

# RECLAMATION

*Managing Water in the West*

**Funding Opportunity Announcement No: BOR-MP-19-F003**

## **Agricultural Water Conservation and Efficiency Grants Fostering District/Farmer Partnerships**



## **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.

The mission of the United States Department of Agriculture is to provide leadership on food, agricultural, natural resources, rural development, nutrition, and related issues based on public policy, the best available science, and efficient management.

The Natural Resources Conservation Service works with land owners through conservation planning and assistance designed to benefit the soil, water, air, plants, and animals that result in productive lands and healthy ecosystems.

# Synopsis

<b>Federal Agency Name:</b>	Department of the Interior, Bureau of Reclamation, Mid-Pacific Region
<b>Funding Opportunity Title:</b>	Agricultural Water Conservation and Efficiency Grants
<b>Announcement Type:</b>	Funding Opportunity Announcement (FOA)
<b>Funding Opportunity Number:</b>	BP-MP-19-F003
<b>Catalog of Federal Domestic Assistance Number:</b>	15.507
<b>Dates:</b> (See Sec. IV.B)	Proposals received before March 1, 2019, 1:00 p.m. Pacific Standard Time (PST) will be considered for Fiscal Year (FY) 2019 funding. Proposals received after March 1, 2019, 1:00 p.m. PST and before November 1, 2019, 1:00 p.m. Pacific Daylight Time (PDT) will be considered for FY 2020 funding, contingent upon appropriations.
<b>Eligible Applicants:</b> (See Sec. III.A)	Indian tribes, irrigation districts, water districts, or other organizations with water or power delivery authority located within the State of California.
<b>Recipient Cost Share:</b> (See Sec. III.E)	Non-Federal Sources: At least 50% of costs.
<b>Estimated Federal Funding Amount:</b> (See Sec. II.B)	Up to \$1,000,000 per agreement.
<b>Estimated Number of Agreements to be Awarded:</b> (See Sec. II.B)	Approximately 3-4 for each fiscal year, depending on requested funding amounts for selected projects and appropriations.
<b>Estimated Total Amount of Funding Available for Award:</b> (See Sec. II.A)	\$3 million for FY 2019. FY 2020 available funding is contingent upon federal appropriations. FY 2020 award availability will be updated when appropriation information is released.

# Application Checklist

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

√	What to submit	Required content	Form or format	When to submit
	Cover page	Sec. IV.D.4.a.	Form SF 424, available at: <a href="http://apply07.grants.gov/apply/FormLinks?family=15">http://apply07.grants.gov/apply/FormLinks?family=15</a> Page 15	*
	Assurances	Sec. IV.D.4.b.	Form SF 424B or SF 424D, as applicable, available at: <a href="http://apply07.grants.gov/apply/FormLinks?family=15">http://apply07.grants.gov/apply/FormLinks?family=15</a> Page 15	*
	Title Page	Sec. IV.D.4.c.	Page 15	*
	Table of Contents	Sec. IV.D.4.d.	Page 15	*
	Technical Proposal: • Executive Summary • Background Data • Project Description • Evaluation Categories	Sec. IV.D.4.e.	Pages 15-23	*
	Environmental Compliance and Potential Impacts	Sec. IV.D.4.f.	Page 23	*
	Required Permits or Approvals	Sec. IV.D.4.g.	Page 24	*
	Letters of Project Support	Sec. IV.D.4.h.	Page 25	
	Official Resolution	Sec. IV.D.4.i.	Page 25	*
	ASAP Verification	Sec. IV.D.4.j.	Page 25	*
	SAM Verification	Sec. IV.D.4.k.	Page 25	*
	Disclosure of Lobbying Activities	Sec. IV.D.4.l.	Page 25	*
	Project Budget Proposal: • Funding Plan • General Requirements • Budget Table • Budget Narrative • Budget Form • Budget Table (SF-424)	Sec. IV.D.4.m.	Pages 26-33	*

\* Proposals received before March 1, 2019, 1:00 p.m. PST will be eligible for FY 2019 funding. Proposals received after March 1, 2019 1:00 p.m. PST and before November 1, 2019, 1:00 p.m. PDT will be eligible for FY 2020 funding

# Acronyms and Abbreviations

ARC	Application Review Committee
ASAP	Automated System Application for Payment
AWCE	Agricultural Water Conservation and Efficiency
CE	Categorical Exclusion
CEC	Categorical Exclusion Checklist
CFR	Code of Federal Regulations
CWA	Clean Water Act
DOI	Department of the Interior
EA	Environmental Assessment
EIS	Environmental Impact Statement
EQIP	Environmental Quality Incentive Program
ESA	Endangered Species Act
FICA	Federal Insurance Contributions Act
FOA	Funding Opportunity Announcement
FONSI	Finding of No Significant Impact
FY	Fiscal Year
GO	Grants Officer
GSA	General Services Administration
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NOAA	National Oceanic and Atmospheric Administration
NRCS	Natural Resources Conservation Service
OM&R	Operations, maintenance, and replacement
PII	Personally Identifiable Information
PDT	Pacific Daylight Time
PST	Pacific Standard Time
Reclamation	Bureau of Reclamation
SAM	System of Award Management
USDA	United States Department of Agriculture
USFWS	United States Fish and Wildlife Service
WIIN	Water Infrastructure Improvements for the Nation

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## **Section I. Funding Opportunity Description**

### **I.A. Agricultural Water Conservation and Efficiency Grants**

The United States Department of the Interior (DOI), Bureau of Reclamation (Reclamation) and the United States Department of Agriculture (USDA), Natural Resources Conservation Service (NRCS) are collaborating to make federal funding available in California to improve the efficiency of agricultural water use throughout the state. The projects funded through this partnership in FY 2019 and FY 2020 will help communities build resilience to drought through the modernization of water infrastructure and efficient use of scarce water resources, while supporting the agricultural economy.

Reclamation has authority to provide financial assistance to entities with water or power delivery authority, including water districts and irrigation districts; NRCS has the authority to provide on-farm assistance. Applicants with water or power delivery authority may seek funding under this FOA. NRCS funding, in turn, will potentially be made available where the needed on-farm water conservation practices complement the projects selected through this FOA. The complementing NRCS Farm Bill program is the Environmental Quality Incentive Program (EQIP), which is the primary program that addresses water quantity and water quality conservation practices. These EQIP funds would be in addition to those available through the regular, local NRCS program. EQIP funding amounts are established to cover a substantial portion of the on-farm system or irrigation improvement costs.

Water conservation and efficiency improvement projects implemented since the Reclamation/NRCS partnership was established in 2011, have helped water purveyors and producers prepare for and respond to water uncertainty. Reclamation's \$10.8 million investment through this partnership has saved, conserved, or better managed over 301,000 acre-feet of water each year by purveyors, as well as increasing on-farm water efficiencies by an average of 25 percent.

Through this FOA, Reclamation provides funding for projects that increase water reliability and improve water management, including the use of expanded technologies and capabilities consistent with the goals of the October 19, 2018 Presidential Memorandum on Promoting the Reliable Supply and Delivery of Water in the West.

### **I.B. Objective of Funding Opportunity Announcement**

The objective of this Agricultural Water Conservation Efficiency (AWCE) FOA is to invite eligible applicants to leverage their money and resources by cost sharing with Reclamation on projects that save water, improve water management, increase water supply reliability, improve energy efficiency, and benefit endangered species. Water conservation and water use efficiency are critical elements of any plan to address these resource issues. Projects that achieve this by directly enabling on-farm water conservation or water use efficiency projects that can be

undertaken by farmers and ranchers remain a high priority for this program. Reclamation and NRCS are encouraging water suppliers to work with farmers to identify the roles that suppliers play to facilitate and/or assist with on-farm improvements.

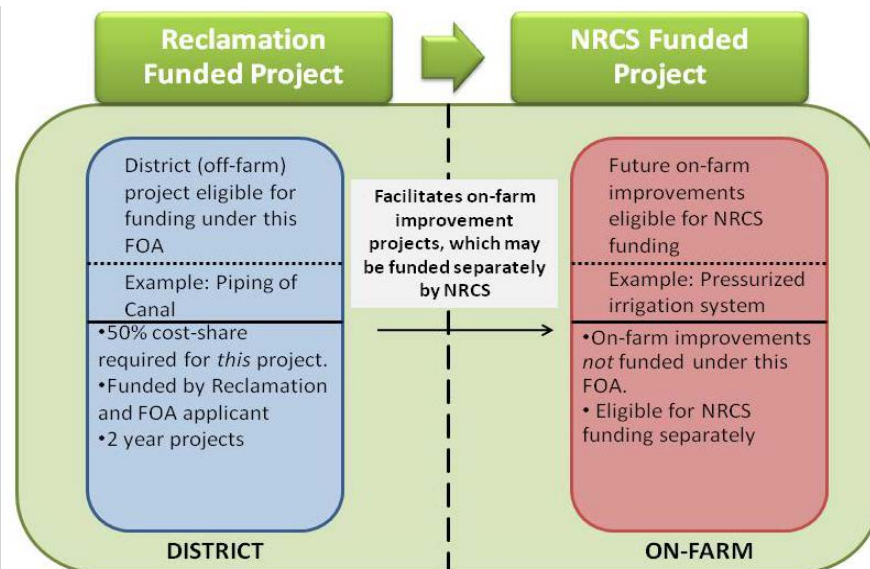
In coordination with NRCS, Reclamation will select applicants for funding under this FOA. Successful applicants will enter into a financial assistance agreement with Reclamation.

