intends to use their own equipment for the purposes of the project, the proposed usage rates should fall within the equipment usage rates outlined by the United States Army Corps of Engineers (USACE) within their Construction Equipment Ownership and Operating Expense Schedule (EP 1110-1-8) at <https://www.usace.army.mil/Cost-Engineering/EP1110-1-8/>.

*Note: If the equipment will be furnished and installed under a construction contract, the equipment should be included in the construction contract cost estimate.*

## Section D. Application and Submission Information

### *Materials and Supplies*

Itemize supplies by major category, unit price, quantity, and purpose, such as whether the items are needed for office use, research, or construction. Identify how these costs were estimated (i.e., quotes, past experience, engineering estimates, or other methodology). *Note: If the materials/ supplies will be furnished and installed under a contract, the materials/ supplies should be identified as a contractual cost in the budget proposal.*

### *Contractual*

Identify all work that will be accomplished by subrecipients, consultants, or contractors, including a breakdown of all tasks to be completed and a detailed budget estimate of time, rates, supplies, and materials that will be required for each task. For each proposed contract, identify the procurement method that will be used to select the consultant or contractor and the basis for selection. Please note that all contracts with an anticipated value of \$10,000 or more must use a competitive procurement method. Only contracts for architectural/engineering services can be awarded using a qualifications-based procurement method. If a qualifications-based procurement method is used, profit must be negotiated as a separate element of the contract price. See 2 CFR §200.317 through §200.327 for additional information regarding procurements, including required contract content.

### *Third-Party In-Kind Contributions*

Identify all work that will be accomplished by third-party contributors, including a breakdown of all tasks to be completed and a detailed budget estimate of time, rates, supplies, and materials that will be required for each task. Third-party in-kind contributions, including contracts, must comply with all applicable administrative and cost principles criteria, established in 2 CFR Part 200, available at [www.ecfr.gov](http://www.ecfr.gov), and all other requirements of this NOFO.

### *Environmental and Regulatory Compliance Costs*

Prior to awarding financial assistance, Reclamation must first ensure compliance with Federal environmental and cultural resources laws and other regulations (“environmental compliance”). Every project funded under this program will have environmental compliance activities undertaken by Reclamation and the recipient.

Depending on the potential impacts of the project, Reclamation may be able to complete its compliance activities without additional cost to the recipient. Where environmental or cultural resources compliance requires significant participation by Reclamation, costs incurred by Reclamation will be added as a line item to the budget during development of the financial assistance agreement and cost shared accordingly (i.e., withheld from the Federal award amount). Any costs to the recipient associated with compliance will be identified during the process of developing a final project budget for inclusion in the financial assistance agreement.

### *Other Expenses*

Any other expenses not included in the above categories shall be listed in this category, along with a description of the item and why it is necessary. No profit or fee will be allowed.

## Notice of Funding Opportunity No. R22AS00163

### *Indirect Costs*

Indirect costs that will be incurred during the development or construction of a Project, which will not otherwise be recovered, may be included as part of the applicant's Project budget. Show the proposed rate, cost base, and proposed amount for allowable indirect costs based on the applicable cost principles for the recipient's organization. It is not acceptable to simply incorporate indirect rates within other direct cost line items.

If the applicant has never received a Federal negotiated indirect cost rate, the budget may include a *de minimis* rate of up to 10 percent of modified total direct costs. For further information on modified total direct costs, refer to 2 CFR§200.68.

If the applicant does not have a federally approved indirect cost rate agreement and is proposing a rate greater than the *de minimis* 10 percent rate, include the computational basis for the indirect expense pool and corresponding allocation base for each rate. Information on "Preparing and Submitting Indirect Cost Proposals" is available from the Department's Interior Business Center, Office of Indirect Cost Services, at [www.doi.gov/ibc/services/finance/indirect-cost-services](http://www.doi.gov/ibc/services/finance/indirect-cost-services). If the proposed project is selected for award, the recipient will be required to submit an indirect cost rate proposal with their cognizant agency within 3 months of award.

### **D.2.2.11. Environmental and Cultural Resources Compliance**

Please answer the questions from *Section H.1. Environmental and Cultural Resource Considerations* in this section.

### **D.2.2.12. Required Permits or Approvals**

Applicants must state in the application whether any permits or approvals are required and explain the plan for obtaining such permits or approvals.

Note that improvements to Federal facilities that are implemented through any project awarded funding through this NOFO must comply with additional requirements. The Federal government will continue to hold title to the Federal facility and any improvement that is integral to the existing operations of that facility. Please see P.L. 111-11, Section 9504(a)(3)(B). Reclamation may also require additional reviews and approvals prior to award to ensure that any necessary easements, land use authorizations, or special permits can be approved consistent with the requirements of 43 CFR Section 429 and that the development will not impact or impair project operations or efficiency.

### **D.2.2.13. Letters of Support**

Please include letters from interested stakeholders supporting the proposed project. To ensure your proposal is accurately reviewed, please attach all letters of support/partnership letters as an appendix. Letters of support received after the application deadline for this NOFO will not be considered in the evaluation of the proposed project.

## Section D. Application and Submission Information

### **D.2.2.14. Official Resolution**

Include an official resolution adopted by the applicant's board of directors or governing body, or, for state government entities, an official authorized to commit the applicant to the financial and legal obligations associated with receipt of a financial assistance award under this NOFO, verifying:

- The identity of the official with legal authority to enter into an agreement
- The board of directors, governing body, or appropriate official who has reviewed and supports the application submitted
- That the applicant will work with Reclamation to meet established deadlines for entering into a grant or cooperative agreement

An official resolution meeting the requirements set forth above is mandatory. If the applicant is unable to submit the official resolution by the application deadline because of the timing of board meetings or other justifiable reasons, the official resolution may be submitted to [sha-dro-fafoa@usbr.gov](mailto:sha-dro-fafoa@usbr.gov) up to 30 days after the application deadline.

### **D.2.2.15. Conflict of Interest Disclosure**

Per the [Financial Assistance Interior Regulation \(FAIR\), 2 CFR §1402.112](#), applicants must state in their application if any actual or potential conflict of interest exists at the time of submission.

#### *(a) Applicability.*

(1) This section intends to ensure that non-Federal entities and their employees take appropriate steps to avoid conflicts of interest in their responsibilities under or with respect to Federal financial assistance agreements.

(2) In the procurement of supplies, equipment, construction, and services by recipients and by subrecipients, the conflict of interest provisions in 2 CFR 200.318 apply.

#### *(b) Notification.*

(1) Non-Federal entities, including applicants for financial assistance awards, must disclose in writing any conflict of interest to the Department awarding agency or pass-through entity in accordance with 2 CFR 200.112.

(2) Recipients must establish internal controls that include, at a minimum, procedures to identify, disclose, and mitigate or eliminate identified conflicts of interest. The recipient is responsible for notifying the Financial Assistance Officer in writing of any conflicts of interest that may arise during the life of the award, including those that have been reported by subrecipients.

(c) *Restrictions on lobbying.* Non-Federal entities are strictly prohibited from using funds under a grant or cooperative agreement for lobbying activities and must provide the required certifications and disclosures pursuant to 43 CFR part 18 and 31 U.S.C. 1352.

(d) *Review procedures.* The Financial Assistance Officer will examine each conflict-of-interest disclosure on the basis of its particular facts and the nature of the proposed grant or cooperative agreement, and will determine whether a significant potential conflict exists and, if it does, develop an appropriate means for resolving it.



## Notice of Funding Opportunity No. R22AS00163

(e) *Enforcement.* Failure to resolve conflicts of interest in a manner that satisfies the government may be cause for termination of the award. Failure to make required disclosures may result in any of the remedies described in 2 CFR 200.338, Remedies for noncompliance, including suspension or debarment (see also 2 CFR Part 180).

