



— BUREAU OF —
RECLAMATION

Funding Opportunity Announcement No. BOR-DO-21-F003

WaterSMART Cooperative Watershed Management Program Phase I Grants



Mission Statements

The Department of the Interior (DOI) conserves and manages the Nation's natural resources and cultural heritage for the benefit and enjoyment of the American people, provides scientific and other information about natural resources and natural hazards to address societal challenges and create opportunities for the American people, and honors the Nation's trust responsibilities or special commitments to American Indians, Alaska Natives, and affiliated island communities to help them prosper.

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.

Cover photo: The Rio Grande River, New Mexico. (Reclamation/Alex Stephens)

Synopsis

Federal Agency Name:	Department of the Interior, Bureau of Reclamation, Water Resources and Planning Office
Funding Opportunity Title:	WaterSMART Cooperative Watershed Management Program (CWMP) Phase I Grants
Announcement Type:	Funding Opportunity Announcement (FOA)
Funding Opportunity Number:	BOR-DO-20-F003
Catalog of Federal Domestic Assistance (CFDA) Number:	15.554
Dates: (See FOA Sec. D.4)	Application due Date: Tuesday, January 19, 2021, 4:00 p.m. Mountain Standard Time
Eligible Applicants: (See FOA Sec. C.1)	<p>Applicants eligible to receive financial assistance to fund activities under this FOA 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, and the Virgin Islands.</p> <p>New Watershed Group: States, Indian tribes, local and special districts (e.g., irrigation and water districts, etc.), local governmental entities, interstate organizations, and non-profit organizations.</p> <p>Existing Watershed Groups: 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 as described in <i>Section A.2., Objective of this Funding Opportunity Announcement</i>); or (2) a participant in an Existing Watershed Group.</p>
Recipient Cost-Share: (See FOA Sec. C.2)	A non-Federal cost-share contribution is not required for Phase I CWMP activities funded under this FOA.
Federal Funding Amount: (See FOA Sec. B.1)	Up to \$100,000 per applicant
Estimated Number of Agreements to be Awarded: (See FOA Sec. B.1)	Approximately 15-20 projects per application submittal period contingent on appropriations.
Intergovernmental Review: (See FOA Sec. D.5)	This FOA 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 www.whitehouse.gov/wp-content/uploads/2017/11/SPOC-Feb.-2018.pdf .

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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 www.grants.gov/web/grants/forms/sf-424-family.html	*
	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 Background data Project description Evaluation criteria	See Sec. D.2.2.4 See Sec. D.2.2.4 See Sec. D.2.2.4 See Sec. E.1	Page 13 Page 13 Page 14 Page 27	* * * *
	Environmental and cultural resources compliance	See Sec. D.2.2.6	Page 20	
	Required permits or approvals	See Sec. D.2.2.7	Page 21	
	Project Budget: Budget narrative	See Sec. D.2.2.5	Page 17	* *
	Letters of support	See Sec. D.2.2.8	Page 21	*
	Official Resolutions	See Sec. D.2.2.9	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 FOA for extended submission date.

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

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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
Department	U.S. Department of the Interior
DUNS	Data Universal Number System
EA	Environmental Assessment
EIS	Environmental Impact Statement
EPA	Environmental Protection Agency
ESA	Endangered Species Act
FOA	Funding Opportunity Announcement
FOIA	Freedom of Information Act
FONSI	Finding of No Significant Impact
FY	Fiscal Year
HUC	Hydrologic Unit Codes
MST	Mountain Standard Time
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NOAA	National Oceanic and Atmospheric Administration
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
USPS	United States Postal Service
WaterSMART	Sustain and Manage America's Resources for Tomorrow