Through EQIP, NRCS will provide accelerated technical and financial assistance to farmers and ranchers for projects that: 1) meet EQIP eligibility requirements, 2) include activities or elements that facilitate on-farm improvements, and 3) have significant farmer participation.

**NRCS will have a separate application process for the on-farm components of selected projects. NRCS will contact successful applicants that are potentially eligible for additional EQIP funding after applicants have signed an agreement with Reclamation.**

*Example. District X has 10 miles of earthen canal that loses a substantial amount of water through seepage into a saline sink. In its application for funding under this FOA, District X explains that their farmer needs assessment concluded that by piping those 10 miles of canal, Y number of farmers who receive water deliveries from this canal will be able to pressurize their irrigation systems and convert to micro-drip instead of furrow irrigation. In its application, District X also notes that conversion to micro-drip has the ability to save a substantial amount of water in addition to the water savings that will result directly from District X's piping project.*

*If District X is successful at securing a grant award under this FOA to pipe its canal, farmers and ranchers in District X's service area will be invited to apply for NRCS funding. NRCS will make available financial and technical assistance to the farmers receiving water from District X's canal to purchase and install the micro-drip systems.*



**Figure 1: Illustration of a project eligible for funding under this FOA.**



## **I.C. Program Authority**

This FOA is issued under the authority of Public Law 111-11(42 United States Code 10364), Title IX of the Omnibus Public Land Management Act of 2009, Subtitle F, Secure Water, Section 9504(a) Water Management Improvement.

## Section II. Award Information

### II.A. Total Project Funding

For FY 2019, \$3.0 million is available for award under this FOA. Funding in FY 2020 is contingent upon appropriations, and this FOA will be updated accordingly as the appropriation information becomes available.

### II.B. Project Funding Limitations

Up to \$3.0 million in Federal funds will be available for award in FY 2019, with up to \$1,000,000 per project. Reclamation encourages applicants to apply for any level of funding up to \$1,000,000. There is no funding assistance minimum under this FOA, and all funding requests will equally be considered.

The combined federal share (*i.e.*, Reclamation's share plus any other sources of federal funding) of any one proposed project shall not exceed 50 percent of the total project costs. *Note: This does not include NRCS funds since NRCS funds will go to individual farmers and ranchers.*

On-farm components cannot be included in the project costs unless the applicant will directly provide materials or assistance to farmers or ranchers within their service area. Components intended for NRCS assistance are not eligible for inclusion as costs of a project described in an application for funding under this FOA. Please refer to Figure 1, page 2.

Any applicant may submit multiple applications for different projects under this FOA. However, under this FOA, Reclamation will award only one agreement per applicant per application period.

NRCS will have a separate application process for the on-farm components of selected projects.

### II.C. Reclamation Responsibilities

Project awards will be made through grants or cooperative agreements, as applicable to each project. Under a cooperative agreement, Reclamation will 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 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 may 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 assistance available and these costs, contact Thomas Hawes, Program Coordinator, at [thawes@usbr.gov](mailto:thawes@usbr.gov) or 916-978-5271.

## **II.D. Award Dates**

For FY 2019, Reclamation expects to contact potential award recipients and unsuccessful applicants in June 2019 and award all agreement by September 2019. After assistance agreements with Reclamation are signed, entities may coordinate with NRCS for the implementation of on-farm components.

For FY 2020, Reclamation expects to contact potential award recipients and unsuccessful applicants in April 2020 and award all agreements by September 2020. After assistance agreements with Reclamation are signed, entities may coordinate with NRCS for the implementation of on-farm components.

## Section III. Eligibility Information

### III.A. Eligible Applicants

Indian tribes, irrigation districts, water districts, or other organizations with water or power delivery authority located within the State of California.

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

- Federal governmental entities
- Institutions of higher education
- Individuals
- 501(c)4 Organizations
- 501(c)6 Organizations

### III.B. Eligible Projects

Projects should seek to conserve and use water more efficiently and result in quantifiable and sustained water savings or improved water management.

Descriptions of various types of eligible projects for funding under this FOA are listed below. This list is meant to provide examples and is not exhaustive. Projects must be located within California. Applications may include any one, or a combination, of the types of projects below. If an applicant is seeking funding for multiple projects and those projects are interrelated or closely related, they should be combined in one application. Conversely, if the projects can be completed independently and are easily separated or phased, they should be applied for separately.

Any applicant may submit multiple applications for different projects under this FOA. However, Reclamation will award only one agreement per applicant per application period.

Projects that address endangered species concerns or include habitat improvement components will receive additional consideration.

*Examples of Reclamation-Funded District-Level Water Conservation and Efficiency Projects:*

- Structural and operational features that facilitate improved water delivery flexibility to farmers.
- Structural and operational features that facilitate farmers converting to more efficient irrigation systems (clean water, pressurization, *etc.*).
- Automating farm water ordering and water use data access by farmers to facilitate on-farm improvements.
- Developing on-line crop water use tools for use by farmers.
- Canal lining and piping.

- Automating canal gates or other control structures with associated telemetry equipment for offsite control.
- Installing Supervisory Control and Data Acquisition programs to remotely monitor and operate key river and canal facilities.
- Installing advanced water measurement equipment, such as acoustic meters, magnetic meters, propeller meters, and weirs or flumes with reliable continuous totalizing sensors and recorders.
- Constructing facilities to allow or increase aquifer recharge.
- Installing recycled water pipelines for the delivery of treated urban waste water for agricultural use.

*Examples of NRCS-funded On-Farm Efficiency Projects:*

- Converting to more efficient irrigation systems.
- Collecting and reusing irrigation tailwater.
- Retrofitting infrastructure to facilitate recycled water use.
- Evaluating on-farm irrigation system/management.
- Irrigation scheduling services, software/equipment.

### **III.C. Ineligible Projects**

#### **III.C.1. District Operations, Maintenance and Replacement (OM&R)**

Projects that are considered normal District OM&R are ineligible. OM&R includes system improvements that replace or repair existing infrastructure or function without providing increased efficiency or effectiveness of water distribution over the expected life of the improvement.

*Examples of ineligible OM&R projects:*

- Replacing malfunctioning components of an existing facility with the same components.
- Improving an existing facility to operate as originally designed.
- Performing an activity on a recurring basis even if that period is extended.
- Sealing expansion joints of concrete lining because the original sealer or the water stops have failed.
- Sealing cracks in canals and/or pipes, including those sealant projects intended to improve facilities with inherent design and construction flaws.
- Replacing broken meters with new meters of the same type.
- Replacing leaky pipes with new pipes of the same type.

#### **III.C.2. Water Reclamation, Reuse, and Desalination**

Any project or project elements that are part of a congressionally authorized Title XVI Water Reclamation or Reuse Project are ineligible for funding under this FOA. A list of congressionally authorized Title XVI projects can be found at [www.usbr.gov/watersmart/title/authorized.html](http://www.usbr.gov/watersmart/title/authorized.html).

Any project or project elements that are part of a water desalination or recycling project eligible for funding under section 4009(a) or 4009(c) of the Water Infrastructure Improvements for the

Nation (WIIN) Act, Public Law 114-322 are ineligible for funding under this FOA. A list of eligible WIIN projects can be found at [www.usbr.gov/watersmart/title/feasibility.html](http://www.usbr.gov/watersmart/title/feasibility.html).

If a water desalination or recycling project has a total estimated project cost of more than \$5 million, that project is ineligible under this FOA and should be pursued under the Title XVI Water Reclamation and Reuse Program or the WaterSMART Desalination Planning and Construction Program. This restriction applies to phases or project elements of a desalination or recycling project that are part of a larger project with a total estimated project cost of more than \$5 million.

If you are unclear whether your project is part of a congressionally authorized Title XVI project or a project eligible under section 4009(a) or (c) of the Water Infrastructure Improvements for the Nation Act, please contact Amanda Erath at [aerath@usbr.gov](mailto:aerath@usbr.gov) or 303-445-2766.

### **III.C.3. Ineligible On-Farm Efficiency Projects**

*Examples of ineligible on-farm efficiency projects:*

- Projects that have already been installed or are currently being considered by NRCS.
- Projects that do not provide water management improvement benefits.
- Maintenance on existing facilities.
- Projects submitted by applicants who do not qualify based on ownership type or who exceed adjusted gross income criteria.

### **III.D. Length of Projects**

Projects should be completed within 2 years of Reclamation signing the financial assistance agreement. For FY 2019 applications, those projects should be completed by September 30, 2021. For FY 2020 applications, those projects should be completed by September 30, 2022. Applications for projects requiring more than 2 years will be considered if the applicant can demonstrate that there will be measurable progress towards the project schedule each year. The completion timeline only applies to tasks outlined in the financial assistance agreement signed by successful applicants and Reclamation.

### **III.E. Cost-Sharing Requirement**

Applicants must be capable to cost-share at least 50 percent of the total project costs. Cost-sharing may be made through cash or in-kind contributions from the applicant or third-party partners. 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 may approve an award prior to an applicant securing non-Federal cost-share funds if Reclamation determines that there is sufficient evidence and likelihood that the non-Federal funds will be available to the applicant by the start of the project. Funding commitment letters must be submitted in accordance with Section IV.C.

*On-farm components intended for NRCS assistance cannot be included as part of an applicant's non-Federal cost-share.*

### **III.E.1. Cost-Share Regulations**

All cost-share contributions must meet the criteria established in accordance with the Code of Federal Regulations (CFR), 2 CFR 200, Cost Principles for State, Local, and Indian Tribal Governments.