### **D.2.2.16. Single Audit Reporting Statement**

All U.S. states, local governments, federally recognized Indian Tribal governments, and non-profit organizations expending \$750,000 in U.S. dollars or more in Federal award funds in the applicant's FY must submit a Single Audit report for that year through the [Federal Audit Clearinghouse's Internet Data Entry System](#). U.S. state, local government, federally recognized Indian Tribal governments, and non-profit applicants must state if your organization was or was not required to submit a Single Audit report for the most recently closed fiscal year. If your organization was required to submit a Single Audit report for the most recently closed fiscal year, provide the Employer Identification Number (EIN) associated with that report and state if it is available through the [Federal Audit Clearinghouse](#) website.

### **D.2.2.17. Certification Regarding Lobbying**

Applicants requesting more than \$100,000 in Federal funding must certify to the statements in [43 CFR Part 18, Appendix A-Certification Regarding Lobbying](#). If this application requests more than \$100,000 in Federal funds, the Authorized Official's signature on the appropriate SF-424, Application for Federal Assistance form also represents the entity's certification of the statements in 43 CFR Part 18, Appendix A.

## **D.3. Unique Entity Identifier and System for Award Management (SAM)**

### **D.3.1. Identifier and System for Award Management Registration in SAM.gov**

This requirement does not apply to individuals applying for funds as individual (i.e., unrelated to any business or nonprofit organization you may own or operate) or any entity with an exception approved by the funding bureau or office in accordance with bureau or office policy. All other applicants are required to obtain a Data Universal Numbering System (DUNS) number from Dun & Bradstreet (D&B) and then register in [SAM.gov](#) prior to submitting a Federal award application. Federal award recipients must continue to maintain an active [SAM.gov](#) registration with current information through the life of their Federal award(s). See the "Submission Requirements" section of this document below for more information on [SAM.gov](#) registration. We may not make a Federal award to an applicant that has not completed the [SAM.gov](#) registration. If an applicant selected for funding has not completed their [SAM.gov](#) registration by the time the program is ready to make an award, the program may determine that the applicant is not qualified to receive an award. The program can use that determination as a basis for making an award to another applicant. **There is no cost to register with Dun & Bradstreet or [SAM.gov](#).** There are third-party vendors who will charge a fee in exchange for registering entities with Dun & Bradstreet and SAM.gov; **please be aware you can register and request help for free.**



## Section D. Application and Submission Information

### D.3.2. Obtain a DUNS Number

Request a DUNS Number through the [Dun & Bradstreet website](#). For technical difficulties, send an email to the D&B SAM Help Desk. Please ensure that you are able to receive emails from [SAMHelp@dnb.com](mailto:SAMHelp@dnb.com). The Grants.gov “Obtain a DUNS Number” webpage also provides detailed instructions. Once assigned a DUNS number, your organization must maintain up-to-date information with Dun & Bradstreet. Applicants must enter their DUNS number in the “Organizational DUNS” field on the SF-424 Application for Federal Assistance form.

### D.3.3. Register with the System for Award Management

Register on the [SAM.gov](#) website. “Help” tab on the website contains User Guides and other information to assist you with registration. The [Grants.gov Register with SAM page](#) also provides detailed instructions. You can also contact the supporting Federal Service Desk for help registering in SAM. Once registered in SAM, entities must renew and revalidate their SAM registration at least once every 12 months from the date previously registered. Entities are strongly encouraged to revalidate their registration as often as needed to ensure their information is up to date and reflects changes that may have been to the entity’s DUNS or IRS information.

Reclamation will not make a Federal award to an applicant until the applicant has complied with all applicable unique entity identifier and SAM requirements and, if an applicant has not fully complied with the requirements by the time the Reclamation is ready to make an award, Reclamation may determine that the applicant is not qualified to receive a Federal award and use that determination as a basis for making a Federal award to another applicant.

## D.4. Submission Date and Time

*Due Date for Applications: Thursday, March 31, 2022, 4:00 p.m. Mountain Daylight Time*

Applications must be submitted (not postmarked by) no later than: March 31, 2022, 4:00 p.m. Mountain Daylight Time (MDT).

Electronic and Physical Proposals received after the application deadline will not be considered unless it can be determined that the delay was caused by Reclamation mishandling or technical issues with the [Grants.gov](#) application system. Please note that difficulties related to an applicant’s Grants.gov profile (e.g., incorrect organizational representative), uploading documents to Grants.gov, or an applicant’s SAM registration are not considered technical issues with the Grants.gov system.

*Please note that any application submitted for funding under this NOFO may be subjected to a Freedom of Information Act (FOIA) request (5 U.S.C. §552, as amended by P.L. No. 110-175), and as a result, may be made publicly available. Following awards of funding, Reclamation will post all successful applications on the Reclamation website, [www.usbr.gov/watersmart](http://www.usbr.gov/watersmart), after conducting any redactions determined necessary by Reclamation, in consultation with the recipient.*

## Notice of Funding Opportunity No. R22AS00163

### D.4.1. Application Delivery Instructions

The applications may be submitted electronically through Grants.gov ([www.grants.gov](http://www.grants.gov)) or a hard copy may be submitted to either one of the following addresses. Under no circumstances will applications received through any other method (such as e-mail or fax) be considered eligible for award.

By mail or United States Postal Service overnight services:

Bureau of Reclamation  
Financial Assistance Operations  
Attn: NOFO Team  
P.O. Box 25007, MS 84-27133  
Denver, CO 80225

All other express delivery:

Bureau of Reclamation mail services  
Attn: NOFO Team  
Denver Federal Center  
Bldg. 67, Rm. 152  
6th Avenue and Kipling Street  
Denver, CO 80225

By courier services: Bureau of Reclamation  
Attn: NOFO Team  
Denver Federal Center  
Bldg. 67, Rm. 152  
6th Avenue and Kipling Street  
Denver, CO 80225

### D.4.2. Instructions for Submission of Project Application

Each applicant should submit an application in accordance with the instructions contained in this section.

#### ***D.4.2.1. Applications Submitted by Mail, Express Delivery or Courier Services***

Please follow these instructions to submit your application by mail, express delivery, or courier services.

- Applicants should submit one copy of all application documents for hardcopy submissions. Only use a binder clip for documents submitted. Do not staple or otherwise bind application documents.
- Hard copy applications may be submitted by mail, express delivery, or courier services to the addresses identified in this NOFO.
- Materials arriving separately will not be included in the application package and may result in the application being rejected or not funded. This does not apply to letters of support, funding commitment letters, or official resolutions.

## Section D. Application and Submission Information

- Faxed and e-mailed copies of application documents will not be accepted.
- Do not include a cover letter or company literature/brochure with the application. All pertinent information must be included in the application package.

### **D.4.2.2. Applications Submitted Electronically**

If the applicant chooses to submit an electronic application, it must be submitted through Grants.gov. Reclamation encourages applicants to submit their applications for funding electronically through the URL: [www.grants.gov/applicants/apply-for-grants.html](http://www.grants.gov/applicants/apply-for-grants.html). Applicant resource documents and a full set of instructions for registering with Grants.gov and completing and submitting applications online are also available at: [www.grants.gov/applicants/apply-for-grants.html](http://www.grants.gov/applicants/apply-for-grants.html).

- Please note that submission of an application electronically requires prior registration through Grants.gov, which may take 7 to 21 days. Please see registration instructions at [www.grants.gov/applicants/apply-for-grants.html](http://www.grants.gov/applicants/apply-for-grants.html). *In addition, please note that the Grants.gov system only accepts applications submitted by individuals that are registered and active in SAM as both a user and an Authorized Organizational Representative.*
- Applicants have experienced significant delays when attempting to submit applications through Grants.gov. If you plan to submit your application through Grants.gov you are encouraged to submit your application several days prior to the application deadline. If you are a properly registered Grants.gov applicant and encounter problems with the Grants.gov application submission process, you must contact the Grants.gov Help Desk to obtain a case number. This case number will provide evidence of your attempt to submit an application prior to the submission deadline.