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Contents

	Page
Section A. Funding Opportunity Description	1
A.1. Program Information.....	1
A.2. Objective of this Funding Opportunity Announcement	1
A.3. Statutory Authority	2
A.4. Other Related Funding Opportunities	2
Section B. Award Information	3
B.1. Total Funding.....	3
B.2. Applicant Category Guidance	3
B.3. Project Funding Limitations.....	3
B.4. Environmental and Cultural Resource Compliance.....	4
Section C. Eligibility Information	5
C.1. Eligible Applicants	5
C.2. Cost Sharing Requirements.....	6
C.3. Eligible Projects.....	6
Section D. Application and Submission Information.....	11
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.....	22
D.4. Submission Date and Time	22
D.5. Intergovernmental Review	25
D.6. Automated Standard Application for Payments Registration	25
Section E. Application Review Information	27
E.1. Technical Proposal: Evaluation Criteria	27
E.2. Review and Selection Process.....	34
E.3. Anticipated Announcement and Federal Award Date.....	36
Section F. Federal Award Administration Information	37
F.1. Federal Award Notices	37
F.2. Administrative and National Policy Requirements	37
F.3. Reporting—Requirements and Distribution.....	39
F.4. Conflicts of Interest	41
F.5. Data Availability	42
F.6. Releasing Applications	42
Section G. Agency Contacts	43
G.2. Reclamation Program Coordinator Contact	43
Section H. Other Information	45

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Section A. Funding Opportunity Description

A.1. Program Information

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 reliability through investments in existing infrastructure and attention to local water conflicts. WaterSMART provides support for the Department’s priorities, including creating a legacy of conservation stewardship, sustainably developing our energy and natural resources, modernizing our infrastructure through public-private partnerships, striking a regulatory balance, and restoring trust with local communities by improving relationships and communication with states, tribes, local governments, communities, landowners and water users. WaterSMART also supports Reclamation’s priorities, including increasing water supplies, leveraging science and technology to improve water supply reliability, addressing ongoing drought, and improving water supplies for tribal and rural communities.

Through the Cooperative Watershed Management Program (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 Funding Opportunity Announcement (FOA) 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.

Through this FOA, Reclamation provides funding for projects that improve use of technology to increase water reliability consistent with section 4 of the October 19, 2018, Presidential Memorandum on Promoting the Reliable Supply and Delivery of Water in the West.

A.2. Objective of this Funding Opportunity Announcement

The objective of this FOA 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.3. Eligible Projects* for a more comprehensive description of eligible activities.

A “watershed group,” as defined in Section 6001(6) (see *Section A.3. Statutory Authority* for full citation) of the Cooperative Watershed Management Act 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. (See Section 6001(6) of the Cooperative Watershed Management Act for the statutory definition of a “watershed group”). 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.3. Statutory Authority

This FOA 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).

Note: The authority to implement this program expires at the end of fiscal year (FY) 2020. Reclamation anticipate the authority will be extended by congress, but this FOA may be canceled if the authority is not extended.

A.4. Other Related Funding Opportunities

Reclamation also provides financial assistance to watershed groups for the implementation of on-the-ground watershed management projects through Phase II of the CWMP.

In addition, Reclamation provides funding for water management projects through several other programs under WaterSMART. 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.

For information on the FOAs listed here, please visit the WaterSMART Program website: www.usbr.gov/watersmart.

Section B. Award Information

B.1. Total Funding

Approximately \$2 million is available for this FOA, with per-project limits as described in *Section B.3. Project Funding Limitations*. Reclamation will determine the final amount of funding available for award under this FOA once final FY 2021 appropriations have been made. This FOA may be canceled if appropriations are insufficient to support new awards. Applications submitted under this FOA may also be considered if other funding becomes available in FY 2021 or subsequently.

Updated funding information is available at www.usbr.gov/watersmart/cwmp/.

Through this FOA, Reclamation plans to award funds to Phase I applicants under two Applicant Categories: **(1) New Watershed Groups** and **(2) Existing Watershed Groups**.

B.2. Applicant Category Guidance

In general, applicants should apply as a New Watershed Groups 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 Existing Watershed Groups. 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 for an application where they deem appropriate.

Note: Entities may receive funding multiple times under Phase I of the CWMP; however, each project must have a distinct scope of work. When applying, 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).

B.3. Project Funding Limitations

A total of up to \$100,000 in Federal funds may be awarded to an applicant over the two-year period, with no more than \$50,000 to be available per year. A non-Federal cost-share contribution is not required for Phase I activities funded under this FOA. 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.4. Environmental and Cultural Resource Compliance

Upon selection, CWMP Phase I projects selected for funding under this FOA will be reviewed by Reclamation to determine the appropriate level of compliance with the National Environmental Policy Act (NEPA) and other Federal environmental and cultural resource laws and other regulations.