### **III.E.2. In-kind Contributions**

In-kind contributions constitute the value of noncash contributions that benefit a federally assisted project. These contributions may be in the form of real property, equipment, supplies and other expendable property, as well as the value of goods and services directly benefiting and specifically identifiable to the project or program. The cost or value of in-kind contributions that have been or will be relied on to satisfy a cost-sharing or matching requirement for another Federal financial assistance agreement, a Federal procurement contract, or any other award of Federal funds may not be relied on to satisfy the cost-share requirement for AWCE funding under this FOA.

### **III.E.3. Pre-Award Costs**

Applicants that incur costs prior to Reclamation's signing the financial assistance agreement may request Reclamation include such pre-award costs when calculating the total project cost and the applicant's non-federal cost-share. Any pre-award costs proposed for consideration must comply with all applicable requirements under this FOA.

For FY 2019 applicants, Reclamation may consider costs incurred since July 1, 2018. For FY 2020 applicants, Reclamation may consider costs incurred since July 1, 2019. Applicants may request Reclamation consider costs incurred prior to these dates.

*Direct costs for the preparation of the application and support documentation are not allowable under this FOA and subsequent awards.*

*For any eligible NRCS on-farm component, the applicant may not incur any costs prior to approval and award of the NRCS contract with the owner or operator.*

### **III.E.4. Indirect Costs**

Indirect costs that will be incurred during the development or construction of a project, which will not otherwise be recovered, may be included as part of the applicant's cost-share. Indirect costs are:

- Incurred for a common or joint purpose benefiting more than one cost objective.
- Not readily assignable to any one cost objective.

If the applicant proposes indirect costs in the budget, the applicant must either supply a copy of a current federally negotiated indirect cost rate agreement with the Interior Business Center (including the associated indirect cost pool) or obtain an agreement within one year of award. No indirect costs will be reimbursed until a negotiated indirect cost rate agreement is obtained.

For further information on indirect costs, refer to the U.S. Department of the Interior's Interior Business Center at: [http://www.doi.gov/ibc/services/indirect\\_cost\\_services/ICS\\_Services.cfm](http://www.doi.gov/ibc/services/indirect_cost_services/ICS_Services.cfm).

### **III.F. Environmental and Cultural Resources Compliance**

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

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. 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 part of an applicant's cost share. These costs will be considered in the ranking of applications.

**Under no circumstances may an applicant begin any ground-disturbing activities (including grading, clearing, and other preliminary activities) on a project before environmental and cultural resources compliance is complete and Reclamation explicitly authorizes work to proceed. This pertains to all components of the proposed project, including those that are part of the applicant's non-Federal cost share. Reclamation will provide a successful applicant with information once such compliance is complete, including any necessary determinations solely within Reclamation's purview. An applicant that proceeds before environmental and cultural resources compliance is complete may risk forfeiting Reclamation funding under this FOA.**

### **III.G. Requirements for Agricultural Operations**

In accordance with Section 9504(a)(3)(B) of Public Law 111-11, grants and cooperative agreements under this authority will not be awarded for an improvement to conserve irrigation water unless the applicant agrees to both of the following conditions:

- Not to use any associated water savings to increase the total irrigated acreage of the eligible applicant; and
- Not to otherwise increase the consumptive use of water in the operation of the eligible applicant, as determined pursuant to the law of the State in which the operation of the eligible applicant is located.



## **III.H. Other Requirements**

Applicants shall adhere to Federal, State, Territorial, and local laws, regulations, and codes, as applicable, and shall obtain all required approvals and permits. Applicants shall also coordinate and obtain approvals from site owners and operators.

### **III.H.1. Title to Improvements [Public Law 111-11, Section 9504(a)(3)(D)]**

If the activities funded through an agreement awarded under this FOA result in an infrastructure improvement to a federally owned facility, the Federal Government shall continue to hold title to the facility and improvements to the facility.

### **III.H.2. Operation and Maintenance Costs [Public Law 111-11, Section 9504(a)(3)(E)(iv)]**

The non-Federal share of the cost of operating and maintaining any infrastructure improvement funded through an agreement awarded under this FOA shall be 100 percent.

### **III.H.3. Liability [Public Law 111-11, Section 9504(a)(3)(F)]**

#### ***III.H.3.a. In General***

Except as provided under chapter 171 of title 28, United States Code (commonly known as the “Federal Tort Claims Act”), the United States shall not be liable for monetary damages of any kind for any injury arising out of an act, omission, or occurrence that arises in relation to any facility created or improved through an agreement awarded under this FOA, the title of which is not held by the United States.

#### ***III.H.3.b. Tort Claims Act***

Nothing in this section increases the liability of the United States beyond that provided in Chapter 171 of Title 28, United States Code (commonly known as the “Federal Tort Claims Act”).

### **III.H.4. System Registration**

#### ***III.H.4.a. System for Award Management (SAM)***

All applicants must be registered in SAM prior to award under this FOA. Instructions for registering for SAM are located at <https://www.sam.gov/SAM/>. All applicants must maintain an active SAM registration with current information at all times while they have an active Federal award or an application under consideration. *Please include a screen shot of your SAM account in the application package.*

#### ***III.H.4.b. Automated Standard Application for Payments (ASAP)***

ASAP is a Recipient-initiated payment and information system designed to provide a single point of contact for the request and delivery of Federal funds. Effective October 1, 2013, all recipients are required to complete enrollment with ASAP under Reclamation’s Agency Location Code for all active financial assistance agreements with Reclamation. ASAP is the only allowable method for request and receipt of payment. Further information regarding ASAP may be obtained from the ASAP website at <http://www.fms.treas.gov/asap>. Recipient

procedures must minimize the time elapsing between the drawdown of federal funds and the disbursement for agreement purposes.

For information regarding ASAP enrollment, please visit [www.usbr.gov/mso/aamd/asap.html](http://www.usbr.gov/mso/aamd/asap.html) or contact the Reclamation ASAP Help Desk [BOR\\_ASAP\\_Enroll@usbr.gov](mailto:BOR_ASAP_Enroll@usbr.gov).

*Note:* ASAP enrollment is specific to each Agency and Bureau. If the recipient organization has an existing ASAP account with another Federal agency or Department of the Interior bureau, but not with Reclamation, then the Recipient must initiate and complete enrollment through submission of an enrollment form found at <http://www.usbr.gov/mso/aamd/asap.html>.

*Applicants must include a screen shot of their ASAP account in the application package.*

## Section IV. Application and Submission Information

### IV.A. 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: Beverly S. Breen, Grants Officer, at [BBreen@usbr.gov](mailto:BBreen@usbr.gov)

### IV.B. Application Submission Dates and Times

The date deadlines for submitting an application are:

- **March 1, 2019, 1:00 p.m. PST** for FY 2019 funding
- **November 1, 2019, 1:00 p.m. PDT** for FY 2020 funding

Proposals received after the application deadline will not be considered unless it can be determined that the delay was caused by Federal government mishandling or by the Grants.gov application system.

### IV.C. Application Delivery Instructions

Applicants are strongly encouraged to submit their application electronically through <http://www.grants.gov>. Hard copies may be submitted by mail or express delivery/mail services to:

Bureau of Reclamation  
Mid-Pacific Region  
Attn: Beverly S. Breen, MP-3829  
2800 Cottage Way, Room E-1815  
Sacramento, CA 95825-1898

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

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

*Note:* 2 CFR 200.319, Competition.

(a) All procurement transactions must be conducted in a manner providing full and open competition consistent with the standards of this section. To ensure objective contractor performance and eliminate unfair competitive advantage, *contractors that develop or draft*

*specifications, requirements, statements of work, or invitations for bids or requests for proposals must be excluded from competing for such procurements.*

#### **IV.D.1. Applications Submitted Electronically**

- Applicants may submit their application electronically through Grants.gov at <http://www.grants.gov>.
- Please note that submission of an application electronically requires prior registration through Grants.gov, which may take 7-21 days.
- Applicants have occasionally 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.

#### **IV.D.2. Applications Submitted by Mail**

- If the applicant chooses to submit an application by mail, please submit (1) hardcopy of the application document.
- In addition to the hardcopy document, please submit a copy of your application on a CD-ROM in Microsoft Office format, Word and/or Excel (for spreadsheets only).
- **Do not use** “comb,” “spiral,” or adhesive methods to bind the documents. Use only binder clips.
- Hardcopy applications may be submitted by mail or express methods to the addresses listed in Section IV.C.
- Materials arriving separately will not be included in the application package and may result in the application being rejected or not funded.
- Faxed or emailed 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.

***Regardless of the delivery method used, the applicant must ensure their proposal arrives by the deadline stated in Section IV.B., above. Late applications will not be accepted unless it is determined that the delay was caused by Federal government mishandling or by a problem with the Grants.gov application system.***

#### **IV.D.2.a. Applying for Funds Online at Grants.gov**

- Reclamation is participating in the Grants.gov initiative that provides the grant community with a single website to find and apply for grant funding opportunities. Applicant resource documents, and a full set of instructions for registering with Grants.gov and completing and submitting applications online are available at: <http://www.grants.gov/web/grants/applicants/organization-registration.html>
- The registration is a one-time process, which is required before representatives of an organization can submit grant application packages electronically through Grants.gov. The registration process can take three to five business days or one to three weeks—depending on your organization and if all steps are met in a timely manner.
- Some applicants have experienced difficulties when attempting to submit their applications electronically through Grants.gov. If you encounter problems with the Grants.gov application submission process, you must contact the Grants.gov Help Desk to obtain a “Case Number.” This will provide evidence of your attempt to submit an application prior to the submission deadline.
- For assistance with Grants.gov, go to their Support page at: <http://www.grants.gov/web/grants/support.html> .