*Regardless of the delivery method used, you must ensure that your proposal arrives by the date and time deadline stated in this NOFO. Applications received after this date and time due to weather or express delivery/courier performance will not be considered for award. Late applications will not be considered unless it is determined that the delay was caused by Reclamation mishandling or technical issues with the Grants.gov application system.* Please note that difficulties related to an applicant's Grants.gov profile (e.g., incorrect organizational representative), uploading documents to Grants.gov, or an applicant's SAM registration are not considered technical issues with the Grants.gov system.

### **D.4.2.3. Acknowledgement of Application Receipt.**

If an application is submitted by mail, express delivery, or courier, Reclamation will notify you via e-mail that your application was received.

If an application is submitted through Grants.gov, you will receive an e-mail acknowledging receipt of the application from Grants.gov. In addition, Reclamation will notify you in writing whether your application was successfully downloaded from Grants.gov.

## D.5. Intergovernmental Review

This NOFO is subject to E.O. 12372, “Intergovernmental Review of Federal Programs.” A list of states that have elected to participate in the intergovernmental review process are listed on the Office of Management and Budget’s website, <https://www.whitehouse.gov/wp-content/uploads/2020/04/SPOC-4-13-20.pdf>. Applicants in these states must contact their state's Single Point of Contact (SPOC) to find out about and comply with the state's process under Executive Order 12372. The names and addresses of the SPOCs are also listed on the Office of Management and Budget's website, <https://www.whitehouse.gov/wp-content/uploads/2020/04/SPOC-4-13-20.pdf>.

## D.6. Pre-Award Costs

If the proposed project is selected, the awarding Reclamation Grants Officer will review the proposed pre-award costs to determine if they are consistent with program objectives and are allowable in accordance with the authorizing legislation. Proposed pre-award costs must also be compliant with all applicable administrative and cost principles criteria established in 2 CFR Part 200 and all other requirements of this NOFO. **In no case will costs incurred prior to July 1, 2022, be considered for inclusion in the proposed project budget.**

*Please note that the costs for preparing and submitting an application in response to this NOFO, including the development of data necessary to support the proposal, are not eligible project costs under this NOFO and must not be included in the project budget.*

In addition, please ensure that the budget proposal includes any project costs that may be incurred prior to award. For each cost, describe:

- The project expenditure and amount
- The date of cost incurrence
- How the expenditure benefits the project

## D.7. Automated Standard Application for Payments Registration

All applicants must also be registered with and willing to process all payments through the Department of Treasury Automated Standard Application for Payments (ASAP) system. All recipients with active financial assistance agreements with Reclamation must be enrolled in ASAP under the appropriate Agency Location Code(s) and the DUNS Number prior to the award of funds. If a recipient has multiple DUNS numbers, they must separately enroll within ASAP for each unique DUNS Number and/or Agency. All of the information on the enrollment process for recipients, including the enrollment initiation form, will be sent to you by ASAP staff if selected for award.

Note that if your entity is currently enrolled in the ASAP system with an agency other than Reclamation, you must enroll specifically with Reclamation in order to process payments.

## Section E. Application Review Information

### E.1. Technical Proposal: Evaluation Criteria

The evaluation criteria portion should be addressed in the technical proposal section of the application. Applications should thoroughly address each criterion and any sub-criterion in the order presented below. **Applications will be evaluated against the evaluation criteria listed below.** If the work described in your application is a phase of a larger project, only discuss the benefits that will result directly from the work discussed in the technical project description and that is reflected in the budget, not the larger project.

<b>Evaluation Criteria Scoring Summary</b>	<b>Points:</b>
A. Watershed Group Diversity and Geographic Scope	30
B. Developing Strategies to Address Critical Watershed Needs	35
C. Implementation and Results	25
D. Presidential and Department of the Interior Priorities	10
<b>Total</b>	<b>100</b>

*Note: Projects may be prioritized to ensure balance among the program task areas and to ensure that the projects address the goals and objectives of this NOFO.*

#### E.1.1. Evaluation Criterion A—Watershed Group Diversity and Geographic Scope (30 points)

Up to **30 points** may be awarded for this criterion. Sub-criteria are listed in descending order of importance.

Proposals demonstrating that the New or Existing Watershed Group will represent the maximum diversity of interests, including representatives of the different sectors that exist within the watershed (e.g., hydropower production; livestock grazing; agriculture; industry; or state, local, and tribal governments), will receive the highest priority consideration under this criterion. For example, in previous years, successful applicants targeted a diverse array of stakeholders that included farmers, irrigators, tourist and recreation groups, industry, environmental organizations, universities, local governments, and disadvantaged communities.

Priority will also be given to those proposals that target stakeholders and project concepts for small to medium sub-basin sized watersheds (e.g., an approximate 8-digit USGS HUC [water.usgs.gov/GIS/huc.html](http://water.usgs.gov/GIS/huc.html)) and that represent the full extent of the watershed.

## Notice of Funding Opportunity No. R22AS00163

### **E.1.1.1. Sub-criterion No. A1. Watershed Group Diversity**

Points shall be awarded to proposals based on the extent to which they encourage collaboration with a diverse array of stakeholders across the watershed.

Please describe the efforts that you will undertake to ensure that the watershed group will include a diverse array of stakeholders, including outreach to stakeholders or collaborating with other groups or partners. If the watershed itself does not include a diverse set of interests and sectors, please also provide an explanation of this (e.g., some watersheds may not include affected stakeholders in all the sectors identified in the definition of a “watershed group” provided in *Section A.2. Objective of this Notice of Funding Opportunity*). If your proposed project is for site-specific planning or project design, rather than watershed wide planning, please still discuss the stakeholder diversity throughout the entire watershed in which the watershed group works. In responding to this sub-criterion, please include:

- For New and Existing Watershed Groups, a description of the stakeholders within the watershed that affect or are affected by the quantity or quality of water within the watershed (“affected stakeholders”).
- For New Watershed Groups, a description of the affected stakeholders within the watershed that support the formation of watershed group. To the extent possible, please identify the specific stakeholders or groups that already support the formation of the watershed group, describe their interest in the watershed, what their involvement in the group entails, and reference any letters of support or pledges/donations from affected stakeholders.
- For Existing Watershed Groups, an explanation of the current membership of the watershed group and whether the current membership is representative of the affected stakeholders within the watershed. In other words, if the watershed group is already diverse, please provide support demonstrating the diversity of the group. Provide a description of the stakeholders that are involved, what their involvement in the group entails, and reference any letters of support or pledges/donations from affected stakeholders.
- For New and Existing Watershed Groups, if the group does not already represent the full stakeholder diversity of the watershed, provide details on how you plan to target affected stakeholders to ensure that your group will represent a diverse set of stakeholders within the watershed, such as engaging in outreach to include new members, or collaborating with different groups or partners (e.g., outreach or partnership activities, public meetings, newsletters, marketing materials, or recruitment of new members).
- Any other support demonstrating that the watershed group will include a diverse membership.

### **E.1.1.2. Sub-criterion No. A2. Geographic Scope**

Under this sub-criterion, higher priority will be given to Watershed Groups representing the full geographic extent of the watershed. Applicants will receive points based on the extent to which they intend to do work and include stakeholders from across the entire extent of the watershed.

In addition, proposals that target small to medium sub-basin sized watersheds, for example an approximate 8-digit USGS HUC, [water.usgs.gov/GIS/huc.html](http://water.usgs.gov/GIS/huc.html), will be given priority over large or very small watersheds.

