BASINWIDE & BASIN STATES SALINITY CONTROL PROGRAMS

Notice of Funding Opportunity No. R23AS00353

Upper Colorado Basin Region

(Photo) The Lower Stewart Ditch Salinity Project. Paonia, Colorado

Mission Statements

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

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

Synopsis

Federal Agency Name:	Department of the Interior, Bureau of Reclamation, Upper Colorado Basin Region
Funding Opportunity Title:	Colorado River Basinwide & Basin States Salinity Control Programs
Announcement Type:	Notice of Funding Opportunity (NOFO)
Funding Opportunity Number:	R23AS00353
Catalog of Federal Domestic Assistance Number:	15.509 Title II, Colorado River Basin Salinity Control
Dates:	Application due date: **September 27, 2023, 11:59 p.m**. Mountain Daylight Time (MDT)
Eligible Applicants:	State (includes District of Columbia, public institutions of higher education and hospitals), Local (includes State-designated lndian Tribes, excludes institutions of higher education and hospitals, Public nonprofit institution/organization (includes institutions of higher education and hospitals), Federally Recognized lndian Tribal Governments, U.S. Territories and possessions (includes institutions of higher education and hospitals), Individual/Family, Profit organization, Private nonprofit institution/organization (includes institutions of higher education and hospitals).
Recipient Cost Share:	Not required but encouraged.
Available Federal Funding:	Reclamation may award up to $30-40 million in the Basinwide Program, based on the 2024-2027 budget requests and subject to Federal Appropriations. Reclamation, using BSP funding, may award up to $5-10 million.
Federal Funding Amount:	Reclamation will look to fund as many projects as possible; Each project may not exceed $10 million of Federal Funding. This limit does not apply to any additional cost share funding Each applicant is limited to a total of $12 million of unspent Reclamation Salinity Funding if the applicant has any multiple project awards, at any one time after award; this includes Salinity Funding that has not yet been spent on any current projects awarded during a previous Funding Opportunity Announcement.
Estimated Number of Agreements to be Awarded:	5

Application Checklist

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

√	What to submit	Submit by
	RECOMMENDED:	
	Recommended Salt Load Reduction Worksheet submitted by:	August 11, 2023
	Mandatory Federal Forms	
	• SF424 Application for Federal Assistance • SF424 A Budget Information for Non-Construction **or** SF424 C Budget Information for Construction • SF424 B Assurances for Non-Construction **or** SF424 D Assurances for Construction https://www.grants.gov/web/grants/forms/forms-repository.html	September 27, 2023
	Mandatory Project Application Forms	September 27, 2023
	Part 1 - Project summary Part 2 - Project proposed for funding Part 3 - Projects costs and funding plan • Appendix A: Detailed Cost Estimates • Appendix B: Estimate of Enabled On-Farm Acreage • Appendix C: GIS Project Maps • Appendix D: Supplemental Data Tables/Other Types of Salinity Control • Appendix E: Approved Salt Load Reduction Estimate(s) • Appendix F: Significance Sheet	
	Signature & Review Letters:	
	Letter of support	September 27, 2023
	Official Resolution from company	September 27, 2023
	RECOMMENDED:	
	State Representative Signature Letter	September 27, 2023
	Basin States Salinity Coordinator Concurrence Letter	September 27, 2023
	Registered in the System for Award Management (SAM) by:	August 11, 2023
	Registered in Grants.gov; www.grants.gov by:	August 11, 2023

	The Bureau of Reclamation will offer a webinar to address any questions recipients may have regarding this NOFO. All enquiries must be directed to Autumn Anderson at **amanderson@usbr.gov** by June 29, 2023. This will give Reclamation adequate time to address every question during the live webinar.	June 29, 2023
	Webinar for Q & A session being held (Details below)	July 11, 2023

Applications must be submitted online at www.grants.gov

Deadline: **September 27, 2023 @ 11:59 p.m. (MDST)**

Point of Contact:
Mrs. Autumn Anderson
125 South State St., Room 8100
Salt Lake City, UT 84138
Phone: (801) 524-3609
E-mail: amanderson@usbr.gov

The Bureau of Reclamation will host a webinar on Tuesday, July 11, 2023, from 10 - 12:00 pm MST to address the Questions submitted on or before June 29, 2023.

Tuesday, July 11, 2023

10:00 AM | (UTC-06:00) Mountain Time (US & Canada) | 2 hrs

Join from the meeting link

https://rec.webex.com/rec/j.php?MTID=m0beed3e2812f1f6ca33ed8f2adf67d3c

Join by meeting number

Meeting number (access code): 2763 067 5539

Meeting password: Salinity (72546489 from video systems)

Tap to join from a mobile device (attendees only)

+1-415-527-5035,,27630675539## US Toll

Join by phone

+1-415-527-5035 US Toll

Global call-in numbers

Acronyms and Abbreviations

Applicant	Legal Entity Applying for Funding
ARC	Application Review Committee
AOR	Authorized Organization Representatives
ASAP	Automated Standard Application for Payments
BA	Biological Assessment
Basin Funds	Upper Colorado River Basin Fund and Lower Colorado River Basin Development Fund
Basinwide Program Program	Colorado River Basinwide Salinity Control
BLM	Bureau of Land Management
BO	Biological Opinion
BSP	Basin States Program
CE	Categorical Exclusion
CEC	Categorical Exclusion Checklist
CWA	Clean Water Act
DUNS	Data Universal Number System
E-Biz POC	E-Business Point of Contact
EA	Environmental Assessment
EIN	Employer Identification Number
EIS	Environmental Impact Statement
ESA	Endangered Species Act of 1973
EPA	United States Environmental Protection Agency
FOA	Federal Opportunity Announcement
FONSI	Finding of No Significant Impact
FOTG	Field Office Technical Guide
FY	Fiscal Year
GO	Grants Officer
GOTR	Grants Officer Technical Representative
HDPE	High-Density Polyethylene
HQS	Habitat Quality Score
IRS	Internal Revenue Service
LDPE	Low-Density Polyethylene
MST	Mountain Standard Time
MOA	Memorandum of Agreement
NEPA	National Environmental Policy Act of 1969
NHPA	National Historic Preservation Act of 1966
NOAA	National Oceanic and Atmospheric Administration
NOFO	Notice of Funding Opportunity
NPDES	National Pollutant Discharge Elimination System
NRCS	National Resource Conservation Service
O&M	Operation and Maintenance

OMB	Office of Management and Budget
PSI	Pounds per Square Inch
P.L.	Public Law
PVC	Polyvinyl Chloride
Reclamation	Bureau of Reclamation
RCPP	Regional Conservation Partnership Program
Salinity Control Act	Colorado River Basin Salinity Control Act, P.L. 93-320
Salinity Funding	Funding from the Basinwide Program and/or BSP
SAM	System for Award Management
Secretary	Secretary of the Interior
Surge	Automated Irrigation Method
Service	U.S. Fish and Wildlife Service
SF	Standard Form
TIN	Taxpayer Identification Number
THV	Total Habitat Value
UC	Upper Colorado
USDA	United States Department of Agriculture
USGS	United States Geological Survey

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Section A. Funding Opportunity Description

A.1. Program Information

The Colorado River Basin Salinity Control Program (Salinity Control Program) was designed to meet the objectives of the Colorado River Basin (Basin) Water Quality Standards. These standards include a Plan of Implementation to limit further degradation of water quality in the Colorado River that provides water to Southern California, Arizona, Nevada, and New Mexico. The objective of the Salinity Control Program has been to minimize salt loading in the Colorado River system by seeking cost-effective regional solutions to the problem.