#### **IV.D.3. Application Format and Length**

The Technical Proposal section shall be limited to a maximum of **30** pages. The total application package shall be no more than **75 consecutively numbered** pages. This includes all attachments and supporting documentation. If an application exceeds 75 pages, the application will not be evaluated. The font shall be at least 12 points in size and easily readable. Page size shall be 8 ½” x 11,” except for an occasional charts, maps, or drawings.

#### **IV.D.4. Application Content**

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

- SF-424 Application cover page
- SF-424 Assurances (B or D Form, as applicable to the project)
- Title Page
- Table of Contents
- Technical Proposal (limited to 30 pages) and evaluation categories:
  - Executive Summary
  - Background Data
  - Technical Project Description
  - Evaluation Categories:
    - District Benefits
    - On-farm Benefits
    - Water Supply Reliability
    - Implementation and Results
    - Department of the Interior Priorities
    - NRCS Collaboration
    - Innovation
- Environmental and Cultural Compliance

- Required Permits and Approvals
- Letters of Project Support (do not submit separately)
- Official Board Resolution
- Verification of ASAP Account
- Verification SAM Account
- Disclosure of Lobbying Activities (SF-LLL)
- Project Budget:
  - Funding Plan and Letters of Commitment
  - Budget Proposal
  - Budget Narrative
  - SF-424 A or C Form, as applicable to the project.

SF-424, SF-424A, SF-424B, SF-424C and SF-424D forms may be obtained at <http://apply07.grants.gov/apply/FormLinks?family=15>

***IV.D.4.a. SF-424 Application Cover Page***

This fully completed form must be signed by a person legally authorized to commit the applicant to performance of the project. *Failure to submit a properly signed SF-424 may result in the elimination of the application from further consideration.*

***IV.D.4.b. SF-424 Assurances***

A SF-424B – Assurances – Non-Construction Programs or an SF-424D – Assurances – 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 or SF-424D may result in the elimination of the application from further consideration.*

***IV.D.4.c. 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, telephone, and facsimile numbers of the project manager.

***IV.D.4.d. Table of Contents***

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

***IV.D.4.e. Technical Proposal and Evaluation Categories***

The technical proposal (30 pages maximum) includes: (1) the Executive Summary, (2) Background Data, (3) Project Description, and (4) Evaluation Categories. To ensure accurate and complete scoring of your application, your proposal should address each criterion in the order presented below. Where applicable, the point value is indicated.

#### **IV.D.4.e.(1) Technical Proposal: Executive Summary**

The executive summary should include:

- The date, applicant name, city, county, and state.
- A one paragraph project summary that briefly identifies how the proposed project contributes to accomplishing the goals of this FOA.
- A statement indicating whether the project includes an on-farm component.
- The following amounts, in acre-feet:
  - The average annual acre-feet of water supply.
  - The estimated amount of water saved after the project is completed.
  - The estimated amount of water better managed.
  - The extent to which this project will enable on-farm water use efficiency and conservation improvements.
- The length of time and estimated completion date for the project.

#### **IV.D.4.e.(2) Technical Proposal: Background Data**

Provide a map of the area showing the geographic location of the project. The map should easily identify the project area, and major geographic features including roads, streams, reservoirs, towns, canals, laterals, and irrigated lands. If on-farm improvements are a part of the application, specifically identify fields and acreages to be improved.

- Describe major crops and total acres served.
- In addition, describe the applicant's water delivery system. Include the miles of canals, miles of laterals, and existing irrigation improvements (*i.e.*, type, miles, and acres). For municipal systems, please include the number of connections and/or number of water users served and any other relevant information describing the system.
- Identify any past working relationships with Reclamation. This should include the date(s), description of prior relationships with Reclamation, and a description of the projects(s).

#### **IV.D.4.e.(3) Technical Proposal: Project Description**

The technical project description should describe the work in detail, including specific activities that will be accomplished because of this project. This description shall have sufficient detail to permit a comprehensive evaluation of the proposal.

#### **IV.D.4.e.(4) Technical Proposal: Evaluation Categories**

(See Section V for additional details. Including a detailed description of each criterion and sub-criterion and points associated with each.)

*It is suggested that applicants copy and paste the evaluation categories and sub-categories into their applications to ensure that all necessary information is adequately addressed.*

#### **Table 1. Evaluation Categories and Point Distribution**

Category	Total Possible Points
1. Benefits	60
2. On-Farm Efficiencies	40
3. Contributions to Water Supply Reliability	15
4. Implementation and Results	15
5. Department of the Interior Priorities	15
6. NRCS Collaboration	15
7. Innovation	5
<b>Total</b>	<b>165</b>

The Technical Proposal should thoroughly address each of the categories and related sub-categories to assist in the complete and accurate evaluation of the proposal. Each category and sub-category is fully described below. The Technical Proposal should address each category and sub-category in the order presented below.

**Category 1: Benefits** (60 points total)

Benefits includes three sub-categories:

- a) Water Conservation and Efficiency (up to 40 points).
- b) Reasonableness of Cost (up to 5 points).
- c) Other benefits (up to 15 points) including but not limited to endangered or threatened species and/or other direct or indirect benefits not already addressed.

Points will be awarded as follows under the Benefits category. See each sub-category for further information.

**Sub-category a) Water Conservation and Efficiency** (up to 40 points)

Points will be allocated to projects that are expected to result in significant water savings.

**1. Quantifiable Water Savings:** Up to 20 points may be awarded based on the quantifiable water savings expected as a result of the project.

**2. Percentage of Total Supply:** Up to 10 points may be awarded based on the percentage of the applicant’s total average water supply that will be conserved directly as a result of the project.

**3. Improved Water Management:** Up to 10 points may be awarded if the project will improve water management through measurement, automation, advanced water measurement systems, or through other approaches where water savings are not quantifiable.

- Describe the amount of water saved. For projects that conserve water, state the estimated amount of water conserved in acre-feet per year (include direct water savings only), that will result as direct benefit from *this project*. Please provide sufficient detail supporting the stated estimate, including any calculations in support of the estimate.



- Describe the percentage of total water supply conserved: State the applicant’s total average annual water supply in acre-feet. (This is the amount actually diverted, pumped, or released from storage, on average, each year. This does not refer to the applicant’s total water right or potential water supply.) Explain how this calculation was made.
- For projects involving improvements to individual facilities (*e.g.*, a head gate, canal, or ditch), state the average annual water supply that runs through the facility and the estimated water savings or quantities that will be better managed or managed differently, in acre-feet, as a result of facility improvement. State the percentage of the average annual water supply to be saved or better managed.
- For proposals that improve water management through measurement, automation, or irrigation management, *etc.*, state the amount of water expected to be better managed, in acre-feet per year and the fate of this water if not for this project. State the percentage of the average annual water supply to be better managed. Explain how this calculation was made. State the existing transport losses and delivery efficiency.
- For all projects involving physical improvements, specify the expected life of the improvement in number of years.

***Sub-category b) Reasonableness of Cost*** (up to 5 points)

Points will be awarded for the reasonableness of the cost for the benefits gained. Please include information related to the total project cost, annual acre-feet conserved (or better managed), and the expected life of the improvement. Use the following calculation:

$$\frac{\text{Total Project Cost}}{\text{Acre-Feet Conserved (or Better Managed)} \times \text{Improvement Life}}$$

*Failure to include this calculation will result in a score of zero for this sub-category.*

Please provide an average cost of the water to the district.

***Sub-category c) Other Benefits*** (up to 15 points)

Points will be awarded to projects that provide other benefits other than quantifiable water savings and water use efficiency. Identify all other benefits, direct or indirect, that will result from this project not previously addressed. This may include things such as water quality benefits, *etc.* Include how direct and indirect project benefits were calculated or determined and reference any supporting documentation.

**1. Endangered or threatened species benefits:** Up to 10 points may be awarded for projects expected to benefit federally-listed threatened or endangered species or federally-recognized candidate species.

**2. Other benefits not otherwise addressed:** Up to 5 points may be awarded for projects that provide other direct or indirect benefits other than those previously addressed. The proposal should address the following:

**Endangered or threatened species benefits**

Projects that benefit both federally-recognized candidate species and federally-listed threatened or endangered species or designated critical habitat will receive additional consideration under this criterion. Please see <https://www.fws.gov/endangered/index.html> for a complete listing of federally-recognized candidate species and federally-listed threatened or endangered species in your area.

What is the relationship of the species to water supply?

What is the extent to which the proposed project would reduce the likelihood of listing or would otherwise improve the status of the species?

For projects that will directly accelerate the recovery of threatened or endangered species or address designated critical habitats, please include the following elements:

- How is the species adversely affected by a Reclamation project?
- Is the species subject to a recovery plan or conservation plan under the ESA?

What is the extent to which the proposed project would reduce the likelihood of listing or would otherwise improve the status of the species?

For projects that will accelerate the recovery of threatened species or endangered species or address designated critical habitats or benefit federally-recognized candidate species please include the following elements:

- Relationship of the species to the water supply.
- Extent to which the proposed project would reduce the likelihood of listing or would otherwise improve the status of the species.
- Quantify actions that will enhance these benefits.