## Section E. Application Review Information

Please provide the following information in response to this sub-criterion:

- Provide a map illustrating the geographic boundaries of the area in which the watershed group will work.
- The map should also identify the location or boundaries of the stakeholder groups within the area and indicate which stakeholders are currently involved in the group and which will be targeted through outreach. If a map of stakeholder locations cannot be provided, please describe the geographic scope of the area to the best of your knowledge, including where specific stakeholders are located within the watershed
- Describe the extent to which the planned membership of the watershed group will represent the full geographic scope of the area in which the group intends to work. If applicable, describe the extent to which the watershed group already represents the geographic scope of the area.
- Describe the efforts that you will undertake to ensure that the watershed group will target stakeholders that represent the full geographic scope of the area in which the watershed group will work. For example, will outreach focus on stakeholders in a certain part of the watershed the have historically not been represented in the watershed group.
- Describe why you have chosen to work within the watershed area you described. For example, if the watershed group is only working along the river corridor, describe why they are not working within the larger watershed area.
- If your proposed project is for site-specific planning (e.g., completing planning for a specific stream reach) or watershed management project design, rather than watershed wide planning, please first address the above question for the entire watershed area in which the watershed group works and then address the following related to the smaller area for which you are completing planning or design.
  - Provide a map illustrating the location of the planning or design.
  - Briefly describe why you have chosen to complete site-specific planning or project design in this location.

### **E.1.2. Evaluation Criterion B—Addressing Critical Watershed Needs (35 points)**

Up to **35 points** may be awarded under this criterion based on the extent of the critical issues or needs within the watershed that can be addressed by the New or Existing Watershed Group. Sub-criteria are listed in descending order of importance.

#### ***E.1.2.1. Sub-criterion No. B1. Critical Watershed Needs or Issues***

Please describe in detail the critical issues or needs occurring within the watershed, for example: declining ecological resiliency, water shortages, flooding, structural impairments, water supply, water quality issues (e.g., addressing Total Maximum Daily Loads), endangered species issues, conflicts over water supply, and other related issues faced by affected stakeholders.

## Notice of Funding Opportunity No. R22AS00163

Endangered species issues may focus on, but are not limited to, activities prioritized by resource agencies such as National Oceanic and Atmospheric Administration's (NOAA) Fisheries or U.S. Fish and Wildlife Service (USFWS), and appropriate state natural resource agencies.

Provide quantitative and qualitative support to describe the severity of the critical issues or needs. If the concerns are not yet severe, describe why it is important to address the concerns preemptively and explain the potential impacts of not addressing the concerns.

Applicants should consider contacting Federal, state, and local agencies; non-governmental organizations; and other affected stakeholders to discuss what critical issues are affecting the watershed.

### ***E.1.2.2. Sub-criterion No. B2. Developing Strategies to Address Critical Watershed Needs or Issues***

Please describe in detail how the group plans to positively contribute to the management of the issues and needs of the watershed through the proposed activities. Only address those Task Areas that you propose to complete with this grant funding. Please address the following when responding to this sub-criterion:

#### **Task A: Water Group Development**

- Describe the Task A Watershed Group Development activities that will be completed as part of this grant project and explain why these activities are an important step for addressing the critical watershed needs and issues in the watershed discussed in sub-criterion No. B1. Explain why establishment of a New Watershed Group or further development of an Existing Watershed Group is important for the addressing the critical watershed needs and issues in the watershed area.
- If the watershed group will build on previous partnership building efforts, describe these efforts and how the watershed group will expand upon them through this grant.

#### **Task B: Watershed Restoration Planning**

- Describe the Task B Watershed Restoration Planning activities that will be completed as part of this grant project and explain why these activities are an important step for addressing the critical watershed needs and issues in the watershed discussed in sub-criterion No. B1.
- How does the group plan to gather information regarding the critical issues and needs of the watershed (e.g., contacting government agencies, talking to stakeholders, literature research, monitoring and modeling activities)?
- Will the group identify opportunities to resolve conflicts? If so, how?
- Will the group complete an analysis to prioritize issues within the restoration plan?
- If the watershed group will build on previous efforts, describe these efforts and how the watershed group will expand upon them through the proposed work.



**Task C: Watershed Management Project Design**

- Describe the Task C Watershed Management Project Design activities that will be completed as part of this grant project and explain why these activities are an important step for addressing the critical watershed needs and issues in the watershed discussed in sub-criterion No. B1.
- To the extent known, describe the project(s) for which the watershed group will complete a design.
- Will the group complete an analysis to prioritize watershed management projects and identify specific project locations? If yes, describe this analysis.
- What type of site-specific project design and engineering will the watershed group complete?
- How will the watershed group develop a project timeline and milestones for the project?
- Will the watershed group work with Reclamation’s environmental and cultural resource staff to determine what type of site-specific environmental compliance will be necessary for the project(s) upon implementation (Federal environmental compliance will be required if the project is implemented with Federal funding or is located on Federal lands).
- If the watershed group will build on previous efforts, describe these efforts and how the watershed group will expand upon them through the proposed work.

**E.1.3. Evaluation Criterion C—Implementation and Results (25 points)**

Up to **25 points** may be awarded to proposals based on the extent to which the proposal demonstrates that the applicant understands program requirements, is able to implement planned activities within the required two-year time frame, and the extent to which the proposed activities will complement existing Federal, state, or regional planning efforts. Sub-criteria are in descending order of importance.

**E.1.3.1. Sub-criterion No. C1—Project Implementation**

Please note, if your project is selected, responses provided in this section will be used to develop the scope of work that will be included in the financial assistance agreement.

Applicants should describe their plan for implementing the proposed scope of work. Please include an estimated schedule that shows the stages and duration of the proposed work. The schedule should include:

- Major tasks (e.g., stakeholder outreach; development of bylaws, a mission statement, and articles of incorporation; or development of a watershed restoration plan and project design)
- Milestones for each task
- Start and end dates for each task and milestone
- Costs for each task

**E.1.3.2. Sub-criterion No. C2—Building on Relevant Federal, State, or Regional Planning Efforts**

Please describe how the proposed activities that are part of this grant project will complement, build upon, or meet the goals of relevant Federal, state, or regional planning efforts. Such plans may include but are not limited to:

- Water conservation plans
- Drought contingency plans
- Plans that meet the criteria identified in the U.S. Environmental Protection Agency’s (EPA) Nonpoint Source Management Program
- Plans that meet the EPA’s criteria for Watershed-Based Plans
- Or other relevant plans or planning efforts

Reclamation suggests that groups contact Federal, state, or local agencies in your area to identify existing goals and plans relevant to the watershed group. Please reference any relevant plans, but do not include these plans as part of this application.

**E.1.4. Evaluation Criterion D—Presidential and Department of the Interior Priorities (10 points)**

Up to **10 points** may be awarded based on the extent that the project demonstrates support for the Biden-Harris Administration’s priorities, including E.O. 14008: *Tackling the Climate Crisis at Home and Abroad*, E.O. 13985: *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*, and the President’s memorandum, *Tribal Consultation and Strengthening Nation-to-Nation Relationships*. Points will be allocated based on the degree to which the project supports the priorities listed, and whether the connection to the priority(ies) is well supported in the application. **Without repeating benefits already described in previous criteria, describe in detail how the proposed project supports a priority(ies) below.**

**Sub-criterion No. E1. Climate Change:** Points will be awarded based on the extent the project will reduce climate pollution; increase resilience to the impacts of climate change; protect public health; and conserve our lands, waters, oceans, and biodiversity. Address the following as relevant to your project.

**Combating the Climate Crisis:** E.O. 14008: *Tackling the Climate Crisis at Home and Abroad*, focuses on increasing resilience to climate change and supporting climate- resilient development. For additional information on the impacts of climate change throughout the western United States, see: <https://www.usbr.gov/climate/secure/docs/2021secure/2021SECUREREport.pdf>. Please describe how the project will address climate change, including the following:

- Please provide specific details and examples on how the project will address the impacts of climate change and help combat the climate crisis.
- Does this proposed project strengthen water supply sustainability to increase resilience to climate change? Does the proposed project contribute to climate change resiliency in other ways not described above?

**Sub-criterion No. E2. Disadvantaged or Underserved Communities:** Points will be awarded based on the extent to which the Project serves economically disadvantaged or underserved communities in rural or urban areas.