The Bureau of Reclamation solicits, ranks, and selects new Salinity Control Projects based on a competitive process open to the public. Cooperative agreements are awarded with selected applicants. Projects have typically involved converting unlined canals and ditches to pipelines located in the Upper Basin States of Utah, Colorado, New Mexico, and Wyoming to reduce seepage that picks up salt and carries it into the Colorado River system.

A1.1 Program History

Historically, total annual salt loading of the Colorado River measured at Hoover Dam has been approximately 9 million tons. About one-third of the historical salt load was human-induced, originating from irrigation practices, municipal and industrial sources. Due to salinity in the Colorado River water, quantified economic damages to municipal and agricultural water users in the Lower Basin of the Colorado River are currently about $328 million per year. Without the Salinity Control Program, it is estimated that the quantified economic damages would be about $618 million per year.

A.2. Objective of Notice of Funding Opportunity

Reclamation's UC Region is requesting applications for salinity control projects that reduce salinity contributions to the Colorado River system. Such applications may consist of projects to reduce salinity contributions originating from saline springs, leaking wells, irrigation sources, municipal and industrial sources, erosion of public and private land, or other sources.

Only those irrigation-related projects where salt load reduction values have been supplied by Reclamation, and which reduce salt loading from ***delivery systems,*** will be considered, e.g., canals, ditches, or laterals. However, delivery system projects that ***enable*** future, on-farm salinity reduction projects will be given a higher rating as detailed in the evaluation criteria. Such on-farm projects should be referred to the USDA-NRCS Environmental Quality Incentives Program.

In this Notice of Funding Opportunity (NOFO), applications will be accepted for projects that request $10 million or less of Reclamation's Salinity Funding and control significant tons of salt.

Applications will be selected through a competitive process under the evaluation criteria set forth in the NOFO. Applications will be evaluated and ranked by an Application Review Committee (ARC). Reclamation will then proceed to award agreements to the applicants of the highest ranked applications. Starting with those applications with the highest ranking, awards may be made until the anticipated available funding for the next three to four years has been awarded. Awarded projects are funded each year based on the appropriations received and the priorities of date of award and ranking order.

Applicants who are awarded salinity project funds are required to replace incidental wildlife habitat losses concurrent with construction of the project schedule and to maintain the wildlife habitat for the life of the project, which is fifty (50) years. Reclamation will monitor the habitat projects and meet and communicate with the awarded Applicant on a regular basis over the 50-year maintenance period to help ensure the success of the habitat replacement project.

A.3. Statutory Authority

In June 1974, Congress enacted the Colorado River Basin Salinity Control Act, Public Law (P.L.) 93-320 (Salinity Control Act), which directed the Secretary of the Interior to proceed with a program to enhance and protect the quality of water available in the Colorado River for use in the United States and Republic of Mexico. In 1975, the Environmental Protection Agency approved water quality standards developed by the seven Colorado River Basin States in response to the Federal Water Pollution Control Act of 1972. The standards included numeric criteria for three stations on the main stem of the lower Colorado River (below Hoover Dam, below Parker Dam, and at Imperial Dam) and a Plan of Implementation to control salinity increases.

P.L. 104-20 of July 28, 1995, amended the Salinity Control Act, and authorizes the Secretary, acting through Reclamation, to implement a Colorado River Basinwide Salinity Control Program (Basinwide Program). The Secretary may carry out the purposes of this legislation directly, or make grants, enter contracts, memoranda of agreement, commitments for grants, cooperative agreements, or advances of funds to non-Federal entities under such terms and conditions as the Secretary may require.

The appropriate agreement mechanism will be determined on a case-by-case basis (i.e., grant or cooperative agreement). Throughout the remainder of this document the generic term "agreement" is used to describe the agreement mechanism.

The 1984 amendments to the Salinity Control Act authorized the United States Department of Agriculture (USDA), and the Bureau of Land Management (BLM) to participate in the Salinity Control Program. Although integrated with Reclamation's work, both of these agencies have their own authorities to implement their respective programs. For example, the NRCS Environmental Quality Incentives Program (EQIP) is responsible for on-farm irrigation improvements and rangeland improvements on private lands. BLM is responsible for the rangeland management program on BLM lands.

P.L. 110-246 amended the Salinity Control Act, authorized the Basin States Program (BSP), and authorized Reclamation, through the BSP, to take advantage of new, cost-effective opportunities to control salinity anywhere in the Basin. Moneys collected into the Lower Colorado River Basin Development Fund and the Upper Colorado (UC) River Basin Fund (Basin Funds) from a surcharge on power produced at Reclamation facilities are used to control salt by providing grants, grant commitments, or advance funds to Federal or non-Federal entities under such terms and conditions as the Secretary may require. The moneys are used to fund cost effective measures and associated works to reduce salinity from saline springs, leaking wells, irrigation sources, industrial sources, erosion of public and private land, and other sources.

A.4. Other Related Funding Opportunities

The WaterSMART Small-Scale Water Efficiency Projects (SWEP) NOFO provides cost-shared financial assistance for construction of small-scale water management projects that have been identified through previous planning efforts of which this WCFSP grant applies. Reclamation has developed a streamlined selection and review process to reflect the small-scale nature of these projects.

For further information on SWEPs, please see WaterSMART Small-Scale Water Efficiency Projects Bureau of Reclamation **(usbr.gov)**.

The WaterSMART Water and Energy Efficiency Grants (WEEG) NOFO provides cost-shared financial assistance for construction of larger water conservation projects resulting in quantifiable and sustained water savings.

For further information on WEEGs, please see WaterSMART Water and Energy Efficiency Grants Bureau of Reclamation **(usbr.gov)**.

B. Award Information

B.1. Total Project Funding

Reclamation may award up to about $30-40 million in the Basinwide Program.

Reclamation may also award up to about $5-10 million in the BSP.

B.2. Project Funding Limitations

There is a $10 million limit of Salinity Funding, per project for this NOFO. It is also anticipated that no project will receive more than $2 million of funding in any fiscal year (FY). Applicants should not request in a funding plan more than $2 million for any single FY.

In all active Salinity Agreements, no single business may have more than $12 million in combined total unspent Salinity monies (i.e., across several agreements). This includes current projects selected in previous NOFO’s.

Applicants may submit multiple clearly severable applications as they choose under the NOFO, but agreements will not be awarded to an applicant once a total of $12 million of Salinity Funding has been reached.

B.3. Cost-Sharing Requirements

If an entity chooses to help fund their project(s) with additional non-Salinity Funding, this will create a cost share project with two or more non-Federal funding sources. The non-Salinity Funding and the Salinity Funding shall be spent **concurrently** at the agreed-upon cost share percentage. This cost share percentage will remain in effect for the life of the agreement. If an entity fails to comply with concurrent cost sharing with its non-Salinity Funding, Reclamation will suspend Salinity Funding until funding matches the agreed-upon cost share percentage. Reclamation retains the right to terminate an agreement for non-compliance. If the project scope can be completed under budget, the scope may be expanded with Reclamation approval. Once approved, the entity may utilize the remaining funding of the agreement for additional features or system improvements that will enhance the efficiency of the project or otherwise further the objectives of the Salinity Control Program. If it is determined that the scope will not be expanded, the savings will be shared according to the agreed-upon cost share percentage.