**Category 2: On-Farm Efficiencies** (Up to 40 points)

Points will be awarded based on the probability of full implementation and longevity of the on-farm components for joint on-farm/off-farm irrigation project proposals. Higher consideration will be given to applicants that include letters of intent from farmers/ranchers in the project's affected area and provide detail of their collaboration with their growers and their needs.

*Note:* 0 points will be awarded for on-farm efficiency activities if there is no on-farm project component or if on-farm efficiency activities are not directly enabled by the proposed project.

*The proposal should address the following:*

- Explain the eligible on-farm activities or irrigation practices to be improved because of this project. Provide a detailed explanation of how the proposed project will enable or enhance these on-farm efficiency improvements.

- Describe, in detail, the acreage likely to be improved.
- Explain how the proposed grant project would help to expedite such on-farm efficiency improvements.
- Describe in detail the on-farm improvements that can be made because of this project. Describe any similar planned or on-going efforts by farmers/ranchers that receive water from the applicant.
- Describe fully the on-farm water conservation or water use efficiency benefits that would result from the enabled on-farm component of this project. Estimate the potential on-farm water savings that could result in acre feet per year. Include support or backup documentation for any calculations or assumptions.
- Describe the ongoing relationship and collaboration with your growers and how the districts improvements will aid or enable their growers to implement on-farm efficiencies.

*Projects that include significant on-farm irrigation improvements should demonstrate the eligibility, commitment, and number of district farmers who are likely to participate in the available NRCS funding programs. Please explain how these figures were determined.*

**Category 3: Contributions to Water Supply Reliability** (Up to 15 points)

Points will be awarded based upon a thorough explanation of project benefits that increase water reliability and improve water management, including the use of expanded technologies and capabilities consistent with the goals of the October 19, 2018 Presidential Memorandum on Promoting the Reliable Supply and Delivery of Water in the West. Please provide sufficient explanation of the expected project benefits and their significance.

*For this category, the proposal should address the following:*

- Will the project make water available to address a specific concern? For example:
  - Does the project directly address a heightened competition for finite water supplies and over-allocation (e.g., population growth)?
  - Describe how the water source that is the focus of this project (river, aquifer, or other source of supply) is impacted by uncertainties related to changing hydrologic conditions.
  - Will the project help to address an issue that could potentially result in an interruption to the water supply if unresolved?
- Does the project promote and encourage collaboration among District and growers?
  - Is there widespread support for the project?
  - What is the significance of the collaboration/support?
  - Will the project help to prevent a water-related crisis or conflict?
  - Is the possibility of future water conservation improvements by other water users enhanced by completion of this project?
- Will the project increase awareness of water and/or energy conservation and efficiency efforts?

- Will the project serve as an example of water and/or energy conservation and efficiency within a community?
- Will the project increase the capability of future water conservation or energy efficiency efforts for use by others?
- Does the project integrate water and energy components?

**Category 4: Implementation and Results** (Up to 15 points)

Points will be awarded for proposals with planning efforts that provide support for the proposed project, a feasible implementation schedule, readiness to proceed, and demonstrated results.

*For this category, the proposal should address the following:*

- Identify and describe any engineering or design work performed specifically in support of the proposed project.
- Describe the implementation plan of the proposed project. Include an estimated project schedule that shows the stages and duration of the proposed work, including major tasks, milestones, and dates. Specify the date when construction can begin.
- Describe how the project conforms to and meets the goals of any applicable State or integrated regional water management plans and identify any aspect of the project that implements a feature of an existing water plan(s).
- Performance measures are methods an applicant uses to quantify actual benefits upon completion of the project. Provide a detailed plan on how performance measures and project monitoring will be used to demonstrate, verify, and report project performance and results. Post-project data verification needs to be included. Visit [https://www.usbr.gov/watersmart/weeg/docs/FY13\\_WEEG\\_Performance%20Measures\\_103012\\_FINAL.pdf](https://www.usbr.gov/watersmart/weeg/docs/FY13_WEEG_Performance%20Measures_103012_FINAL.pdf) for suggested performance measures for various types of projects.

Upon completion of the project, AWCE Grant recipients will be required to submit a final report describing the completed project and quantifying the actual project benefits. If information regarding project benefits is not available immediately upon completion of the project, the financial assistance agreement may be modified to remain open until such information is available, and until a final report is submitted. This final report is separate from the final performance/progress report due 90 days after the agreement end date.

**Category 5: Department of the Interior Priorities** (Up to 15 points)

Points will be awarded based on the extent that the proposal demonstrates that the project supports the Department of the Interior priorities. Please address those priorities that are applicable to your project. It is not necessary to address priorities that are not applicable to your project. A project will not necessarily receive more points simply because multiple priorities are addressed. 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 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.

**Category 6: NRCS Collaboration (Up to 15 points)**

Points will be awarded based on the extent to which a project builds upon or complements current or future NRCS water conservation and efficiency efforts in the area.

- Describe collaboration/planning efforts with local NRCS office(s).
- Describe the extent to which this project complements EQIP.

**Category 7: Innovation** (Up to 5 points)

Points will be awarded based on the innovative techniques outlined in this proposal.

- Explain how this project demonstrates innovative techniques and approaches to produce benefits that address water supply.
- What are the applicant's plans to assist others in adopting and implementing the methods and techniques used by the project?
- How will the applicant continue to expand and build upon the project when Federal assistance ends?

***IV.D.4.f. Environmental and Cultural Compliance***

To allow Reclamation to assess the probable environmental impacts and costs associated with each application, all applicants must respond to the following list of questions focusing on the requirements of NEPA, the ESA, and the NHPA. Information regarding the NEPA process can be viewed at <http://www.usbr.gov/nepa/>

Regional or area Reclamation offices are available to answer questions regarding NEPA compliance issues. You may contact Thomas Hawes, Program Coordinator, at 916-978-5271 for further information.

Please answer the following questions to the best of your knowledge.

1. Will the 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.
2. 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? For a listing of endangered or threatened species in your area, please visit <http://www.fws.gov/endangered/> or contact your Regional or Area Office of Reclamation.
3. 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 project may have.
4. When was the water delivery system constructed?

5. Will the project result in any modification of or effects to, individual features of an irrigation system (e.g., head gates, 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.
6. Are any buildings, structures, or features in the irrigation district listed or eligible for listing on the National Register of Historic Places? Applicants will need to contract with a private cultural resources management professional, <http://www.chrisinfo.org/>, or make arrangements through Reclamation's grant administrator for Reclamation's Cultural Resources personnel to determine what, if any, previous cultural resources surveys have been conducted in the project area.
7. Are there any known archeological sites in the proposed project area?
8. Will the project have a disproportionately high and adverse effect on low income or minority populations?
9. Will the project limit access to and ceremonial use of Indian sacred sites or result in other impacts on tribal lands?
10. Will the project contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area?

*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 ground-disturbing activities (including grading, clearing, and other preliminary activities) on a project before environmental compliance is complete and Reclamation explicitly authorizes work to proceed. This pertains to all components of the proposed project, including those that are part of the applicant's non-Federal cost share. Reclamation will provide a successful applicant with information once environmental compliance is complete. An applicant that proceeds before environmental compliance is complete may risk forfeiting Reclamation funding under this FOA.***

#### ***IV.D.4.g. 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. This includes land easements, Caltrans permits, Pacific Gas and Electric Company permits, etc.

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 Section III.H.1. Reclamation may also require

additional 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 §429, and that the development will not impact or impair project operations or efficiency.

***IV.D.4.h. Letters of Project Support***

Applicants are encouraged to submit letters of project support showing collaboration among parties to demonstrate if there is widespread support for the project, the significance of the collaboration/support, if the project will help to prevent a water-related crisis or conflict, the tension or litigation over water in the basin and how this project will ameliorate the issues, or the possibility of future water conservation improvements by other water users enhanced by completion of this project to include on-farm conservation or water management.

***IV.D.4.i. Official Resolution***

All applicants shall submit an official board 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 financial assistance, verifying:

- The identity of the official with legal authority to enter an agreement.
- The board of directors, governing body, or appropriate official who has reviewed and supports the application submitted.
- The capability of the applicant to provide the amount of funding and/or in-kind contributions specified in the funding plan.
- That the applicant will work with Reclamation to meet established deadlines for entering a cooperative agreement.

*Submittal of an official resolution meeting the requirements set forth above is preferred at the time of application submittal. 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 shall be submitted no later than 10 calendar days after the pre-award meeting is held. The pre-award meeting will be scheduled between Reclamation and the applicant no later than 10 days after the award notices are sent out to prospective applicants.*

***IV.D.4.j. ASAP Registration***

All applicants must maintain an active ASAP registration with current information at all times while they have an active Federal award or an application under consideration. Please provide verification of an open and active ASAP account. A screen shot of your account will suffice as verification.

***IV.D.4.k. SAM Registration***

All applicants must maintain an active SAM registration with current information at all times while they have an active Federal award or an application under consideration. Please provide verification of an open and active SAM account. A screen shot of your account will suffice as verification.

***IV.D.4.l. Disclosure of Lobbying Activities (SF-LLL)***

Please complete and sign Standard Form LLL (SF-LLL), "Disclosure of Lobbying Activities".



#### ***IV.D.4.m. Project Budget***

##### **IV.D.4.m.(1) Funding Plan and Letters of Commitment**

Describe how the non-federal share of project costs will be obtained. Reclamation will use this information in making a determination of financial capability.