B.5. Assistance Instrument

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

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, and the Virgin Islands

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 as described above in *Section A.2. Objective of this Funding Opportunity Announcement*)
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 Funding Opportunity Announcement*

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.2.2.7. Project Budget*).

C.3. Eligible Projects

C.3.1. 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.

The development of *articles of incorporation, bylaws, and business practices* and *staff salaries and contractor costs* 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, staff salaries must be allocated to specific tasks as outlined in the technical project description. See *Section B.2. Applicant Category Guidance* for a description of New and Existing Watershed Groups.

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, 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 on 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.

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 the purpose for which they were developed. 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, addressing multiple issues related to water resources within the watershed, and 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.

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) 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.3.1.1. Eligibility of Training Activities

To be considered eligible activities, all education 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, the implementation of citizen science training programs, or general staff training are not eligible under this FOA. Note: The ARC (see *Section E.2.2. Application Review Committee*) has the discretion to determine whether a specific education activity, training, or conference is eligible.

C.3.1.2. 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.3.2. Ineligible Projects

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

C.3.2.1. Other Planning Projects

Proposals for the development of planning efforts other than watershed restoration plans are not eligible for funding under this FOA. This includes proposals for the development of 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.3.2.2. On-the-Ground Watershed Management Projects

Implementing on-the-ground watershed management projects is funded under a separate FOA for Phase II activities and is not eligible for funding under this FOA. 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.3.2.3. 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 FOA.

C.3.2.4. Building Construction

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

C.3.2.5. On-Farm Irrigation Efficiency Improvements

Projects to conduct on-farm irrigation efficiency improvements are not eligible under this FOA. Applicants interested in on-farm 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 for further contact information in your area.

C.3.2.6. 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 FOA.

C.3.3. Length of Projects

In general, proposed projects should be completed within *two years* of award. Applications for projects requiring more time will be considered for funding only under limited circumstances.

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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 for submission of an application.

If you are unable to access this information electronically, you can request paper copies of any of the documents referenced in this FOA by contacting:

By mail: Bureau of Reclamation
Financial Assistance Operations
Attn: Mr. Edmund Weakland
Mail Code: 84-27132
P.O. Box 25007
Denver, CO 80225

By e-mail: eweakland@usbr.gov

By telephone: 303-445-3757

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-424 Assurances

These forms may be obtained at www.grants.gov/web/grants/forms/sf-424-family.html

- Title page
- Table of contents
- Technical proposal and evaluation criteria (limited to 25 pages)
 - Executive summary
 - Project location
 - Technical project description
 - Evaluation criteria
- Project budget
 - Budget proposal
 - Budget narrative
- Environmental and cultural resources compliance, if applicable.
- Required permits or approvals
- Letters of project support
- Official resolution

D.2.2.1. Mandatory Federal Forms

The application must include the following standard Federal forms:

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.

SF-424 Budget Information

A fully completed SF-424A Budget Information Non-Construction Programs must be submitted with the application.

SF-424 Assurances

A SF-424B, Assurances 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

Executive Summary

The executive summary should include:

- The date, applicant name, city, county, and state.
- A one paragraph project summary that identifies the location of the watershed area in which the group will work,, provide a brief description of 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*

Funding Opportunity Announcement No. BOR-DO-19-F010

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.

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

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.

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.3.1. 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.

Section D. Application and Submission Information

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.

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.2.2.5. 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, and all other requirements of this FOA. **In no case will costs incurred prior to July 1, 2021, be considered for inclusion in the proposed project budget.**

Please note that the costs for preparing and submitting an application in response to this FOA, including developing data necessary to support the proposal, are not eligible project costs under this FOA 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 FOA.

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.

Table 1.—Total Project Cost Table

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

The budget proposal should include detailed information on the categories listed on the next page 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. Unit costs must be provided for all budget items including the cost of services or other work to be provided by 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.