B.4 Reclamation Responsibilities

Reclamation assistance may be provided to the project sponsor in implementing the project when requested to do so and it is in the best interest of the Government. The cost of this assistance shall be considered a project cost and must be included in the cost estimate in each application.

At the request of the recipient, Reclamation can provide technical assistance after award of the project. If Reclamation's assistance is received, these costs must be accounted for in the budget. To discuss assistance available and these costs, please contact the local Reclamation office, which can be identified at http://www.usbr.gov/main/offices.html.

Reclamation may, at its own discretion, provide direct assistance to the project sponsor when the proposed project has other associated indirect benefits of Federal interest (i.e., other water quality or environmental benefits). The cost of this assistance will not be considered a project cost.

B. 5 Other Funding Guidelines

Funding from sources other than the Salinity Program is not required. However, an applicant may want to include funding from other non-Federal funding sources to make their project more competitive. Other funding may be in the form of cash, in-kind contributions, or both from the applicant or third-party partners. Other funding from sources outside the applicant's organization, e.g., loans or state grants, should be secured and available to the applicant prior to the time of the application. Reclamation may approve an award prior to an applicant securing other funds if Reclamation determines that there is sufficient evidence and likelihood that the funds will be available to the applicant by the start of the project. ***Funding commitment letters must be submitted in accordance with instructions in D.3.3 Part III – Project Costs and Funding Plan.***

B. 6 In-Kind Contributions

In-kind contributions constitute the value of non-cash 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 claimed as other funding in the application.

1. Claiming Features and Projects Already Constructed as Other Funding

Applicants may not claim features and associated salt control for projects previously constructed or that are already under agreement to be funded by another program as other funding in their application. This includes projects not contingent on being selected for Salinity Program funding.

2. Indirect Costs

You may include indirect costs that will be incurred during the development or construction of a Project, which will not otherwise be recovered, as part of your Project budget. Show the proposed rate, cost base, and proposed amount for allowable indirect costs based on the applicable cost principles for your organization. It is not acceptable to simply incorporate indirect rates within other direct cost line items.
If you have never received a Federal negotiated indirect cost rate, your budget may include a de minimis rate of up to 10 percent of modified total direct costs. For further information on modified total direct costs, refer to 2 CFR§200.1.

If you do not have a federally approved indirect cost rate agreement and is proposing a rate greater than the de minimis 10 percent rate, include the computational basis for the indirect expense pool and corresponding allocation base for each rate. Information on "Preparing and Submitting Indirect Cost Proposals" is available from the Department's Interior Business Center, Office of Indirect Cost Services, at https://ibc.doi.gov/ICS/icrna.

If the proposed project is selected for award, the successful applicant will be required to submit an indirect cost rate proposal with their cognizant agency within 3 months of award. The Federal awarding agency that provides the largest amount of direct funding to your organization is your cognizant agency for indirect costs, unless otherwise assigned by the White House Office of Management and Budget (OMB). If the Department of the Interior (DOI) is your organization's cognizant agency, the Interior Business Center (IBC) will negotiate your indirect cost rate.

Contact the IBC by phone 916-930-3803 or email at ICS@ibc.doi.gov. Visit their website https://ibc.doi.gov/ICS/icrna, for information regarding email submission forms.
Organizations must have an active Federal award before they can submit an indirect cost rate proposal to their cognizant agency. Failure to establish an approved rate during the award period renders all costs otherwise allocable as indirect costs unallowable under the award. Recipients may not shift unallowable indirect costs to another Federal award unless specifically authorized to do so by legislation.

3. Budget Narrative

Submission of a budget proposal is mandatory. The total project cost is the sum of all allowable items of costs, including all required cost sharing and voluntary committed cost sharing, including third-party contributions, that are necessary to complete the project. Denote in-kind contributions with an asterisk (*).Unit costs must be provided for all budget items including the cost of services or other work to be provided by consultants and contractors. Applicants are strongly encouraged to review the procurement standards for Federal awards found at 2 Code of Federal Regulations (CFR) §200.317 through §200.326 before developing their budget proposal. *Failure to submit a budget proposal will result in the elimination of the application from further consideration.*

(1) General Requirements: Include a budget with the annual estimated project costs and an estimate of any out-year costs associated with the project. Include the value of in-kind contributions of goods and services and sources of funds provided to complete the project. The application must clearly delineate between Reclamation and applicant contributions.

(2) Budget Format: The budget must include detailed information on the categories listed **in the table at Appendix A on the Application** (Although not required, it is strongly advised that applicants use the budget format shown in **Appendix A in the 2023 NOFO Project Application.)**. Unit costs shall be provided for all budget items, including the cost of work to be provided by contractors. *Lump sum costs are not acceptable in any category.*

Additionally, applicants shall include a narrative description of the items included in the budget.

(3) Budget Narrative Format: Submission of a budget narrative is mandatory. An award will not be made to any applicant who fails to fully disclose this information. The Budget Narrative provides a discussion of, or explanation for, items included in the budget application. An applicant must provide a basis for and detailed support for each cost element, i.e., did the rate come from quotes; historical documentation modeling; an engineer estimate; or some other methodology? If the application is selected, supporting documentation will be required.

Below is a sample of what Reclamation uses to review budgets. Please provide as much detail as possible.

Budget Pricing Guide/Template

The following estimating techniques may be used;

- **Competition**: *Bid abstracts for similar work on previous projects*
- **Comparison to historic pricing**
- **Comparison to published prices**
- **Market research**

Some or all the following cost element information may apply:

Labor: does the budget contain the following as applicable?

- The kind of employee that will be working on the project (job classification/description such as engineer, laborer, program manager).
- The amount of time each person will be working. This can be several hours, days, weeks, percentage of a year, etc.
- The wages paid to the employee. This can be an hourly rate, daily rate, annual salary, etc. to correspond to the measure of the time budgeted but does not include fringe or other indirect rates.
- Supporting documentation for the budgeted rate. This can be payroll records identifying the individual or labor category.

Fringe Benefits and Payroll Additives:
If labor costs are budgeted:

- What is the fringe benefit rate or dollar amount?
- Supporting documentation such as negotiated rates or agreements, qualified CPA recommendation or the actual compilation of the poll and base costs for Reclamation evaluation.

Equipment (To meet the definition of equipment, property must have a useful life of more than a year and an acquisition cost of more than $5,000 per unit. If the present value is more than $5,000 but doesn't have a useful life of at least a year, it wouldn't be classified as equipment, it will be considered as materials.):

If equipment costs are budgeted:

- The kind of equipment that will be used on the project (type, model, size, etc.)?
- The amount of time each type of equipment will be working. This can be several hours, days, weeks, percentage of a year, etc.
- The rate for the equipment. This can be an hourly, daily, annual, etc. to correspond to the measure of the time.
- Is the equipment owned or rented? Reimbursement for use of owned equipment must be based upon the actual cost to the recipient for the operation and use of the equipment, not on rental rates. If ownership rates are not available, Corp of Engineer recommended rates should be used.
- Is there standby time included?
- (Notes: Reimbursement for use of owned equipment must be based upon the actual cost to the recipient for the operation and use of the equipment, not on rental rates. Also, standby costs need to be identified and standby rates supported in the same manner. No operating costs are allowed for standby.)

Material:
If material costs are budgeted:

- What items are being purchased, i.e. a description of the items.
- Quantity of each.
- Unit cost of the items.
- Consolidated Bill of Materials

Contingency:

Applications may include contingency on budget, provide backup documentation and must comply with CFR: 200.433 Contingency provisions.