Project funding provided by a source other than the applicant shall be supported with letters of commitment from these additional sources. This is a **mandatory requirement**. Letters of commitment shall identify the following elements:

1. The amount of funding commitment.
2. The date the funds will be available to the applicant.
3. Any time constraints on the availability of funds.
4. Any other contingencies associated with the funding commitment.

Commitment letters from third party funding sources should be submitted with your project 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 projects 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.

The funding plan must include all project costs, as follows:

1. How you will make your contribution to the cost share requirement, *e.g.*, monetary and/or in-kind contributions and source funds contributed by the applicant (*e.g.*, reserve account, tax revenue, and/or assessments).
2. Describe any in-kind costs incurred before the anticipated project start date that you seek to include as project costs. The description of these costs shall include:
  - a. What project expenses have been incurred.
  - b. How they benefitted the project.
  - c. The amount of the expense.
  - d. The date of cost incurrence.
3. Provide the identity and amount of funding to be provided by funding partners, as well as the required letters of commitment.
4. Describe any funding requested or received from other Federal partners. Note: Other sources of Federal funding may not be counted towards the applicant's 50 percent cost-share unless otherwise allowed by statute.

5. Describe any pending funding requests that have not yet been approved, and explain how the project will be affected if such funding is denied.

Please include the following table (Table 2) to summarize your funding sources. Denote in-kind contributions with an asterisk (\*). Please ensure that the total Federal funding (*i.e.*, Reclamation and all other Federal sources) does not exceed 50 percent of the total estimated project cost.

**Table 2. Summary of non-Federal and Federal funding sources.**

Funding Sources	Funding Amount
Non-Federal Entities	
1	\$
2	\$
3	\$
Non-Federal Subtotal:	\$
Other Federal Entities	
1	\$
2	\$
3	\$
Other Federal Subtotal:	\$
Requested Reclamation Funding:	\$
Total Project Funding:	\$

#### **IV.D.4.m.(2) General Requirements**

Include a project budget table that estimates all costs (not just costs to be borne by Reclamation). Include the value of in-kind contributions of goods and services and sources of funds provided to complete the project. The budget table must clearly delineate between Reclamation and applicant contributions.

#### **IV.D.4.m.(3) Budget Table Format**

The project budget table shall include detailed information on the same categories listed below in the Budget Narrative Format and must clearly identify all project costs. Unit costs shall be provided for all budget items including the cost of work to be provided by contractors. It is strongly advised that applicants use the budget format shown in Table 3 at the end of this section or a similar format that provides this information.

**Table 3. Sample Budget Table Format**

Budget Item Description	Computation		Quantity Type (hours/days)	Total Cost
	Unit	Quantity		
<b><i>Salaries and Wages</i></b>				
Employee 1				\$
Employee 2				\$
Employee 3				\$
<b><i>Fringe Benefits by \$ or %</i></b>				
Full-Time Employees				\$
Part-Time Employees				\$
<b><i>Travel</i></b>				
Trip 1				\$
Trip 2				\$
Trip 3				\$
<b><i>Equipment</i></b>				
Item A				\$
Item B				\$
Item C				\$
<b><i>Supplies/Materials</i></b>				
Item A				\$
Item B				\$
<b><i>Contractual/Construction</i></b>				
Contractor A				\$
Contractor B				\$
<b><i>Other</i></b>				
Environmental				\$
Reporting				
<b><i>Total Direct Costs</i></b>				
				\$
Indirect Costs - __%				
<b><i>Total Project Costs</i></b>				
				\$

Table 3 is only a sample budget table format. It is highly suggested that you use this format, but you may submit the information in a different format which provides a detailed breakdown of costs and justification for budgets presented in the SF-424A.

Construction contracts should be broken out into specific line items. You should attach a separate, detailed budget for each contract to adequately address all contractor budget items.

#### **IV.D.4.m.(4) Budget Narrative Format**

**Submission of a budget narrative is mandatory under this FOA. An award will not be made to any applicant who fails to fully disclose this information.**

The purpose of the budget narrative is to provide a discussion of, or explanation for, the cost items included in the budget proposal, the basis for each cost, and why the costs are deemed allowable, allocable and reasonable in accordance with 2 CFR 200.

The types of cost information to provide in the budget narrative are listed in the following subsections. Include the value of in-kind contributions of goods and services, and sources of funds provided to complete the proposed project. *Provide supporting documentation as indicated for each item of cost.*

*Note:* All successful applications will undergo a rigorous cost-price analysis and multi-level review prior to award of federal funding. The budget narrative's cost items will be used for this analysis. If the grant application does not contain the appropriate amount of detail and supporting documentation, the award process will be delayed, and may be cancelled.

#### **1. Salaries and Wages**

- Indicate program manager and other key personnel by name and title. Other personnel may be indicated by title alone.
- For all positions, indicate salaries and wages, estimated hours or percent of time, and rate of compensation proposed. (i.e., number of hours, days, weeks, percentage of a year, *etc.*)
- The labor rates should identify the direct labor rate separate from the fringe rate or fringe cost for each category – no fully burdened rates will be allowed for applicant personnel.
- Supporting documentation for the budgeted rates shall be submitted with the application (*i.e.*, payroll records, or company rate sheets). Redact any Personally Identifiable Information (PII) other than employee name, rate of pay and job classification.
- Provide a certification on company letterhead that rates provided are actual salaries currently paid to listed employees.
- Clearly identify any proposed salary increases, the effective date, and provide explanation to the basis of the increase.
- 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.

## 2. Fringe Benefits

- Indicate rates/amounts, what costs are included in this category, and the basis of the rate computations.
- Fringe costs should typically include payroll taxes such as Federal Insurance Contributions Act (FICA), unemployment, and workers' compensation, but can also include retirement, health insurance, and annual, sick, and holiday leave.
- Fringe does not include federal income taxes, employee portion FICA, or other such costs.
- Indicate whether these rates are used for application purposes only or whether they are fixed or provisional rates for billing purposes.
- Federally approved rate agreements are acceptable for compliance with this cost item. Provide documentation for the fringe and overhead rates proposed and submit the supporting documents with your proposed budget and narrative.

## 3. Travel

- Include purpose of trip, destination, number of personnel traveling, length of stay and all travel costs including airfare, per diem, lodging, airfare, and miscellaneous travel expenses.
- Include the basis for rates used, i.e., General Services Administration (GSA) 2019 Per Diem Rates.
- For local travel, include estimated mileage and rate of compensation, i.e., \$0.54 per mile per GSA 2019 standard mileage rates.
- Submit supporting documents with your proposed budget and narrative (i.e., invoices, receipts, travel vouchers, etc. Redact any PII other than employee name).

## 4. Equipment

- Itemize costs of all equipment having a value of over \$5,000 and include information as to the need for this equipment, as well as how the equipment was priced if being purchased for the agreement.
- If equipment is being rented, specify the number of hours and the hourly rate.
- Local rental rates are only accepted for equipment being rented or leased for the project.
  - If equipment currently owned by the applicant is proposed for use under the proposed project, and the cost to use that equipment is being included in the budget as in-kind cost share, provide the rates and hours for each piece of equipment owned and budgeted.
  - These should be ownership rates developed by the recipient for each piece of equipment.
  - If these rates are not available, the U.S. Army Corps of Engineer's recommended equipment rates for the region are acceptable. (Blue book, Federal Emergency Management Agency, and other data bases should not be used.)

- Submit supporting documentation with your proposed budget and narrative.

## **5. 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 (*e.g.*, quotes, past project invoice, engineering estimates, or other methodology).
- Submit supporting documentation with your proposed budget and narrative.

## **6. Contractual and Construction**

- Identify all work that will be accomplished by sub recipients, 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.
- If applicable, use the same cost categories for each subcontractor/consultant as listed in this budget narrative (Salaries and Wages [fully burdened are allowed], Travel, Equipment, Materials and Supplies, Other).
- Identify how the budgeted costs for subcontractors were determined to be fair and reasonable in accordance with 2 CFR 200, Subpart E, Cost Principles.
- If a sub recipient, consultant, or contractor is proposed and approved at time of award, no other approvals will be required. Any changes or additions will require a request for approval.
- Submit supporting documentation with your proposed budget and narrative:
  - Quotes and/or past invoices to support individual items of cost.
  - Bid matrix and copies of bids to support competed contracts (for current proposed contracts or as support for past contract comparisons).
  - Printouts from Estimating Manuals/Software for Engineer Estimates, Models, *etc.*

## **7. Environmental and Regulatory Compliance Costs**

Applicants must include a line item in their budget to cover environmental compliance costs.

“Environmental compliance costs” refers to costs incurred by Reclamation or the recipient in complying with environmental regulations applicable to a grant or cooperative agreement, including costs associated with any required documentation of environmental compliance, analyses, permits, or approvals. Applicable Federal environmental laws could include NEPA, ESA, NHPA, and CWA, and other regulations depending on the project. Such costs may include, but are not limited to:

- The cost incurred by Reclamation to determine the level of environmental compliance required for the project.

- The cost incurred by Reclamation to review any environmental compliance documents prepared by a consultant.
- The cost incurred by Reclamation, the recipient, or a consultant to prepare any necessary environmental compliance documents or reports.
- The cost incurred by the recipient in acquiring any required approvals or permits, or in implementing any required mitigation measures.