- Will the proposed project serve or benefit a disadvantaged or historically underserved community? Benefits can include, but are not limited to, public health and safety by addressing water quality, new water supplies, or economic growth opportunities.
- Please describe in detail how the community is disadvantaged based on a combination of variables that may include the following:
  - Low income, high and/or persistent poverty
  - High unemployment and underemployment
  - Racial and ethnic residential segregation, particularly where the segregation stems from discrimination by government entities
  - Linguistic isolation
  - High housing cost burden and substandard housing
  - Distressed neighborhoods
  - High transportation cost burden and/or low transportation access
  - Disproportionate environmental stressor burden and high cumulative impacts
  - Limited water and sanitation access and affordability
  - Disproportionate impacts from climate change
  - High energy cost burden and low energy access
  - Jobs lost through energy transition
  - Access to healthcare
- If the proposed project is providing benefits to an underserved community, provide sufficient information to demonstrate that the community meets the underserved definition in E.O. 13985, which includes populations sharing a particular characteristic, as well as geographic communities, that have been systematically denied a full opportunity to participate in aspects of economic, social, and civic life.

**E.1.5. Sub-criterion No. E.3. Tribal Benefits**

Points will be awarded based on the extent to which the Project will honor the Federal government's commitments to Tribal Nations.

- Does the proposed project directly serve and/or benefit a Tribe? Will the project improve water management for an Indian Tribe?
- Does the proposed project support Tribal resilience to climate change and drought impacts or provide other Tribal benefits such as improved public health and safety by addressing water quality, new water supplies, or economic growth opportunities?

## **E.2. Review and Selection Process**

The Federal government reserves the right to reject any and all applications that do not meet the requirements or objectives of this NOFO. Awards will be made for projects most advantageous to the Federal Government. Award selection may be made to maintain balance among the eligible projects listed in this NOFO. The evaluation process will be comprised of the steps described in the following subsections.

### **E.2.1. Initial Screening**

All application packages will be screened to ensure that:

- The applicant meets the eligibility requirements stated in this NOFO.
- The applicant meets the unique entity identifier and SAM registration requirements stated in this NOFO (this may be completed up to 30 days after the application deadline).
- The application meets the content requirements of the NOFO package, including submission of a technical proposal, responses to the evaluation criteria, budget proposal, and budget narrative.
- The application contains properly executed forms SF-424, Application for Financial Assistance and SF-424B, Assurances Non-Construction Programs, and a completed SF-424A, Budget Information Non-Construction Programs
- The application includes an official resolution, adopted by the applicant's board of directors, governing body, or appropriate authorized official (this may be submitted up to 30 days after the application deadline).

Reclamation reserves the right to remove an application from funding consideration if it does not pass all Initial Screening criteria listed above. An applicant that has submitted an application that is determined to be ineligible for funding will be notified along with other applicants, or sooner, if possible.

### **E.2.2. Application Review Committee**

Evaluation criteria will comprise the total evaluation weight as stated in the *Section E.1. Technical Proposal: Evaluation Criteria*.

Applications will be scored against the evaluation criteria by an ARC, made up of experts in relevant disciplines selected from across Reclamation. The ARC will also review the application to ensure that the project meets the description of eligible projects and meets the objective of this NOFO. The ARC may also change the Applicant Category for an application where they deem appropriate (See *Section C.1.3. Applicant Category Guidance*).

During ARC review, Reclamation may contact applicants to request clarifications to the information provided, if necessary.

### **E.2.3. Red-Flag Review**

Following the results of the ARC review, Reclamation offices will review the top-ranking applications and will identify any reasons why a proposed project would not be feasible or otherwise advisable, including environmental or cultural resources compliance issues, permitting issues, legal issues, or financial position. Positive or negative past performance by the applicant and any partners in previous working relationships with Reclamation may be considered, including whether the applicant is making significant progress toward the completion of outstanding financial assistance agreements and whether the applicant is in compliance with all reporting requirements associated with previously funded projects.

In addition, during this review, Reclamation will address any specific concerns or questions raised by members of the ARC, conduct a preliminary budget review, and evaluate the applicant's ability to meet cost share as required.

### **E.2.4. Managerial Review**

Reclamation management will prioritize projects to ensure the total amount of all awards does not exceed available funding levels. Management will also ensure that all projects meet the scope, priorities, requirements, and objectives of this NOFO. Management may also prioritize projects to ensure that multiple project types are represented. After completion of the Managerial Review, Reclamation will notify applicants whose proposals have been selected for award consideration.

### **E.2.5. Pre-Award Clearances and Approvals**

The following pre-award clearances and approvals must be obtained before an award of funding is made. If the results of all pre-award reviews and clearances are satisfactory, an award of funding will be made once the agreement is finalized (approximately one to three months from the date of initial selection). If the results of pre-award reviews and clearances are unsatisfactory, consideration of funding for the project may be withdrawn.

#### ***E.2.5.1. Environmental Review***

Reclamation will forward the proposal to the appropriate Reclamation Regional or Area Office for completion of environmental compliance, if applicable. To the extent possible, environmental compliance will be completed before a financial assistance agreement is signed by the parties. However, in most cases, the award can be completed with the release of funds contingent on completion of environmental compliance and receipt of a written Notice to Proceed from the Reclamation Grants Officer. The financial assistance agreement will describe how compliance will be carried out. Ground-disturbing activities (e.g., installation of a stream gage, biological or water quality monitoring) may not occur until environmental compliance is complete and a notice to proceed is issued by the awarding Reclamation Grants Officer.

#### ***E.2.5.2. Budget Analysis and Business Evaluation***

A Reclamation Grants Officer will also conduct a detailed budget analysis and complete a business evaluation and responsibility determination. During this evaluation, the Reclamation Grants Officer will consider several factors that are important, but not quantified, such as:

- Allowability, allocability, and reasonableness of proposed costs
- Financial strength and stability of the applicant

## **Notice of Funding Opportunity No. R22AS00163**

- Past performance, including satisfactory compliance with all terms and conditions of previous awards, such as environmental compliance issues, reporting requirements, proper procurement of supplies and services, and audit compliance
- Adequacy of personnel practices, procurement procedures, and accounting policies and procedures, as established by applicable Office of Management and Budget circulars

### **E.3. Federal Award Performance Integrity Information System**

Prior to making an award with a Federal total estimated amount greater than \$150,000, Reclamation is required to review and consider any information about the applicant that is in the designated integrity and performance system accessible through SAM (currently Federal Award Performance Integrity Information System [FAPIIS]) (see 41 U.S.C. §2313).

Applicants, at their option, may review information in the designated integrity and performance systems accessible through SAM and comment on any information about themselves that a Federal awarding agency previously entered and that is currently in the designated integrity and performance system accessible through SAM. Reclamation will consider any comments by the applicant, in addition to the other information in FAPIIS, in making a judgment about the applicant's integrity, business ethics, and record of performance under Federal awards when completing the review of risk posed by applicants as described in 2 CFR §200.205 Federal awarding agency review of risk posed by applicants.

# Section F. Federal Award Administration Information

## F.1. Federal Award Notices

Successful applicants will receive by electronic mail, a notice of selection signed by a Reclamation Grants Officer. This notice is not an authorization to begin performance.

## F.2. Administrative and National Policy Requirements

See the “[DOI Standard Terms and Conditions](#)” for the administrative and national policy requirements applicable to Department awards.”

### F.2.1. Environmental and Cultural Resources Compliance

All projects being considered for award funding will require compliance with the National Environmental Policy Act (NEPA) before any ground-disturbing activity may begin. Compliance with all applicable state, Federal and local environmental, cultural, and paleontological resource protection laws and regulations is also required. These may include, but are not limited to, Clean Water Act (CWA), Endangered Species Act (ESA), National Historic Preservation Act (NHPA), consultation with potentially affected tribes, and consultation with the State Historic Preservation Office.