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

Table 2.—Sample Budget Proposal Format

BUDGET ITEM DESCRIPTION	COMPUTATION		Quantity Type	TOTAL COST
	\$/Unit	Quantity		
Salaries and Wages				
Employee 1				\$
Employee 2				\$
Employee 3				\$
Fringe Benefits				
Full-Time Employees				\$
Part-Time Employees				\$
Travel				
Trip 1				\$
Trip 2				\$
Trip 3				\$
Equipment				
Item A				\$
Item B				\$
Item C				\$
Supplies and Materials				
Item A				\$
Item B				\$

Section D. Application and Submission Information

BUDGET ITEM DESCRIPTION	COMPUTATION		Quantity Type	TOTAL COST
	\$/Unit	Quantity		
Contractual/Construction				
Contractor A				\$
Contractor B				\$
Other				
Other				\$
TOTAL DIRECT COSTS				\$
Indirect Costs				
Type of rate	percentage	\$base		\$
TOTAL ESTIMATED PROJECT COSTS				\$

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).

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

Please see *Section D.2.2.5. Project Budget*.

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

Include purpose of trip, destination, number of persons traveling, length of stay, and all travel costs including airfare (basis for rate used), per diem, lodging, and miscellaneous travel expenses. For local travel, include mileage and rate of compensation.

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 www.publications.usace.army.mil/USACE-Publications/Engineer-Pamphlets/u43545q/313131302D312D38.

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

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 equipment should be identified as a contractual cost in the budget proposal.*

Contractual

Identify all work that will be accomplished by 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 procurements with an anticipated aggregate value that exceeds the Simplified Acquisition Threshold (currently \$10,000) must use a competitive procurement method (see 2 CFR 200.320 – *Methods of*

Section D. Application and Submission Information

procurement to be followed). 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 §200.326 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, and all other requirements of this FOA.

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.

Indirect Costs

Applicants with a federally approved indirect cost rate agreement may include indirect costs as part of the project budget. Show the agreed-upon rate, cost base, and proposed amount for allowable indirect costs. 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 available at www.ecfr.gov.

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,

Funding Opportunity Announcement No. BOR-DO-19-F010

and Indirect Cost Services, at www.doi.gov/ibc/services/finance/indirect-cost-services (*see C.2 Cost Sharing Requirements*). The applicant may choose to include cost share if the scope of the project and budgeted project activities are anticipated to exceed the maximum funding of \$100,000 that can be awarded by Reclamation under this FOA.

If the project budget includes cost share from the applicant, a source other than the applicant, and/or third-party contributions of in-kind services, provide letter(s) of commitment from these additional sources. Letters of commitment shall identify the following elements:

- The amount of funding commitment
- The date the funds will be available to the applicant
- Any time constraints on the availability of funds
- Any other contingencies associated with the funding commitment

Commitment letters from third-party funding sources should be submitted with your application. If commitment letters are not available at the time of the application submission, please provide a timeline for submission of all commitment letters. Cost-share funding from sources outside the applicant's organization (e.g., loans or State grants), should be secured and available to the applicant prior to award.

Reclamation will not make funds available for an award under this FOA until the recipient has secured non-Federal cost-share. Reclamation will execute a financial assistance agreement once non-Federal funding has been secured or Reclamation determines that there is sufficient evidence and likelihood that non-Federal funds will be available to the applicant subsequent to executing the agreement.

Please identify the sources of the non-Federal cost-share contribution for the project, including:

- Any monetary contributions by the applicant towards the cost-share requirement and source of funds (e.g., reserve account, tax revenue, and/or assessments)
- Any costs that will be contributed by the applicant
- Any third-party in-kind costs (i.e., goods and services provided by a third party)
- Any cash requested or received from other non-Federal entities
- Any pending funding requests (i.e. grants or loans) that have not yet been approved and explain how the project will be affected if such funding is denied

D.2.2.6. Environmental and Cultural Resources Compliance

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

D.2.2.7. 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 FOA 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.2.2.8. 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 FOA will not be considered in the evaluation of the proposed project.

D.2.2.9. 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 FOA, 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 up to 30 days after the application deadline.

D.3. Unique Entity Identifier and System for Award Management

All applicants (unless the applicant has an exception approved by Reclamation under 2 CFR §25.110[d]) are required to:

- (i) Be registered in the System for Award Management (SAM) before submitting its application,
- (ii) Provide a valid unique entity identifier in its application, and
- (iii) Continue to maintain an active SAM registration with current information at all times during which it has an active Federal award or an application or plan under consideration by a Federal awarding agency.