The amount of the line item should be based on the actual expected environmental compliance costs for the project. The minimum amount budgeted for environmental compliance should be equal to at least 1 to 2 percent of the total project costs. If the amount budgeted is less than 1 to 2 percent of the total project costs, you must include a compelling explanation of why less than 1 to 2 percent was budgeted.

Reclamation advises each applicant to coordinate with Reclamation’s environmental compliance staff prior to preparing environmental compliance analyses or documents. How environmental compliance activities will be performed (e.g., by Reclamation, the applicant, or a consultant) and how the environmental compliance funds will be spent, will be determined pursuant to subsequent agreement between Reclamation and the applicant. If any portion of the funds budgeted for environmental compliance is not required for compliance activities, such funds may be reallocated to the project, if appropriate.

## 8. Other

- **Reporting:** Recipients are required to report on the status of their project on a regular basis. Failure to comply with reporting requirements may result in the recipient being removed from consideration for funding under future funding opportunities. Include a line item for reporting costs (including final project and evaluation costs), with estimated hours for compliance with reporting requirements, including final project and evaluation.
- **Other:** Any other expenses not included in the above categories shall be listed in this category, along with a description of the item and what it will be used for. No profit or fee will be allowed.

Please see Section VI.E for information on types and frequency of reports required.

## 9. Indirect Costs

- Show the proposed rate, cost pool base, and proposed amount for allowable indirect costs based on the applicable cost principles in 2 CFR 200, Subpart E. It is not allowable to incorporate indirect rates within other direct cost line items.
- If the applicant has separate rates for recovery of labor overhead and general and administrative costs, each rate shall be shown. The applicant should propose rates for evaluation purposes, which will be used as fixed or ceiling rates in any resulting award. Include a copy of any federally approved indirect cost rate agreement. If a federally approved indirect rate agreement is not available, provide supporting documentation for

the rate. This can include a recent recommendation by a qualified certified public accountant along with support for the rate calculation.

- If the applicant has never received a Federal negotiated indirect cost rate, the budget may include a *de minimis* rate of 10 percent of modified total direct costs. For further information on modified total direct costs, refer to 2 CFR Part 200 available at <https://www.doi.gov/ibc/services/finance/indirect-cost-services/faqs>
- If you do not have a federally approved indirect cost rate agreement and/or are 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 of the Interior’s, Interior Business Center, and Indirect Cost Services, at <https://www.doi.gov/ibc/services/finance/indirect-cost-services>.

### **Total Costs**

Indicate total amount of project costs, including the breakout of Federal and non-Federal cost-share amounts.

In addition to the above-described budget information, the applicant must complete an SF-424A, Budget Information – Non-construction Programs, or an SF-424C, Budget Information – Construction Programs. These forms are available at <http://apply07.grants.gov/apply/FormLinks?family=15> or may be downloaded from the Funding Opportunity in Grants.gov under Full Announcement.



## **IV.E. Funding Restrictions**

See Section III.E.3 for restrictions on incurrence and allowability of pre-award costs.

## **IV.F. Review and Selection Process**

The Government reserves the right to reject all applications which do not meet the requirements of this FOA or are outside the scope of AWCE Grants. Awards will be made for projects most advantageous to the Government. Award selection may be made to maintain balance among the program tasks listed in Section III.B. The evaluation process will be comprised of the steps described in the following subsections.

### **IV.F.1. First-Level Evaluation - Initial Screening**

All applications will be screened to ensure that:

- The application meets the requirements of the FOA package, including submission of the budget proposal, budget narrative, budget supporting documentation, funding plan, letter(s) of commitment, and related forms.
- The application contains a properly executed SF-424 A and SF-424B, Assurances–Non-Construction Programs, or SF-424C SF-424D, Assurances–Construction Programs.
- The application includes an official resolution, adopted by the applicant’s board of directors, governing body, or appropriate authorized official.
- At least 50 percent of the cost of the project will be paid for with non-Federal funding. 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 may approve an award to an applicant prior to securing the non-federal cost-share funds if there is sufficient evidence and likelihood that the non-federal funds will be available to the applicant by the start of the project.
- The applicant meets the eligibility requirements stated in this document.
- The application meets the description of eligible projects in Section III.B., “Eligible Projects,” of this document and is within the scope of AWCE Grants.
- For the FY 2019 application submittal period, the project can be completed by September 31, 2020. For the FY 2020 application submittal period, the project can be completed by September 31, 2022.

*Reclamation reserves the right to remove an application from funding consideration if it does not pass all First-Level Screening criteria listed above.*

### **IV.F.2. Second-Level Evaluation - Application Review Committee (ARC)**

Evaluation categories will comprise 165 points and are weighted as stated in Section IV.D.2.e(4). Applications will be scored against the evaluation categories by an ARC, made up of experts in relevant disciplines. During the Second-Level Evaluation, Reclamation may contact applicants to request clarifications to the information provided if necessary.

#### **IV.F.3. Third-Level Evaluation – 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 follows all reporting requirements associated with previously funded projects.

In addition, during this review, Reclamation Offices 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.

#### **IV.F.4. Fourth-Level Evaluation - Managerial Review**

Management will prioritize projects to ensure the total amount of all awards does not exceed available funding levels and to ensure that the projects meet the scope and priorities of the FOA. Management may also prioritize programs and projects to ensure that the Department of the Interior's and regional goals are met. 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 towards the completion of outstanding financial assistance agreements and whether the applicant follows all reporting requirements associated with previously funded projects.

### **IV.G. Pre-Award Clearances and Approvals**

After completion of the managerial review, Reclamation will notify applicants whose proposals have been selected for award consideration and will forward their applications to the appropriate Reclamation regional or area office for completion of environmental compliance.

The local Reclamation office will also complete a business evaluation and determination of responsibility. During these evaluations, the Grants Officer (GO) will also consider several factors which are important, but not quantified, such as:

- Pre-award clearances, determinations, reviews, and approvals.
- Allowability and allocability of proposed costs.
- Financial strength and stability of the organization.
- 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.

If the results of all pre-award reviews and clearances are satisfactory, Reclamation anticipates awarding funding to the higher-scoring applicants approximately one to three months from the date of initial selection. If the results of all pre-award review and clearances are unsatisfactory,

Reclamation may consider withdrawing funding for the proposed project.

**Application/Award Process Timeline:**

<b>ACTION</b>	<b>DATE</b>
<b>FOA Application Period</b>	Proposals received before March 1, 2019, 1:00 p.m. PST will be eligible for FY 2019 funding. Proposals received after March 1, 2019, 1:00 p.m. PST and before November 1, 2019, 1:00 p.m. PDT will be eligible for FY 2020 funding.
<b>Announcement and Award Consideration Letters Sent</b>	June 2019 for FY 2019 Applications and April 2020 for FY 2020 applications.
<b>Pre-Award Meeting Held with Recipient</b>	Not later than 10 days after Reclamation sends the award consideration letters.
<b>Final Supporting Documentation Due</b>	Not later than 10 days after the pre-award meeting is held.
<b>Preparation of Agreements</b>	June-September 2019 for FY 2019 applicants and April-May 2020 for FY 2020 applicants.
<b>Agreement Awarded</b>	By September 2019 for FY 2019 applicants and May 2020 for FY 2020 applicants.

**Application Documents Due Dates\*:**

<b>DOCUMENT (Name or Type)</b>	<b>FINAL Due with Application</b>	<b>DRAFT Due with Application</b>	<b>FINAL Due 10 Days After Pre- Award Meeting</b>
<b>Full Application</b>	X		
<b>SF-424</b> (Application for Federal Assistance)		X (Signed)	X
<b>SF-424 A or C</b> (Budget Form)		X	X
<b>SF-424 B or D</b> Assurances)	X		
<b>Official Resolution</b>		X	X
<b>ASAP Verification</b>	X		
<b>SAM Verification</b>	X		
<b>SF-LLL</b> (Lobbying Form)	X		
<b>Budget Table</b>		X	X
<b>Budget Narrative</b>		X	X
<b>Supporting Budget Documentation</b>			X

*\*Proposals received before March 1, 2019, 1:00 p.m. PST will be eligible for FY 2019 funding. Proposals received after March 1, 2019, 1:00 p.m. PST and before November 1, 2019, 1:00 p.m. PDT will be eligible for FY 2020 funding.*

## **IV.H. Award Notices**

Successful applicants will receive, by electronic or regular mail, a notice of award consideration.

## **IV.I. Award Document**

If the applicant is awarded a financial assistance agreement, the proposed project and other relevant information from the application will be referenced in the agreement. The agreement must be signed by a Reclamation GO before it becomes effective.

## **IV.J. Reporting Requirements and Distribution**

If the applicant is awarded an agreement, the applicant will be required to submit the following types of reports during the term of the agreement.

### **IV.J.1. Financial Reports**

Financial Status Reports shall be submitted by means of the SF-425 and shall be submitted according to the Report Frequency and Distribution schedule outlined in the agreement.

### **IV.J.2. Program Performance Reports**

Program Performance Reports shall be submitted according to the Report Frequency and Distribution schedule outlined in the agreement, and should include the following:

- Comparison of actual accomplishments to the milestones established by the financial assistance agreement for the period. Where the accomplishments of the Federal award can be quantified, a computation of the cost (for example, related to units of accomplishment) may be required if that information will be useful. Where performance trend data and analysis would be informative to the Federal awarding agency program, the Federal awarding agency should include this as a performance reporting requirement;
- Reasons why established milestones were not met, if applicable;
- 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; and
- Additional pertinent information including, when appropriate, analysis and explanation of cost overruns / high unit costs, or issues related to the status of the project.