Reclamation will be the lead Federal agency for NEPA compliance and will be responsible for evaluating technical information and ensuring that natural resources, cultural, and socioeconomic concerns are appropriately addressed. As the lead agency, Reclamation is solely responsible for determining the appropriate level of NEPA compliance. Further, Reclamation is responsible to ensure that findings under NEPA, and consultations, as appropriate, will support Reclamation’s decision on whether to fund a project. Environmental and cultural resources compliance costs are considered project costs. These costs will be considered in the ranking of applications.

Depending on the potential impacts of the project, Reclamation may be able to complete its compliance activities without additional cost to the recipient. Where environmental or cultural resources compliance requires significant participation by Reclamation, costs anticipated to be incurred by Reclamation will be added as a line item to the budget during development of the financial assistance agreement and cost shared accordingly. Any costs to the recipient associated with compliance will be identified during the process of developing a final project budget for inclusion in the financial assistance agreement.

## Notice of Funding Opportunity No. R22AS00163

*Note: If mitigation is required to lessen environmental impacts, the applicant may, at Reclamation's discretion, be required to report on progress and completion of these commitments. Reclamation will coordinate with the applicant to establish reporting requirements and intervals accordingly.*

***Under no circumstances may an applicant begin any monitoring, measurement, or other ground-disturbing activities before environmental and cultural resources compliance is complete and Reclamation provides written notification that all such clearances have been obtained. This pertains to all components of the proposed project, including those that are part of the applicant's non-Federal cost-share. An applicant that proceeds before environmental and cultural resources compliance is complete may risk forfeiting Reclamation funding under this NOFO.***

### **F.2.2. Approvals and Permits**

Recipients shall adhere to Federal, state, territorial, Tribal, and local laws, regulations, and codes, as applicable, and shall obtain all required approvals and permits. Recipients shall also coordinate and obtain approvals from site owners and operators.

### **F.2.3. Data and Data Tools**

Any spatially explicit data or tools developed in the performance of an award made under this NOFO must be developed in industry standard formats that are compatible with geographic information system (GIS) platforms.

### **F.2.4. Intangible Property (2 CFR §200.315)**

Title to intangible property acquired under a Federal award vests upon acquisition in the non-Federal entity (see §200.59 Intangible Property [of this CFR]). The non-Federal entity must use that property for the originally authorized purpose and must not encumber the property without approval of the Federal awarding agency. When no longer needed for the originally authorized purpose, disposition of the intangible property must occur in accordance with the provisions in §200.313(e) Equipment (of this CFR).

The non-Federal entity may copyright any work that is subject to copyright and was developed, or for which ownership was acquired, under a Federal award. The Federal awarding agency reserves a royalty-free, nonexclusive, and irrevocable right to reproduce, publish, or otherwise use the work for Federal purposes, and to authorize others to do so.

The non-Federal entity is subject to applicable regulations governing patents and inventions, including government wide regulations issued by the Department of Commerce at 37 CFR §401, "Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Awards, Contracts and Cooperative Agreements."

The Federal government has the right to:

- obtain, reproduce, publish, or otherwise use the data produced under a Federal award and
- authorize others to receive, reproduce, publish, or otherwise use such data for Federal purposes.



### F.2.5. Freedom of Information Act

- (1) In response to a Freedom of Information Act (FOIA) request for research data relating to published research findings produced under a Federal award that were used by the Federal government in developing an agency action that has the force and effect of law, the Federal awarding agency must request, and the non-Federal entity must provide, within a reasonable time, the research data so that they can be made available to the public through the procedures established under the FOIA. If the Federal awarding agency obtains the research data solely in response to a FOIA request, the Federal awarding agency may charge the requester a reasonable fee equaling the full incremental cost of obtaining the research data. This fee should reflect costs incurred by the Federal agency and the non-Federal entity. This fee is in addition to any fees the Federal awarding agency may assess under the FOIA (5 U.S.C. 552(a)(4)(A)).
- (2) Published research findings mean when:
  - (i) Research findings are published in a peer-reviewed scientific or technical journal; or
  - (ii) A Federal agency publicly and officially cites the research findings in support of an agency action that has the force and effect of law. “Used by the Federal government in developing an agency action that has the force and effect of law” is defined as when an agency publicly and officially cites the research findings in support of an agency action that has the force and effect of law.
- (3) Research data means the recorded factual material commonly accepted in the scientific community as necessary to validate research findings, but not any of the following: preliminary analyses, drafts of scientific papers, plans for future research, peer reviews, or communications with colleagues. This “recorded” material excludes physical objects (e.g., laboratory samples). Research data also does not include:
  - (i) Trade secrets, commercial information, materials necessary to be held confidential by a researcher until they are published, or similar information which is protected under law; and
  - (ii) Personnel and medical information and similar information the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, such as information that could be used to identify a particular person in a research study.

### F.2.6. Real Property, 2 CFR §200.311

Real property, equipment, and intangible property, that are acquired or improved with a Federal award must be held in trust by the non-Federal entity as trustee for the beneficiaries of the project or program under which the property was acquired or improved (2 CFR §200.316 *Property trust relationship*). Title to real property acquired or improved under a Federal award will vest upon acquisition in the non-Federal entity. Except as otherwise provided by Federal statutes or by the Federal awarding agency, real property will be used for the originally authorized purpose as long as needed for that purpose, during which time the non-Federal entity must not dispose of or encumber its title or other interests. When real property is no longer needed for the originally authorized purpose, the non-Federal entity must obtain disposition instructions from the Federal awarding agency or pass-through entity. As required by 2 CFR §200.329 *Reporting on real property*, recipients will be required to submit reports on the status of real property acquired or improved under a financial assistance agreement issued under this NOFO.

## F.3. Reporting Requirements and Distribution

If the applicant is awarded an agreement as a result of this NOFO, the applicant will be required to submit the following reports during the term of the agreement. Recipients will also be required to have a system in place to comply with these reporting requirements (see 2 CFR §170.210 for additional information).

### F.3.1. Financial Reports

Recipients will be required to submit a fully completed form SF-425 Federal Financial Report on at least a semiannual basis and with the final performance report. The SF-425 must be signed by a person legally authorized to obligate the recipient.

### F.3.2. Interim Performance Reports

The specific terms and conditions pertaining to the reporting requirements will be included in the financial assistance agreement. Interim performance reports submitted on at least a semiannual basis, which include the following information:

- A comparison of actual accomplishments to the milestones established by the financial assistance agreement for the period
- The reasons why established milestones were not met, if applicable
- The status of milestones from the previous reporting period that were not met, if applicable
- Whether the project is on schedule and within the original cost estimate
- Any additional pertinent information or issues related to the status of the project

### F.3.3. Final Performance Report

Recipients will be required to submit a final performance report encompassing the entire period of performance. The final performance report must include, but is not limited to, the following information:

- Whether the project objectives and goals were met.
- If applicable, a copy of the completed Watershed Restoration Plan.
- Photographs documenting the project are also appreciated.

Note: Reclamation may print photos with appropriate credit to the applicant. Also, final reports are public documents and will be made available on Reclamation's website.

### F.3.4. Sufficiency Report

Only a portion of funding will be made available when the financial assistance agreement is initially signed. As required by §6002 of the Cooperative Watershed Management Act (see *Section A.1. Authority* for the full citation), for each year of the grant, Reclamation must make a determination on whether a recipient has made sufficient progress on its project during the year to justify any additional funding. If the applicant is awarded an agreement as a result of this NOFO, the applicant will be required to provide a sufficiency report that describes the progress made on the project since the effective date of the agreement. If it is determined that the progress during the year justifies additional funding, grant funds will be made available for the second year.