Audits:

A Single Audit may be required for non-Federal entity's receiving Federal funds. (*see reference below.* This cost can be reimbursed with Federal funds.)

2CFR §200.501 Audit requirements.

(a) Audit required. A non-Federal entity that expends $750,000 or more during the non-Federal entity's fiscal year in Federal awards must have a single or program-specific audit conducted for that year in accordance with the provisions of this part.

Other Direct Costs:

Other direct costs are anything that is not labor, fringe benefits, equipment, material, or overhead. Examples could include supplies, room rental, advertising, internet access, copy costs, telephone use, and travel.

- What the purpose is for the cost?
- What the basis is for the cost in the budget, i.e., how did the requestor come up with the dollar amount for the item?
- Is there enough information to duplicate the calculation of the amount?

Subcontracts:

Did the recipient provide supporting documentation for the subcontract costs determining them to be fair and reasonable? This includes engineering and project management contracts (The budget information needed for subcontractors is identical to the information needed for the recipient. The recipient should have used the same guidance for each cost element budgeted for the subcontractor as would be for the recipient.)

(4) Budget Form: In addition to the above-described budget information, the applicant must complete an SF-424 A/C, Budget Information. This form is available at SF-424 Forms

B.5 Type of Award

Awards will be made through grants or cooperative agreements. If a cooperative agreement is awarded, the recipient should expect Reclamation to have substantial involvement in the project. Substantial involvement by Reclamation may include:

- Collaboration and participation with the recipient in the management of the project and close oversight of the recipient's activities to ensure that the project objectives are being achieved.

- Oversight may include review, input, and approval at key interim stages of the project.

Section C. Eligibility Information

C.1. Eligible Applicants

Colorado River Basinwide Salinity Control Program (Basinwide Program)

- Submitted by a legal entity that is the owner or operator of the features to be replaced and/or to be constructed and capable of contracting with Reclamation.

Basin States Program (BSP)

- Submitted by a legal entity that is the owner or operator of the features to be replaced and/or to be constructed and capable of contracting with Reclamation.

Applications must:

- Propose projects that are located in the Colorado River Basin above Hoover Dam.
- Be responsive to the NOFO requirements.
- Only use proven technology.
- Not be of a nature that creates undue financial risk for Reclamation.
- Be in an area where salt load can be provided.

Provide sufficient pressure and appropriate velocity where topography enables it to allow for the future installations of on-farm improvements (i.e. sprinkler systems).

Projects with Two or More Entities Involved in One Application.

Two or more separate legal entities may combine ditch systems or projects to create one cost effective project(s). The legal entities involved in creating this project may create a new legal entity together or, and this is recommended, choose a lead entity to contract with Reclamation for the project, if selected for award. The entities must draft a memorandum of agreement (MOA), which states that each entity is aware of the laws and processes that pertain to the award. If awarded an agreement, this MOA and legal arrangement must remain in place for fifty (50) years.

C.1.1 Eligible Projects

The project being proposed is in the Colorado River Basin above Hoover Dam.

The project being proposed must be responsive to the NOFO requirements.

C.1.2. Ineligible Projects

A project that:

- Total requests more than $12 million in Salinity funding.
- Requires more than 5 years for completion (Reclamation does not allow Agreements longer than 5 years).
- Uses unproven technology.

- Creates undue financial risk for Reclamation.
- Has had an Applicant and/or an Engineering Firm that have shown poor historical performance on past salinity projects, based on risk assessment criteria.
- Has a habitat replacement that is not in compliance, based on the requirements of a previously awarded agreement.
- Foregoes the opportunity to enable future on-farm sprinkler irrigation systems.
- Claims tons of salt from:
    - A feature or project previously constructed or a project currently under construction.
    - A feature or project already obligated to be funded by another program and that is not contingent upon receiving Salinity Funding.

C.1.3 Length of Projects

It is recommended and to Applicant's advantage that the projects be completed with-in 2 to 4 years from the start date. If needed a No Cost Time Extension can be requested.

C.1.4 Environmental Compliance

All awarded agreements will require compliance with the National Environmental Policy Act of 1969 (NEPA) before any ground disturbing activity may begin. Compliance with all applicable Federal, state, and local environmental, cultural resource, and paleontological resource protection laws and regulations is also required. These may include, but are not limited to, the Clean Water Act, the Endangered Species Act of 1973 (ESA), the National Historic Preservation Act of 1966 (NHPA), consultation with potentially affected tribes, and consultation with the State Historic Preservation Office.

Reclamation will be the lead Federal agency for NEPA compliance and will be responsible for evaluating technical information and ensuring that natural and cultural resources and socioeconomic concerns are appropriately addressed. As the lead agency, Reclamation will give the Applicant a final approval in NEPA and cultural resources compliances. Environmental and cultural resources compliance costs are part of an applicant's budget. These costs will be considered in the ranking of the applications as part of the overall cost effectiveness of the project.

Section D. Application and Submission Information

D.1 Recommended Salt Load Reduction Estimates for Proposed Projects

All applications for Salinity Control Projects must obtain salt load reduction estimates prior to submission of the application. To obtain salt load reduction estimates the recommended Salt Load Reduction Worksheet or information from this worksheet must be submitted to the Colorado River Basin Salinity Control Program Manager with a copy to the appropriate Reclamation Technical Contact (see section G for specific contact information).

D.1.a Recommended Salt Load Reduction Worksheet

The recommended Salt Load Reduction Worksheet can be downloaded from the website at http://www.usbr.gov/uc/progact/salinity/index.html. Instructions for completing and submitting the recommended Salt Load Reduction Worksheet are included with the document. Questions regarding the recommended Salt Load Reduction Worksheet should be directed to the appropriate Reclamation Technical Contact.

Applicants are encouraged to submit the recommended Salt Load Reduction Worksheet as early as possible following the release of the NOFO, especially if applicants anticipate submitting a revised version of the recommended Salt Load Reduction Worksheet.

Applicants should submit completed recommended Salt Load Reduction Worksheets or information requested on the worksheet to bor-sha-uc-foasaltloadreduction@usbr.gov. For each Salinity Control Project, applicants will be allowed no more than two submissions of the recommended Salt Load Reduction Worksheet. **Applicants should be aware that submittals may require twenty (20) or more calendar days to process.**

Final submissions of recommended Salt Load Reduction Worksheet must be received by Reclamation no later than August 11, 2023 at bor-sha-uc-foasaltloadreduction@usbr.gov.

Salt load reduction estimates will be provided to the applicant in an email from Reclamation's UC Regional Office.

D.1.b Irrigation-Related Projects

For irrigation-related projects the salt load reduction estimates will be determined from Reclamation, NRCS, or United States Geological Survey (USGS) salinity studies of agricultural areas. These estimates will only be provided for agricultural areas where a completed study is available. Reclamation does not have the capability to provide salt load reduction estimates for agricultural areas where Reclamation, NRCS, or USGS salinity studies have not been completed.

Salt load reduction estimates may be available for the following agricultural areas. Also see Figure 1 and Figure 2 for maps of approximate locations of these agricultural areas. Check with the appropriate local Reclamation Technical Contact (see Section G) for the availability of salt load reduction estimates in each area.