Meeting the requirements set forth above is mandatory. If the applicant is unable to complete registration by the application deadline, the unique entity identifier must be obtained, and SAM registration must be initiated within 30 days after the application deadline in order to be considered for selection and award.

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

This FOA includes two submittal periods. The application submission deadlines are:

Tuesday, January 19, 2021, 4:00 p.m. Mountain Standard Time

Applications received after the 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), the upload of 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 FOA may be subjected to a Freedom of Information Act (FOIA) request (5 U.S.C. Section 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/cwmp/examples.html, after conducting any redactions determined necessary by Reclamation, in consultation with the recipient.

D.4.1. Application Delivery Instructions

The applications may be submitted electronically through Grants.gov (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 USPS overnight services:

Bureau of Reclamation
Financial Assistance Operations
Attn: Mr. Edmund Weakland
P.O. Box 25007, MS 84-27815
Denver, CO 80225

All other express delivery:

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

By courier services:

Bureau of Reclamation
Attn: Mr. Edmund Weakland
Denver Federal Center
Bldg. 67, Rm. 581
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 FOA.

- 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.
- 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 (www.grants.gov). Reclamation encourages applicants to submit their applications for funding electronically through the URL: www.grants.gov/applicants/apply-for-grants.html. Applicant resource documents and a full set of instructions for registering with Grants.gov (www.grants.gov) and completing and submitting applications online are also available at: 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. *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 FOA. 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 by a problem with the Grants.gov application system. Please note that difficulties related to an applicant's Grants.gov profile (e.g., incorrect organizational representative), the upload of 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.

Section D. Application and Submission Information

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 FOA 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 are listed on the Office of Management and Budget’s website, www.whitehouse.gov/wp-content/uploads/2019/02/SPOC-February-2019.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, www.whitehouse.gov/wp-content/uploads/2019/02/SPOC-February-2019.pdf.
D.6. 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 Payment (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 Data Universal Number System (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. For all the information on the enrollment process for recipients, including requesting the enrollment initiation form, contact the enrollment mailbox at sha-dro-ASAP@usbr.gov.

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.

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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 subcriterion 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.

Evaluation Criteria Scoring Summary	Points:
A. Watershed Group Diversity and Geographic Scope	30
B. Addressing Critical Watershed Needs	35
C. Implementation and Results	25
D. Department of the Interior and Bureau of Reclamation Priorities	10
<i>Total</i>	<i>100</i>

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 FOA.

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, for example an approximate 8-digit HUC as defined by the USGS water.usgs.gov/GIS/huc.html, and which represent the full extent of the watershed.

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 provide an explanation of this also (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 Funding Opportunity Announcement*). In responding to this sub-criterion, please include:

- 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 support the formation of the watershed group, describe their interest in the watershed, 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.
- 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.

Sub-criterion No. A2. Geographic Scope

Under this sub-criterion, higher priority will be given to proposed or Existing 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 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 HUC as defined by the USGS, 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 location cannot be provided, please describe the geographic scope of the area to the best of your knowledge.
- 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.

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.

Sub-criterion No. B1. Critical Watershed Needs or Issues

Please describe in detail the critical issues or needs occurring within the watershed including, for example: declining ecological resiliency, water shortages, flooding, structural impairments, water supply, water quality issues (e.g., addressing Total Maximum Daily Loads, or targeting high priority activities in your state's "Measure W" watersheds), endangered species issues, conflicts over water supply, and other related issues faced by affected stakeholders. Endangered species issues may focus on, but are not limited to, activities prioritized by resource agencies such as National Oceanic and Atmospheric Administration's National Marine Fisheries Service (NOAA-NMFS) or U.S. Fish and Wildlife Service (USFWS), and appropriate state natural resource agencies.

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.

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 stakeholder outreach and partnership building that will be conducted and explain how it will contribute to the management of the critical watershed issues and needs?

- 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.
- Will the group establish relationships with conservation organizations advocating for balanced stewardship and use of public lands, or advocating for increased access to the Department lands for hunting, fishing, and other recreation? If so, how?

Task B - Watershed Restoration Planning: Describe the process the watershed group will use to develop a watershed restoration plan and how completing the plan will contribute to the management of the critical watershed issues and needs.