## F.4. Disclosures

### F.4.1. Conflict of Interest

Recipients must notify the program immediately in writing of any conflict of interest that arise during the life of their Federal award, including those reported to them by any subrecipient under the award. Recipients must notify the program in writing if any employees, including subrecipient and contractor personnel, are related to, married to, or have a close personal relationship with any Federal employee in the Federal funding program or who otherwise may have been involved in the review and selection of the award. The term “employee” means any individual engaged in the performance of work pursuant to the Federal award. Recipients may not have a former Federal employee as a key project official, or in any other substantial role related to their award, whose participation put them out of compliance with the legal authorities addressing post-Government employment restrictions. See [U.S. Office of Government Ethics website](#) for more information on these restrictions. Reclamation will examine each conflict-of-interest disclosure based on its particular facts and the nature of the project and will determine if a significant potential conflict exists. If it does, Reclamation will work with the recipient to determine an appropriate resolution. Failure to disclose and resolve conflicts of interest in a manner that satisfies Reclamation may result in any of the remedies described in 2 CFR §200.338 *Remedies for noncompliance*, including termination of the award.

### F.4.2. Review Procedures

Reclamation will examine each conflict-of-interest disclosure based on its particular facts and the nature of the project and will determine if a significant potential conflict exists. If it does, Reclamation will work with the recipient to determine an appropriate resolution. Failure to disclose and resolve conflicts of interest in a manner that satisfies Reclamation may result in any of the remedies described in 2 CFR §200.338 *Remedies for noncompliance*, including termination of the award.

### F.4.3. Other Mandatory Disclosures

The Non-Federal entity or applicant for a Federal award must disclose, in a timely manner, in writing to the Federal awarding agency or pass-through entity all violations of Federal criminal law involving fraud, bribery, or gratuity violations potentially affecting the Federal award. Non-Federal entities that receive a Federal award including the terms and conditions outlined in 2 CFR 200, *Appendix XII—Award Term and Condition for Recipient Integrity and Performance Matters* are required to report certain civil, criminal, or administrative proceedings to SAM. Failure to make required disclosures can result in any of the remedies described in 2 CFR §200.338 *Remedies for noncompliance*, including suspension or debarment.

## F.5. Data Availability

### F.5.1. Applicability

The Department is committed to basing its decisions on the best available science and providing the American people with enough information to thoughtfully and substantively evaluate the data, methodology, and analysis used by the Department to inform its decisions.

### **F.5.2. Use of Data**

The regulations at 2 CFR §200.315 apply to data produced under a Federal award, including the provision that the Federal Government has the right to obtain, reproduce, publish, or otherwise use the data produced under a Federal award as well as authorize others to receive, reproduce, publish, or otherwise use such data for Federal purposes.

### **F.5.3. Availability of Data**

The recipient shall make the data produced under this award and any subaward(s) available to the Government for public release, consistent with applicable law, to allow meaningful third-party evaluation and reproduction of the following:

- the scientific data relied upon;
- the analysis relied upon; and
- the methodology, including models, used to gather and analyze data.

### **F.5.4. Requirements for Availability of Data (2 CFR §1402.315)**

(a) All data, methodology, factual inputs, models, analyses, technical information, reports, conclusions, valuation products or other scientific assessments in any medium or form, including textual, numerical, graphic, cartographic, narrative, or audiovisual, resulting from a financial assistance agreement is available for use by the Department of the Interior, including being available in a manner that is sufficient for independent verification.

(b) The Federal Government has the right to:

- (1) Obtain, reproduce, publish, or otherwise use the data, methodology, factual inputs, models, analyses, technical information, reports, conclusions, or other scientific assessments, produced under a Federal award; and
- (2) Authorize others to receive, reproduce, publish, or otherwise use such data, methodology, factual inputs, models, analyses, technical information, reports, conclusions, or other scientific assessments, for Federal purposes, including to allow for meaningful third-party evaluation.

### **F.5.5. Geospatial Data**

All geospatial data collected for or produced through the use of the Department of the Interior financial assistance funds are required to meet all relevant standards established by the Federal Geospatial Data Committee (FGDC) as authorized by Geospatial Data Act of 2018, Pub. L. 115-254, Subtitle F –Geospatial Data, §§ 751-759C, codified at 43U.S.C. §§ 2801–2811. Interior requires fully compliant metadata on all Geographic Information Systems files developed for financial assistance projects. If a funded financial assistance project involves acquiring or collecting geospatial data, the recipient is required to search GeoPlatform.gov to determine that no existing Federal, State, local or private data meet the Government’s needs and are available at no cost before acquiring or collecting additional geospatial data.

## **F.6. Releasing Applications**

Following awards of funding, Reclamation may post all successful applications on the Reclamation website after conducting any redactions determined necessary by Reclamation, in consultation with the recipient.

This page is intentionally left blank.

## Section G. Agency Contacts

There will be no pre-application conference. Organizations or individuals interested in submitting applications in response to this NOFO may direct questions to the Reclamation personnel identified below.

### G.1. Reclamation Financial Assistance Contact

Questions regarding application and submission information and award administration may be submitted to the attention of the Notice of Funding Opportunity Team at [bor-sha-fafoa@usbr.gov](mailto:bor-sha-fafoa@usbr.gov). Please note that staff availability on the day of the NOFO closing will be limited.

### G.2. Reclamation Program Coordinator Contact

Questions regarding applicant and project eligibility and application review may be submitted to the attention of Ms. Avra Morgan, Cooperative Watershed Management Program Coordinator, or Ms. Robin Graber, Program Analyst, as follows:

By mail: Bureau of Reclamation  
Water Resources and Planning Office  
Attn: Ms. Avra Morgan  
Mail Code: 86-63000  
P.O. Box 25007  
Denver, CO 80225

By e-mail: [aomorgan@usbr.gov](mailto:aomorgan@usbr.gov)

By phone: 303-445-2906

OR

By mail: Bureau of Reclamation  
Water Resources and Planning Office  
Attn: Ms. Robin Graber  
Mail Code: 86-6300  
P.O. Box 25007  
Denver, CO 80225

By e-mail: [rgraber@usbr.gov](mailto:rgraber@usbr.gov)

By phone: 303-445-2764

This page is intentionally left blank.



## Section H. Other Information

The following is a brief overview of NEPA, NHPA, and ESA. This information is only relevant to proposals that include measurement, monitoring and field work. While these statutes are not the only environmental laws that may apply, they are the Federal laws that most frequently do apply. Compliance with all applicable environmental laws will be initiated by Reclamation concurrently, immediately following the initial recommendation to award a financial assistance agreement under this NOFO. The descriptions below are intended to provide you with information about the environmental compliance issues that may apply to your projects.

### H.1. Environmental and Cultural Resource Considerations

To allow Reclamation to assess the probable environmental and cultural resources impacts and costs associated with each application, all applicants should consider the following list of questions focusing on the NEPA, ESA, and NHPA requirements. Please answer the following questions to the best of your knowledge. If any question is not applicable to the project, please explain why. The application should include the answers to:

- Will the proposed project impact the surrounding environment (e.g., soil [dust], air, water [quality and quantity], animal habitat)? Please briefly describe all earth-disturbing work and any work that will affect the air, water, or animal habitat in the project area. Please also explain the impacts of such work on the surrounding environment and any steps that could be taken to minimize the impacts.
- Are you aware of any species listed or proposed to be listed as a Federal threatened or endangered species, or designated critical habitat in the project area? If so, would they be affected by any activities associated with the proposed project?
- Are there wetlands or other surface waters inside the project boundaries that potentially fall under CWA jurisdiction as “Waters of the United States”? If so, please describe and estimate any impacts the proposed project may have.
- When was the water delivery system constructed?
- Will the proposed project result in any modification of or effects to, individual features of an irrigation system (e.g., headgates, canals, or flumes)? If so, state when those features were constructed and describe the nature and timing of any extensive alterations or modifications to those features completed previously.
- Are any buildings, structures, or features in the irrigation district listed or eligible for listing on the National Register of Historic Places? A cultural resources specialist at your local Reclamation office or the State Historic Preservation Office can assist in answering this question.
- Are there any known archeological sites in the proposed project area?

## Notice of Funding Opportunity No. R22AS00163

- Will the proposed project have a disproportionately high and adverse effect on low income or minority populations?
- Will the proposed project limit access to, and ceremonial use of, Indian sacred sites or result in other impacts on tribal lands?
- Will the proposed project contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area?