Final report, including, but not limited to, the following information:

- Whether the project objectives and goals were met;
- Discussion of the amount of water conserved, if applicable, including information and/or calculations supporting that amount;

- Discussion of the amount of energy the renewable energy system is generating annually, if applicable; and
- How the project demonstrates collaboration, if applicable.

*Note: Reclamation considers final reports to be public documents. Reclamation may make such reports available on its website.*

#### **IV.J.3. Significant Development Reports**

Events may occur between the scheduled performance reporting dates that have significant impact upon the supported activity. In such cases, the non-Federal entity must inform the Federal awarding agency or pass-through entity as soon as the following types of conditions become known:

1. Problems, delays, or adverse conditions which will materially impair the ability to meet the objective of the Federal award. This disclosure must include a statement of the action taken, or contemplated, and any assistance needed to resolve the situation.
2. Favorable developments which enable meeting time schedules and objectives sooner or at less cost than anticipated or producing more or different beneficial results than originally planned.

#### **IV.K. Water Savings Validation**

Reclamation may conduct water savings validation efforts on projects funded under this FOA, including before and after tests, to assess the overall accuracy of water savings estimates.

## Section V. Agency Contacts

There will be no pre-application conference. Organizations or individuals interested in submitting applications in response to this FOA may contact Beverly S. Breen, Grants Officer, at [BBreen@usbr.gov](mailto:BBreen@usbr.gov).

## Section VI. Other Information

### VI.A. Performance Measures

All proposals must describe how the applicant will quantify actual project benefits (water saved or better managed) upon completion of the project (also known as a “performance measure”). Applicants must identify performance measures for the proposed project and explain how the measure will be applied.

Please refer to

[https://www.usbr.gov/watersmart/weeg/docs/FY13\\_WEEG\\_Performance%20Measures\\_103012\\_FINAL.pdf](https://www.usbr.gov/watersmart/weeg/docs/FY13_WEEG_Performance%20Measures_103012_FINAL.pdf) for more examples of acceptable performance measures.

### VI.B. Environmental Compliance Requirements

*Under no circumstances may an applicant begin any ground-disturbing activities (including grading, clearing, and other preliminary activities) on a project before environmental and cultural resources compliance is complete and Reclamation explicitly authorizes work to proceed. This pertains to all components of the proposed project, including those that are part of the applicant’s non-Federal cost share. Reclamation will provide a successful applicant with information once such compliance is complete. An applicant that proceeds before environmental and cultural resources compliance is complete may risk forfeiting Reclamation funding under this FOA.*

Before approving expenditures for the implementation of a AWCE Grant project, Reclamation is required to comply with applicable environmental laws. Such compliance requires the participation and cooperation of both Reclamation and AWCE Grant recipients. This information is intended to inform applicants about the environmental compliance process associated with AWCE Grant projects and to summarize the requirements of certain Federal environmental laws.

Reclamation addresses environmental compliance issues for AWCE Grant applications as 1) an initial review and 2) a more detailed view of projects initially recommended for award. First, as part of the initial recommendation process, Reclamation evaluates the appropriateness of the amount budgeted for environmental compliance. Reclamation also examines the proposal to determine whether any significant environmental issues are involved in the project. Second, once a proposal has been initially recommended for funding, Reclamation undertakes a more detailed examination of environmental issues associated with the proposed project to comply with applicable law.

### **VI.B.1. Review within the Application Evaluation Process**

In the evaluation and selection process, Reclamation performs an initial review of the AWCE Grant applications for potential environmental issues. At this stage, Reclamation's review is focused on whether:

1. The applicant has budgeted appropriately for environmental compliance.
2. Any significant environmental issues (*i.e.*, issues that would make the project infeasible) are apparent.

Applicants for AWCE Grant funding must include a line item in their budget estimating the cost of environmental compliance for their project. The amount budgeted should be based on the actual expected environmental compliance costs but should be equal to *approximately* 2 percent of the total project costs. If less than 2 percent is budgeted, you must provide justification. Applications will be scored based on whether the amount budgeted appears reasonable.

Environmental compliance costs that are included in the budget proposal are considered project costs and may be cost shared by the recipient and Reclamation. If too much is budgeted for environmental compliance, any remaining funding may generally be reallocated to cover other project costs.

Environmental compliance costs have varied greatly for past projects. A minimal number of projects have incurred environmental compliance costs in excess of the 2 percent budgeted amount. In each of those cases, the overage has been the result of issues involving historic properties, the presence of endangered species, or other compliance concerns requiring a lengthier assessment of specific issues.

In addition to budgeting for environmental costs, the FOA requests that applicants for AWCE Grant project funding answer a series of questions about the potential environmental impacts of their proposed project. In general, applications will not be scored lower in this first step of the environmental review based on the significance of the environmental issues involved. Rather, the information about environmental impacts is used by Reclamation primarily to determine if you have budgeted appropriately. However, in some extreme cases, a proposal may be eliminated from further consideration at this stage if the magnitude of the environmental issues would make the project infeasible.

### **VI.B.2. Review of Projects Recommended for Funding**

If a proposal is initially recommended for funding, a detailed analysis will be performed to determine the actual environmental impacts of the project, to agree on any mitigation measures needed, and to document environmental compliance. The recipient will then work with Reclamation to provide the information necessary for Reclamation to complete the environmental compliance work.

**All awards will be made contingent on completion of environmental compliance**, and the assistance agreement will describe how compliance will be carried out and how it will be paid for. AWCE Grant funding may not be applied to construction or implementation of the project



unless and until this second level of environmental analysis is completed to comply with all applicable environmental laws.

### **VI.B.3. Overview of Relevant Environmental Laws**

Following is a brief overview of NEPA, NHPA, and ESA. While these statutes are not the only environmental laws that may apply to AWCE Grant projects, 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 of an AWCE Grant award. The descriptions below are intended to provide you with information about the environmental compliance issues that may apply to your projects and to help you budget appropriately for the associated compliance costs.

#### ***VI.B.3.a. 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 decide to fund a AWCE Grant project, 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:

- In rare instances, 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, Reclamation may need to prepare a CE Checklist (CEC). It is important that the applicant recognize that Reclamation’s federal action is providing funding—not the action the applicant is proposing to undertake. Use of a CE can involve simple identification of an applicable Department of the Interior CE or documentation of a Reclamation CE using a CEC. If a CE is being considered, Reclamation must determine the applicability of the CE and whether extraordinary circumstances (*i.e.*, reasons that the CE cannot be applied) exist. That process can take up to 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 (EA)/Finding of No Significant Impact (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 and to discuss potential mitigation for any potentially significant impacts. If no potentially significant effects are identified, or those identified can be mitigated, 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 that cannot be mitigated or a substantial controversy exists regarding the use of the resource, may require preparing an Environmental Impact Statement (EIS) and a Record of Decision. An EIS can take months or years to

complete, the process includes considerable public involvement, including mandatory public reviews of draft documents, and the costs can be substantially greater than other types of analyses. 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 who have 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. For questions regarding NEPA compliance issues, go to: <http://www.usbr.gov/main/offices.html>. Applicants may also contact Thomas Hawes, Program Coordinator, at 916-978-5271.

#### ***VI.B.3.b. 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 award an AWCE Grant. “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, AWCE Grant recipients 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 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; and, if the project would have an adverse effect, 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 AWCE Grants are historic irrigation systems and archaeological sites. An irrigation system or a component of an irrigation system (*e.g.*, a canal or head gate) 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, AWCE Grant 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.

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. If an applicant has previously received Federal financial assistance, it is possible that a cultural resources survey has already been completed.

For a list of Reclamation cultural resource specialists, go to:  
[www.usbr.gov/cultural/crmstaff.html](http://www.usbr.gov/cultural/crmstaff.html).

#### ***VI.B.3.c. Endangered Species Act***

Pursuant to Section 7 of the ESA, each Federal agency is required to consult with the U.S. Fish and Wildlife Service (USFWS) or the National Oceanic and Atmospheric Administration (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 an AWCE Grant 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 project. A general 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, 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 ESA compliance is complete. Depending on the scope and complexity of the proposed action, preparation of a Biological Assessment can range from days to weeks or even months. The

USFWS/NOAA Fisheries Service generally respond to requests for concurrence within 30 days.

- If it is determined that the project is likely to adversely affect listed species, further consultation (“formal consultation”) with USFWS or NOAA Fisheries Service is required to comply with the ESA. The process includes the creation of a Biological Opinion by the USFWS/NOAA Fisheries Service, including a determination of whether the project would “jeopardize” listed species and, if so, whether any reasonable and prudent alternatives to the proposed project are necessary to avoid jeopardy. Nondiscretionary reasonable and prudent measures and terms and conditions to minimize the impact of incidental take may also be included. Under the timeframes established in the ESA regulations, the Biological Opinion is issued within 135 days from the date that formal consultation was initiated, unless an extension of time is agreed upon.
- 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 categorical exclusion checklists, documented simultaneously. The best source of information concerning the compliance with the ESA in a project area is the local Reclamation environmental staff, who can be helpful in determining the presence of listed species and possible effects that would require consultation with the USFWS or NOAA Fisheries Service.

Applicants are encouraged to contact their regional or area Reclamation office with questions regarding ESA compliance issues. Such offices may be found at <http://www.usbr.gov/main/offices.html>. Applicants may also contact Thomas Hawes, Program Coordinator, at 916-978-5271.