- 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 use science to identify best practices to manage land and water resources and adapt to changes in the environment? If so, how?
- 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 process that the watershed group will use to design projects and how completing the project design will contribute to the management of the critical watershed issues and needs.

- 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.

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. Applicants may refer to their Technical Proposal if this information is provided there and do not need to provide duplicate information in addressing this sub-criterion if it exists elsewhere in the applicant's proposal. 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

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

Please describe how the proposed activities of the watershed group will complement 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

Applicants should describe how the proposed activities of the watershed group will complement or meet the goals of applicable Federal, state or regional water plans. 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— Department of the Interior and Bureau of Reclamation Priorities (10 points)

Up to **10 points** will be awarded based on the extent that the proposal demonstrates that the project supports the Department priorities. Please address those priorities that are applicable to your project. You may address only the parts of a priority that are applicable. It is not necessary to address priorities, or parts of priorities, that are not applicable to your project. A project will not necessarily receive more points simply because multiple priorities are addressed. The points available under this criterion will not be divided among the priorities, and projects will not be penalized if some of the priorities are not applicable. Points will be allocated based on the degree to which the project supports one or more of the priorities listed, and whether the connection to the priority(ies) is well supported in the proposal.

1. ***Creating a conservation stewardship legacy second only to Teddy Roosevelt***
 - a. Utilize science to identify best practices to manage land and water resources and adapt to changes in the environment;
 - b. Examine land use planning processes and land use designations that govern public use and access;
 - c. Revise and streamline the environmental and regulatory review process while maintaining environmental standards.
 - d. Review DOI water storage, transportation, and distribution systems to identify opportunities to resolve conflicts and expand capacity;
 - e. Foster relationships with conservation organizations advocating for balanced stewardship and use of public lands;
 - f. Identify and implement initiatives to expand access to DOI lands for hunting and fishing;
 - g. Shift the balance towards providing greater public access to public lands over restrictions to access.

2. ***Utilizing our natural resources***
 - a. Ensure American Energy is available to meet our security and economic needs;
 - b. Ensure access to mineral resources, especially the critical and rare earth minerals needed for scientific, technological, or military applications;
 - c. Refocus timber programs to embrace the entire 'healthy forests' lifecycle;
 - d. Manage competition for grazing resources.

3. ***Restoring trust with local communities***
 - a. Be a better neighbor with those closest to our resources by improving dialogue and relationships with persons and entities bordering our lands;
 - b. Expand the lines of communication with Governors, state natural resource offices, Fish and Wildlife offices, water authorities, county commissioners, Tribes, and local communities.

4. ***Striking a regulatory balance***
 - a. Reduce the administrative and regulatory burden imposed on U.S. industry and the public;
 - b. Ensure that Endangered Species Act (ESA) decisions are based on strong science and thorough analysis.

5. ***Modernizing our infrastructure***
 - a. Support the White House Public/Private Partnership Initiative to modernize U.S. infrastructure;
 - b. Remove impediments to infrastructure development and facilitate private sector efforts to construct infrastructure projects serving American needs;
 - c. Prioritize DOI infrastructure needs to highlight:
 1. Construction of infrastructure;
 2. Cyclical maintenance;
 3. Deferred maintenance.

Bureau of Reclamation Priorities

1. ***Increase Water Supplies, Storage, and Reliability under WIIN and other Authorities to Benefit Farms, Families, Businesses, and Fish and Wildlife***
2. ***Streamline Regulatory Processes and Remove Unnecessary Burdens to Provide More Water and Power Supply Reliability***
3. ***Leverage Science and Technology to Improve Water Supply Reliability to Communities***
4. ***Address Ongoing Drought***
5. ***Improve the Value of Hydropower to Reclamation Power Customers***
6. ***Improve Water Supplies for Tribal and Rural Communities***
7. ***Title Transfer***

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 FOA. 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 FOA. 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 FOA.
- The applicant meets the unique entity identifier and SAM registration requirements stated in this FOA (this may be completed up to 30 days after the application deadline).
- The application meets the content requirements of the FOA package, including submission of a technical proposal, including responses to the evaluation criteria, budget proposal, and budget narrative.
- The application contains a properly executed SF-424, Application for Financial Assistance and form 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 Evaluation Criteria*. Application Review Information. 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 FOA. The ARC may also change the Applicant Category for an application where they deem appropriate (See *Section B.2. 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 FOA. 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
- 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. Anticipated Announcement and Federal Award Date

Reclamation expects to contact potential award recipients and unsuccessful applicants in summer 2021. Financial assistance agreements will be awarded to applicants that successfully pass all pre-award reviews and clearances. Award recipients will be contacted individually to discuss the time frame for the completion of their agreement.