### H.1.1. National Environmental Policy Act

NEPA requires Federal agencies such as Reclamation to evaluate, during the decision-making process, the potential environmental effects of a proposed action and any reasonable mitigation measures. Before Reclamation can make a decision to fund an award under this NOFO, Reclamation must comply with NEPA. Compliance with NEPA can be accomplished in several ways, depending upon the degree and significance of environmental impacts associated with the proposal.

Some projects may fit within a recognized **Categorical Exclusion (CE)** to NEPA (i.e., one of the established categories of activities that generally do not have significant impacts on the environment). If a project fits within a CE, no further NEPA compliance measures are necessary. Use of a CE can involve simple identification of an applicable **Department CE** or documentation of a **Reclamation CE** using a **Categorical Exclusion Checklist (CEC)**. If a CE is being considered, Reclamation will determine the applicability of the CE and whether extraordinary circumstances (i.e., reasons that the CE cannot be applied) exist. That process can take anywhere from 1 day to about 30 days, depending upon the specific situation.

If the project does not fit within a CE, compliance with NEPA might require preparation of an **Environmental Assessment/Finding of No Significant Impact (EA/FONSI)**. Generally, where no CE applies but there are not believed to be any significant impacts associated with the proposed action, an EA will be required. The EA is used to determine whether any potentially significant effects exist (which would trigger the further step of an **Environmental Impact Statement (EIS)**, below). If no potentially significant effects are identified, the EA process ends with the preparation of a FONSI. The EA/FONSI process is more detailed than the CE/CEC process and can take weeks or even months to complete. Consultation with other agencies and public notification are part of the EA process.

The most detailed form of NEPA compliance, where a proposed project has potentially significant environmental effects, is completion of an **EIS** and **Record of Decision**. An EIS requires months or years to complete, and the process includes considerable public involvement, including mandatory public reviews of draft documents. It is not anticipated that projects proposed under this program will require completion of an EIS.

During the NEPA process, potential impacts of a project are evaluated in context and in terms of intensity (e.g., will the proposed action affect the only native prairie in the county? Will the proposed action reduce water supplied to a wetland by 1 percent? Or 95 percent?). The best source of information concerning the potentially significant issues in a project area is the local Reclamation staff that has experience in evaluating effects in context and by intensity.

Reclamation has the sole discretion to determine what level of environmental NEPA compliance is required. If another Federal agency is involved, Reclamation will coordinate to determine the appropriate level of compliance. You are encouraged to contact your regional or area Reclamation office. See [www.usbr.gov/main/offices.html](http://www.usbr.gov/main/offices.html) with questions regarding NEPA compliance issues. You may also contact the Program Coordinator for further information (see *Section G. Agency Contacts*).

### H.1.2. National Historic Preservation Act

To comply with Section 106 of the NHPA, Reclamation must consider whether a proposed project has the **potential to cause effects to historic properties**, before it can complete an award under this NOFO. Historic properties are cultural resources (historic or prehistoric districts, sites, buildings, structures, or objects) that qualify for inclusion in the National Register of Historic Places. In some cases, water delivery infrastructure that is over 50 years old can be considered a historic property that is subject to review.

If a proposal is selected for initial award, the recipient will work with Reclamation to complete the Section 106 process. Compliance can be accomplished in several ways, depending on how complex the issues are, including:

- If Reclamation determines that the proposed project does not have the potential to cause effects to historic properties, then Reclamation will document its findings and the Section 106 process will be concluded. This can take anywhere from a couple of days to one month.
- If Reclamation determines that the proposed project could have effects on historic properties, a multi-step process, involving consultation with the State Historic Preservation Officer and other entities, will follow. Depending on the nature of the project and impacts to cultural resources, consultation can be complex and time consuming. The process includes:
  - A determination as to whether additional information is necessary.
  - Evaluation of the significance of identified cultural resources.
  - Assessment of the effect of the project on historic properties
  - A determination as to whether the project would have an adverse effect and evaluation of alternatives or modifications to avoid, minimize, or mitigate the effects.
  - A Memorandum of Agreement is then used to record and implement any necessary measures. At a minimum, completion of the multi-step Section 106 process takes about two months.
- Among the types of historic properties that might be affected by projects proposed under this NOFO are **historic irrigation systems** and **archaeological sites**. An irrigation system or a component of an irrigation system (e.g., a canal or headgate) is more likely to qualify as historic if it is more than 50 years old, if it is the oldest (or an early) system/component in the surrounding area, and if the system/component has not been significantly altered or modernized. In general, proposed projects that involve ground disturbance, or the alteration of existing older structures, are more likely to have the potential to affect cultural resources. However, the level of cultural resources compliance required, and the associated cost, depends on a case-by-case review of the circumstances presented by each proposal.

## Notice of Funding Opportunity No. R22AS00163

You should contact your State Historic Preservation Office and your local Reclamation office's cultural resources specialist to determine what, if any, cultural resources surveys have been conducted in the project area. See [www.usbr.gov/cultural/crmstaff.html](http://www.usbr.gov/cultural/crmstaff.html) for a list of Reclamation cultural resource specialists. If an applicant has previously received Federal financial assistance it is possible that a cultural resources survey has already been completed.

## H.2. Endangered Species Act

Pursuant to Section 7 of the ESA, each Federal agency is required to consult with the USFWS or the NOAA Fisheries Service to ensure any action it authorizes, funds, or carries out is not likely to **jeopardize the continued existence of any endangered or threatened species or destroy or adversely modify any designated critical habitat.**

Before Reclamation can approve funding for the implementation of a proposed project, it is required to comply with Section 7 of the ESA. The steps necessary for ESA compliance vary, depending on the presence of endangered or threatened species and the effects of the proposed project. A rough overview of the possible course of ESA compliance is:

- If Reclamation can determine that there are no endangered or threatened species or designated critical habitat in the project area, then the ESA review is complete and no further compliance measures are required. This process can take anywhere from one day to one month.
- If Reclamation determines that endangered or threatened species may be affected by the project, then a **Biological Assessment** must be prepared by Reclamation. The Biological Assessment is used to help determine whether a proposed action may affect a listed species or its designated critical habitat. The Biological Assessment may result in a determination that a proposed action **is not likely to adversely affect** any endangered or threatened species. If the USFWS/NOAA Fisheries Service concurs in writing, then no further consultation is required and the ESA compliance is complete. Depending on the scope and complexity of the proposed action, preparation of a Biological Assessment can range from days to weeks or even months. The USFWS/NOAA Fisheries Service generally respond to requests for concurrence within 30 days.
- If it is determined that the project **is likely to adversely affect listed species**, further consultation (**formal consultation**) with USFWS or NOAA Fisheries Service is required to comply with the ESA. The process includes the creation of a **Biological Opinion** by the USFWS/NOAA Fisheries Service, including a determination of whether the project would **jeopardize** listed species and, if so, whether any **reasonable and prudent** alternatives to the proposed project are necessary to avoid jeopardy. Nondiscretionary **reasonable and prudent measures** and **terms and conditions** to minimize the impact of incidental take may also be included. Under the timeframes established in the ESA regulations, the Biological Opinion is issued within 135 days from the date that formal consultation was initiated, unless an extension of time is agreed upon.

## Section H. Other Information

The time, cost, and extent of the work necessary to comply with the ESA depends upon whether endangered or threatened species are present in the project area and, if so, whether the project might have effects on those species significant enough to require formal consultation.

ESA compliance is often conducted parallel to the NEPA compliance process and, as in the case of a CEC, documented simultaneously. The best source of information concerning the compliance with the ESA in a particular project area is the local Reclamation environmental staff that can be helpful in determining the presence of listed species and possible effects that would require consultation with the USFWS or NOAA Fisheries Service. Contact your regional or area Reclamation office, [www.usbr.gov/main/offices.html](http://www.usbr.gov/main/offices.html) with questions regarding ESA compliance issues.