Colorado:

- Grand Valley Unit, which includes the majority of the Grand Valley in the vicinity of Grand Junction, Colorado, with the exception of the Redlands area.
- Lower Gunnison Basin Unit, which includes agricultural lands within the Gunnison River basin, including its tributaries, below Morrow Point Dam, with the exception of some limited areas tributary to the Uncompahgre River.
- McElmo Creek Unit, which includes agricultural lands within the McElmo Creek and Navajo Wash basins in southwestern Colorado.

- Mancos Valley, which includes agricultural lands within the Mancos River basin in southwestern Colorado.

- DeBeque study area, which is located near the town of DeBeque, Colorado, and includes agricultural lands located along the Colorado River corridor and along portions of Roan Creek.

- Whitewater and Kannah Creek study area, which is adjacent to the lower Gunnison River near the town of Whitewater, Colorado, and includes agricultural lands located in lowland mesas and stream valleys of Whitewater, Kannah, and Callow Creek.

- Silt study area, which is located near the town of Silt, Colorado, and is an area roughly defined as being bordered by the Colorado River, Colorado State Highway 325, and the south side of the Grand Hogback, and Garfield County Road 235, just east of Silt.

<u>New Mexico</u>:

- Navajo Portion of the San Juan Unit, New Mexico, including the Hogback, Fruitland, and Gadii'ahi projects.

<u>Utah</u>:

- Price-San Rafael Rivers Unit, which includes agricultural lands within the Price and San Rafael River basins in east-central Utah.
- Uinta Basin study areas including Ashley Valley, Utah.

- Muddy Creek Unit, which is near the town of Emery, Utah, and includes agricultural lands located in the Muddy Creek watershed north of Interstate 70.

- Manila-Washam project area, which is located near the towns of Manila, Utah, and Washam, Wyoming, and includes agricultural lands within Lucerne Valley, South Valley, Antelope Hollow, Green River, and along Henry's Fork.

- Green River project area, which includes agricultural lands located near the town of Green River, Utah.

<u>Wyoming</u>:

- Big Sandy River near the towns of Farson and Eden, Wyoming, including agricultural lands served by the Eden Project.

- West Blacks Fork, which includes agricultural lands along the Blacks Fork River upstream of its confluence with the Smith Fork River and near the towns of Fort Bridger, Lyman, and along Henry's Fork in Wyoming.

If the proposed project does not fall within one of these previously studied areas, salt load reduction estimates cannot be provided at this time, and the application will be deemed ineligible. However, if an organization has interest in pursuing the piping or lining of off-farm canals and ditches in such areas, please contact the appropriate local Reclamation Technical

Contact, located in Section G of the NOFO, to discuss the possibility of future studies, which could lead to participation in the Salinity Control Program.

D.1.c. Other Types of Salinity Control (Non-Irrigation)

Applications for other types of salinity control will be accepted for evaluation. All applications for other types of salinity control must obtain salt load reduction estimates from Reclamation prior to submission of the application. **See Section D.1**.for instructions on submitting the recommended Salt Load Reduction Worksheet.

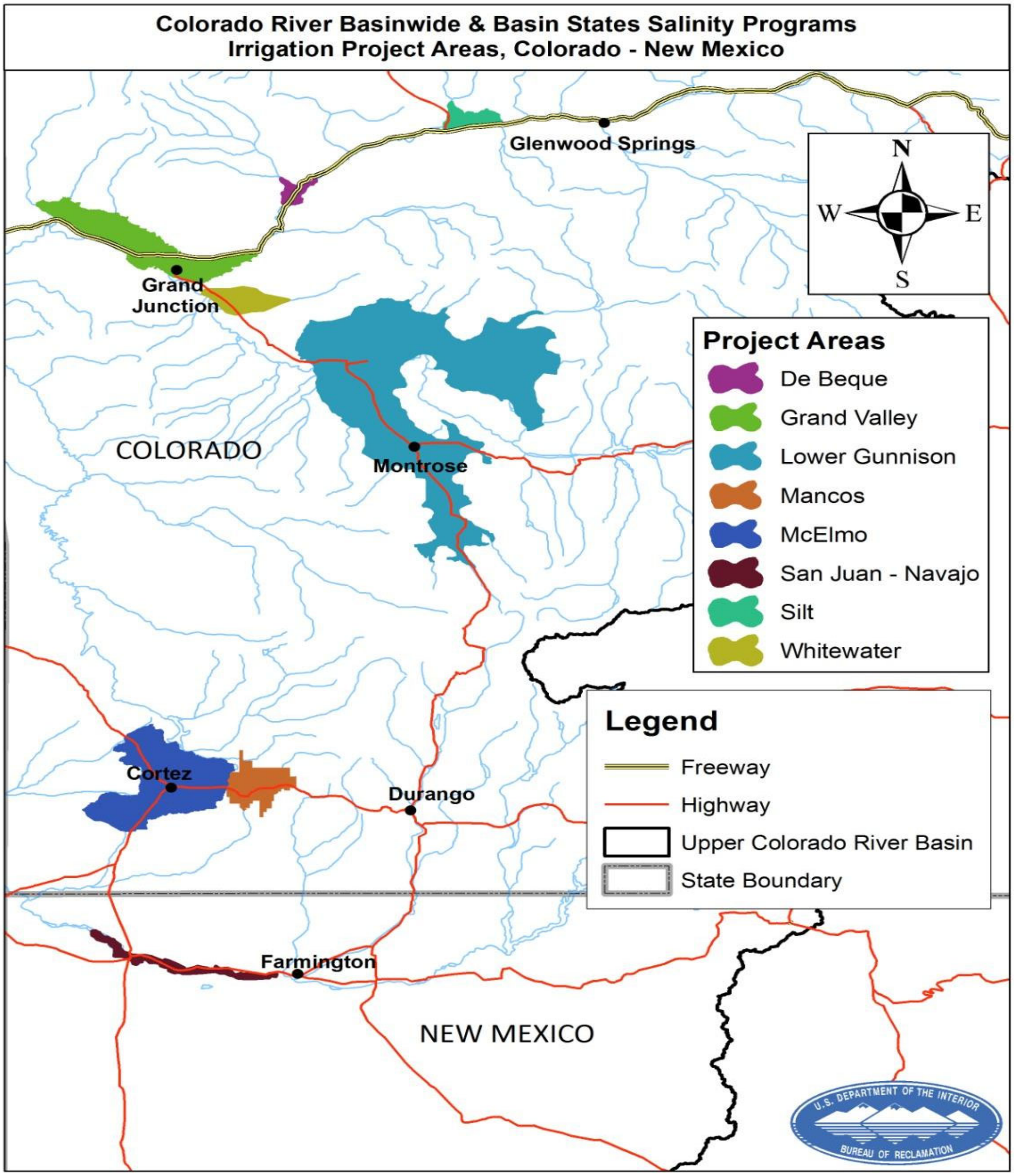
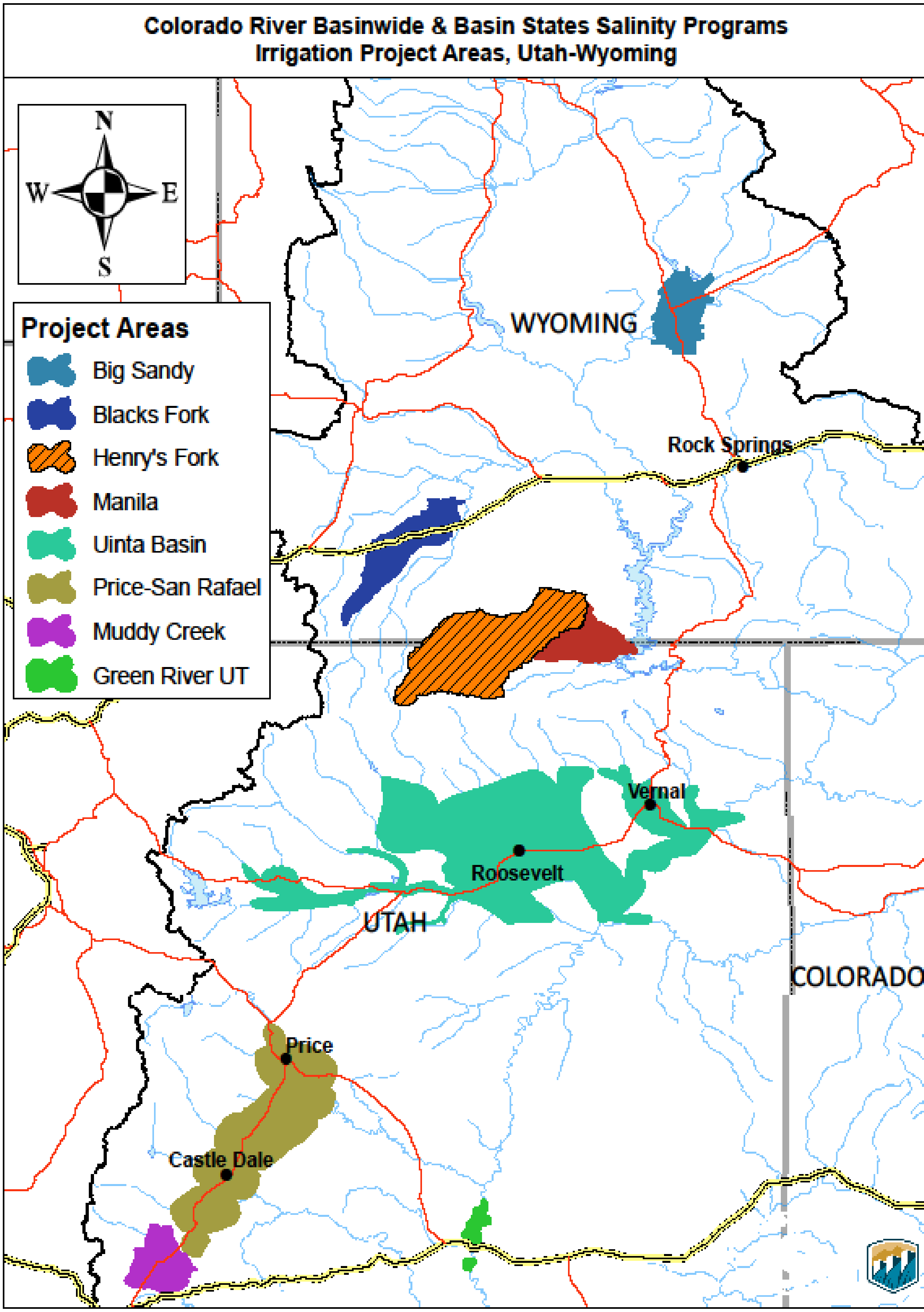