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

F.2.1. Environmental and Cultural Resources Compliance

All projects being considered for award funding will require compliance with 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), 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.

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 FOA.

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 FOA must be developed in industry standard formats that are compatible with Geographic Information System platforms.

F.2.4. Intangible Property (2 CFR 200.315)

- (a) Title to intangible property acquired under a Federal award vests upon acquisition in the non-Federal entity (see 2 CFR§200.59 Intangible Property). 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 2 CFR§200.313(e) Equipment.
- (b) 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.
- (c) 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 Part 401, "Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Awards, Contracts and Cooperative Agreements."
- (d) The Federal government has the right to:
 - (1) Obtain, reproduce, publish, or otherwise use the data produced under a Federal award; and
 - (2) Authorize others to receive, reproduce, publish, or otherwise use such data for Federal purposes.
- (e) Freedom of Information Act.
 - (1) In response to a 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

Section F. Federal Award Administration Information

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.3. Reporting—Requirements and Distribution

If the applicant is awarded an agreement as a result of this FOA, the applicant will be required to submit the following reports during the term of the agreement.

F.3.1. Financial Reports

Recipients will be required to submit a fully completed form SF-425 Federal Financial Report on at least a quarterly 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 quarterly 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 Reports

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.3. Statutory Authority* for 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 FOA, the applicant will be required to provide a 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. Conflicts of Interest

F.4.1. Applicability

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. 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.

F.4.2. Requirements

Non-Federal entities must avoid prohibited conflicts of interest, including any significant financial interests that could cause a reasonable person to question the recipient's ability to provide impartial, technically sound, and objective performance under or with respect to a Federal financial assistance agreement.

In addition to any other prohibitions that may apply with respect to conflicts of interest, no key official of an actual or proposed recipient or subrecipient, who is substantially involved in the proposal or project, may have been a former Federal employee who, within the last year, participated personally and substantially in the evaluation, award, or administration of an award with respect to that recipient or subrecipient or in development of the requirement leading to the funding announcement.

No actual or prospective recipient or subrecipient may solicit, obtain, or use non-public information regarding the evaluation, award, or administration of an award to that recipient or subrecipient or the development of a Federal financial assistance opportunity that may be of competitive interest to that recipient or subrecipient.

F.4.3. Notification

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

F.4.4. Restrictions on Lobbying

Non-Federal entities are strictly prohibited from using funds under this 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.

F.4.5. 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.

F.4.6. 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).

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.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.

Section G. Agency Contacts

There will be no pre-application conference. Organizations or individuals interested in submitting applications in response to this FOA 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 Mr. Edmund Weakland, Grants Management Specialist, as follows:

By mail: Bureau of Reclamation
Financial Assistance Operations
Attn: Mr. Edmund Weakland
Mail Code: 84-27132
P.O. Box 25007
Denver, CO 80225

By e-mail: ewekland@usbr.gov

By phone: 303-445-3757

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: 84-51000
P.O. Box 25007
Denver, CO 80225

By e-mail: aomorgan@usbr.gov

By phone: 303-445-2906

OR

Funding Opportunity Announcement No. BOR-DO-19-F010

By mail: Bureau of Reclamation
Water Resources and Planning Office
Attn: Ms. Robin Graber
Mail Code: 84-51000
P.O. Box 25007
Denver, CO 80225

By e-mail: rgraber@usbr.gov

By phone: 303-445-2764

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 FOA. 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?

- 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.2. Background on Federal Environmental and Cultural Resource Laws

H.2.1. 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 FOA, 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 with questions regarding NEPA compliance issues. You may also contact the Program Coordinator for further information (*see Section G. Agency Contacts*).

H.2.2. 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 FOA. 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 FOA 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.

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 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.3. 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.

Section H. Other Information

- 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.

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 with questions regarding ESA compliance issues.