Figure 1



Colorado River Basinwide & Basin States Salinity Programs
Irrigation Project Areas, Utah-Wyoming
N
W
E
S
Project Areas
Big Sandy
Blacks Fork
Henry's Fork
Manila
Uinta Basin
Price-San Rafael
Muddy Creek
Green River UT
WYOMING
Rock Springs
Vernal
Roosevelt
UTAH
COLORADO
Price
Castle Dale

Figure 2

D.2 Application Delivery Methods

Under no circumstance will proposals be accepted by email or facsimile.

Electronic Submittal via Grants.gov - Grants.gov is an internet website that can be used to find and apply for grant funding opportunities. In order to electronically submit an application, you must complete the Grants.gov registration process. The registration process can take approximately 7-21 days to be completed; therefore, registration should be done in a sufficient amount of time to ensure it does not impact your ability to meet required submission deadlines. You will be able to submit your application online any time after you receive your e-authentication credentials. When submitting through the grants.gov website, submit only one original. For more information regarding applying via Grants.gov, please visit the "Get Registered" and "Apply for Grants" links at www.grants.gov.

Applicants have sometimes experienced significant delays when attempting to submit through Grants.gov. If you plan to use Grants.gov, you are encouraged to submit your application several days before the application deadline. If you are a properly registered Grants.gov applicant, and you encounter problems with the Grants.gov 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 before the submission deadline.

Applicants are responsible for ensuring their applications are accepted and received **by Grants.gov by the established due date of September 27, 2023 @ 11:59 p.m. (MDST)**.

D.3 Application Content

Each applicant shall submit an application in accordance with the instructions contained in this section. The application must contain the following elements in order to be considered complete.

D.3.1 Application Format and Length

The Project Application section shall be limited to a maximum of twenty (20) pages. All required forms and letters as well as required appendices are not counted as part of the 20-page limit.

Applications will be screened for compliance to the page number limitations. If a Project Application exceeds 20 pages excluding appendices, it shall be deemed non-responsive and will not proceed to the merit review process.

D.3.2 Application Content

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

- SF-424 Application for Federal Assistance
- SF-424 A and B, or C and D Forms
- Signature Letters

- Project Application (limited to twenty [20] pages excluding appendices) to include (all are required):
  - Part I - Project summary
  - Part II - Project proposed for funding
  - Part III - Project costs and funding plan
  - Appendices A through E as applicable to the project
- Commitment Letter(s) for Cost Share funding (if applicable) Funding must be secure at time of application.
- Letters of project support (if applicable)
- Official resolution *(to be provided by the Applicant)* (required)

D.3.2.1 SF-424 Forms

SF-424 Application for Federal Assistance.

A fully completed SF-424, Application for Federal Assistance signed by a person legally authorized to commit the applicant to performance of the project must be submitted with the application. The SF-424 must contain a valid Unique Entity Identifier (UEI). See D.3 for additional information. Applications that fail to include an SF-424 with a valid UEI will be considered ineligible and will not pass initial screening. *Failure to submit a signed SF-424 with a valid Unique Entity Identifier (UEI) number will result in the elimination of the application from further consideration.*

SF-424A or SF-424C Budget Information Form.

A fully completed SF-424A/SF-424C Budget Information must be submitted with the application. *Failure to submit an SF-424A or SF-424C will result in the elimination of the application from further consideration.*

SF-424B or SF-424D Assurances Form.

A SF-424B Assurances for Non-Construction Programs signed by a person legally authorized to commit the applicant to performance of the project must be submitted with the application.
Failure to submit a signed SF-424B will result in the elimination of the application from further consideration.

OMB 4040-0013 Certification Regarding Lobbying

A fully completed and signed Certification Regarding Lobbying is required if you request more than $100,000 in Federal funding. In signing this form, you must certify that all statements in 43 CFR Part 18, Appendix A-Certification Regarding Lobbying are true. The Authorized Official’s signature represents the entity’s certification of the statements in 43 CFR Part 18, Appendix A.

Failure to submit a signed Certification Regarding Lobbying will result in the elimination of the application from further consideration.

Failure to submit all properly signed SF 424 Forms may result in the elimination of the application from further consideration.

D.3.3 General Background

Applicant Review Signature Page
This is **required** to be signed by the person designated to represent the company, district, ditch or irrigation company, e.g., president or chairman. This signed page indicates that the person representing the applicant has reviewed the application and concurs that it meets the needs and objectives of his/her company, district, ditch, or Irrigation Company.

Basin State Salinity Coordinator Concurrence Letter
It is encouraged that each application be reviewed by the appropriate Basin State Salinity Coordinator and a Concurrence Letter signed by the coordinator be submitted with the application. The name of the appropriate Basin State Salinity Coordinator can be found in (see Section G). This letter may give the application additional consideration if it is done correctly.

State Representative Signature Letter
It is highly recommended, yet not required, for each applicant to have his/hers Project Application reviewed by his/her state Representative. Reclamation recommends this letter to help the applicant reduce Project Risks.

Step 1: It is encouraged that the project sponsor and project engineer have a preliminary consultation with the State Representative (see Section G) to discuss project formulation.

Step 2: Before requesting the letter of recommendation, the project sponsor and the project engineer should submit a preliminary engineering design and cost estimates to the State Representative. The State Representative will make a courtesy review within seven (7) to fourteen (14) days. After the review the State Representative will issue a letter of recommendation if appropriate.

Project Application must be prepared using the required electronic template provided by Reclamation. The application template is a Microsoft® Word document that can be downloaded the www.grants.gov NOFO package number R23AS00353.

Applicants must provide all information as requested in the Project Application template. Responses must be entered in the space provided except for maps, tables, and other information, which should be provided in the appropriate appendix per instructions. Where information is not applicable, please enter “NA” as the response. The following describes the content of the Project Application and includes instructions for completing the application.

Title Page (Optional)
Provide the project name, project location, name of the applicant, and date the application was prepared on the title page included in the required electronic template.

Table of Contents (Optional)
The contents of the Project Application shall be provided in the order listed in the table of contents. Where an appendix is not applicable to a project make the appropriate annotation to the table of contents.

Part I – Project Summary

Applicant/Entity Name
Provide the name and location of the applicant or entity who is submitting the application for the 2023 NOFO.

Application Name
Provide the name of the application or project which is being submitted.

Application Prepared By
Provide the information, including the name of the individual(s) or consultant who prepared the Project Application.

Contracting Entity Manager Contact Information
Provide contact information for the entity's manager, who has the authorization within the organization to manage the project.

Project Manager Contact Information
Provide the contact information of the Project Manager who is or will be employed by the Applicant.

Memorandum of Agreement (MOA)
Provide a copy of a fully executed MOA if two or more entities are combining to submit an application. The MOA must indicate who the point of contact is and state that it will be in effect for the life of the project (50 years). This must include name, address, phone number and email.

Acknowledgement of NOFO Amendments
Applicants shall acknowledge receipt of any amendment to the NOFO by identifying the amendment number and date.

Part II – Project Proposed for Funding

Background and Description of Project Area
Describe project setting and geographic location. For irrigation-related applications, include general hydrology, geology, soils, climate (average rainfall, temperature, and growing season), water storage facilities, existing irrigation facilities (total mileage of canals and laterals and number of users), irrigated acreage, types of crops, etc. All of the above items must be included.

Project Maps
Attach, as Appendix C of the Project Application, detailed GIS maps showing existing facilities and proposed improvements. Printed maps shall be no larger than 11 x 17 inches.

Map(s) of existing facilities shall be scaled appropriately to easily identify the project area, existing facilities, and major geographic features including roads, streams, reservoirs, towns, Federal, state, Tribal, private, etc. If the proposed project is irrigation related, the map(s) should show locations of canals, laterals, and irrigated lands. Those canals or laterals proposed for improvement or abandonment under this application should be clearly identified. Map(s) should identify the season each pipeline will be installed. The map(s) will be shared with the local NRCS Office if awarded.

Map(s) of proposed improvements shall be scaled appropriately to clearly identified improvements that would be constructed under this application. Any additional maps, such as those with an aerial photo background, can also be included to better help identify project location and features. If irrigation related, display proposed pipeline alignments and/or canal segments to be lined, along with locations of previously lined or piped sections. Indicate in the color blue, the portion of the delivery system facilities to be funded in whole or part by Reclamation and, in the color red, any portion to be funded by other sources.

Water Rights and Supply
Describe the water rights for supplies from both diversion of natural flow and storage. Describe irrigation water supply and water shortages, and whether water supply fluctuates greatly or is consistent from day to day. Include average total acre-feet supplied per year. Provide method of water allocation such as splitter box delivery or water amount per acre.

Detailed Description of Proposed Project – Irrigation Delivery Systems
Detailed project plans should include the following: preliminary hydraulic analysis, geologic description, technical investigations, initial design drawings, GIS map detailing construction timeline, preliminary work on habitat mitigation plan, initial NEPA scoping and timeline. Projects should plan to begin construction within 12-18 months of agreement execution.

Describe the specific existing facilities (canals, laterals, ditches) that are to be improved or replaced. Details should include name of the canal, lateral, or ditch, and existing lengths and flow capacities, which should be displayed in the Salt Load Reduction Table Appendix E. Projects should identify the canal system or individual canals and laterals and describe in detail (lining method, pipe material, pipe sizes, lengths, etc.) the proposed lining or piping of those facilities. If the proposed project requires acquisition of water or water rights, describe the acquisition plan and required contracts. Describe plans for abandoning any facilities. If the project plan does not remove or fill in the canal please describe why this will be left open. <u>(Leaving a ditch/canal open will decrease the salt loading and will increase cost effectiveness)</u>

Detailed Description of Proposed Project – Other Types of Salinity Control
For desalinization, evaporation, or other salinity control measures, clearly identify the salinity sources and quantify the salt (in tons/year) that will be controlled or eliminated. Include data that defines the salt loading and control in tabular format in Appendix D.

Detailed Description of Proposed Project – New Water Impoundment Structures
If new ponds, reservoirs, settling basins, or other water impoundment structures are to be constructed or existing structures enlarged for any purpose (e.g., re-regulation, evaporation, etc.) as part of this application, address the requirements listed for the recommended Salt Load Reduction Worksheet submission in NOFO Section D.6.1. If the size of a proposed or existing

water impoundment structure increases later, a new salt load calculation will be developed, and funding may be reduced and/or the application ranking may change.

Detailed Description of Proposed Project – Description of On-Farm Opportunities
If new irrigation pipelines will provide sufficient water pressure and volume to promote new high efficiency irrigation improvements (sprinklers) on individual farm properties, complete the Enable On-Farm Worksheet*,* and submit required GIS mapping in accordance with NOFO Section D.5. Summarize the number of eligible deliveries and "Claimable Acres" for each canal, lateral, or ditch. Additionally, identify the percentage of landowners that have demonstrated their interest by signing the page 2 table of the Enable On-Farm Worksheet and list the total acreage represented by those landowners.

Applicants are highly encouraged to propose salt control features that will materially enhance and promote high-efficiency irrigation application system improvements on individual farm properties., Such features might include providing water and pressure of such quality, quantity, and reliability to operate above-ground and buried drip tape or tubing, micro-spray, fixed or moveable sprinklers or to meet the conditions required for precision-leveled, border-irrigated fields and/or surge-irrigated fields.

NEPA Compliance
Describe existing environmental compliance documents for the project area and new environmental documents [e.g., environmental assessments (EA)] required to implement the proposed project. Identify responsible parties and estimated costs.

Other Benefits
Describe any additional environmental benefits of the proposed project including selenium-loading reduction.

Endangered Species Concerns
Identify any known endangered or threatened species in the project area and assess the possibilities they may be affected by activities associated with the proposed project.

Cultural Resources
Identify any known archaeological sites in the area of the proposed project and assess the possibilities they may be affected by activities associated with the proposed project. Applicant must identify major geographic features including roads, streams, reservoirs, towns, land ownership (Federal, State, Tribal, private, etc.)

Habitat Replacement Plan
If known, describe wetlands that may be affected by the proposed project and whether they have been previously inventoried. Identify existing Habitat Replacement Plans or new evaluations and analysis needed to develop a plan (Plans created by third parties such as states or conservation districts may be identified). Identify costs for studies and implementation of the plan, or costs of acquiring existing plans from third parties and costs for permission to utilize the site described in the plan. Identify costs the Applicant will provide, if selected, for continued management and maintenance for the 50-year life of the project. Justification must be provided

if estimated costs are less than 5 percent of the Total Construction Cost *(construction costs are: Labor, Supplies and Materials, Equipment and Construction Management and Contract Costs)*. The 5% cost for habitat replacement is an average indication of costs which could be expected in situations where the Applicant does not know the amount of habitat which will need to be replaced. It is recommended that the Applicant start a preliminary plan before applying in the NOFO.

Operation, Maintenance (O&M) and Management Plan
Describe the proposed O&M and management plan that will assure the project achieves the proposed salinity control over the project life. If the proposed project is an industrial process or an irrigation related project that relies extensively on water management to achieve benefits, a detailed description of the plan and funding source should be included. O&M of water impoundment structures should be described as specified in the NOFO. Provide current yearly budget and personnel flowchart/description along with any anticipated changes for the proposed project. Applicants must also submit a funding and management plan, for future procedures, that will be put in place, to assure adequate O&M for the life of the project. (E.g. cleaning headwork screens and clearing sediment, performing electrical maintenance, replacing mechanical equipment, etc.) All O&M management costs, including maintenance of habitat mitigation, <u>cannot</u> be paid for with salinity grant funding.

Experience Implementing Projects
The Applicant, Project Manager and Engineering firm should identify past Salinity Control Projects or projects of similar nature completed or underway by the applicant, project manager or engineering firm. Past project must include construction dates, brief description, and status.

Department of Interior Goals
Working together with our stakeholders, the Salinity Program supports the Department of the Interior's priorities. Please describe how these priorities are applicable to the project. It is not necessary to address priorities that are not applicable to your project: This list will include:

- Creating a conservation stewardship legacy.
- Restoring trust with local communities.
- Ensuring sovereignty means something.
- Modernizing our infrastructure.

Part III – Project Costs and Funding Plan

Detailed Cost Estimate
Using the table in Appendix A of application, provide a detailed cost estimate for materials and construction. The Habitat Replacement Plan, Design, NEPA and other similar costs must be shown as direct costs. Indirect costs, such as overhead, may be included in the cost estimate as well. Costs should be broken into major categories, e.g., land acquisition, excavation, embankment, liner materials/installation, liner cover, underdrains, structures, deliveries, each pipe size, road crossings, fittings, mechanical equipment, electrical items, fencing, seeding, canal/lateral obliteration, etc. All quantities, materials, sizes, etc., must agree with descriptions provided in other sections of the Project Application.

Funding Plan
Describe the funding plan for construction, O&M and habitat replacement plan of the project. If funding from sources other than the Basinwide Program or BSP is anticipated, the funding partner should be identified, and a letter of commitment attached. Proposed in-kind contributions should be identified. Include timelines of proposed funding expenditures.

Cost Effectiveness – Estimated Project Life
State the estimated life of project components. A minimum of fifty (50) years is required for all irrigation related components.

Cost Effectiveness – Total and Amortized Reclamation Costs
In the table provided, enter the total and amortized Basinwide Program or BSP costs. The amortized cost can be determined by applying the amortization factor to the Basinwide or BSP costs. The amortization factor is based on the FY 2023 Federal planning interest rate of 3.5 percent and a project life of 50 years.

Cost Effectiveness – Estimate of Salt Load Reduction
Enter the salt load reduction estimate in the appropriate space provided. Include, as Appendix E, the written response from Reclamation providing the salt load reduction estimate.

Cost Effectiveness – Value
Enter the cost effectiveness value in dollar per ton per year by dividing the amortized Basinwide Program or BSP cost by the total annual salt load reduction estimate.

Construction and Funding Schedule
Include a detailed schedule (e.g., Gantt chart) displaying anticipated major work items similar to the detailed cost estimate along with the major NEPA and Habitat Replacement milestones. Also include funding requirements (including other funding and in-kind services) on a Federal FY basis (October 1 – September 30) for each year of the project. No more than $2 million is allowed, to be budgeted, per year.

Appendix A: Detailed Cost Estimate
Using the table provided, enter the requested information in detail. All entries must precisely match the quantities and descriptions provided in the Project Application. Costs must be included for NEPA and cultural resource compliance and for habitat replacement.

Appendix B: Estimate of Enable On-Farm Acreage
Include the completed Enable On-Farm Worksheet. The Enable On-Farm Worksheet can be downloaded from www.grants.gov

Appendix C: GIS Project Maps
Attach project maps as instructed in Part II of the Project Application. – Submitted in PDF format. Printed maps shall be no larger than 11 x 17 inches.

Appendix D: Supplemental Data Tables and/or Data for Other Types of Salinity Control
Provide tables for supplemental data or for non-irrigation related Salinity Control Projects.

Appendix E: Salt Load Reduction Estimate(s)
Using the table provided, enter the requested information about existing irrigation delivery systems.
Include the response letter from Reclamation providing the salt load reduction estimate.

Appendix F:
Include the completed Significance Worksheet. The Significance Worksheet can be downloaded from www.grants.gov

D.4 Additional Instruction for Application Content

D.4.1 Design Standards and Other Considerations for Irrigation-Related Projects

The following considerations should be reflected in the design, cost estimate, and schedule for the proposed project:

- At a minimum, all projects must meet NRCS construction standards and specifications (see below).

- Improvements to Reclamation-owned projects will require Reclamation review and approval of designs prior to construction. Reclamation will also require compliance with policies regarding rights-of-way, O&M, and ownership of facilities.

- Improvements to other federally owned irrigation facilities may have special requirements. The applicant should contact the appropriate agency prior to submission of the application.

- Canal lining projects must meet the minimum design and construction criteria outlined in the following NOFO Section D.4.2.

- For pipeline projects or other projects which replace delivery system facilities, all facilities (i.e., earthen canals and laterals, diversion structures, etc.) being replaced, shall be rendered unusable and incapable of delivering or retaining water by completely filling in the canals and laterals with earth materials. This is to assure that the proposed salt load reduction occurs. Associated costs for rendering facilities unusable and incapable of delivering or retaining water shall be included in the Detailed Cost Estimate of the Project Application.

Projects which propose construction of new or modifications to existing water impoundment structures must meet the Salinity Control Program's design and construction standards for water impoundment structures, which can be obtained by contacting the local Reclamation Technical Contact listed in NOFO Section G. For more information regarding water impoundment structures see NOFO Section D.4.3.

To access NRCS Practice Standards and Specifications:

Visit the NRCS website for the electronic Field Office Technical Guide (FOTG) at the following web address: https://efotg.sc.egov.usda.gov/

● From the dropdown menu, select the state where the project will be constructed.

● Under the heading, Document Tree, expand "Section 4 – Practice Standards and Supporting Documents".

● Under the sub-heading "Conservation Practice Standards & Support Documents" can be found the criteria for each type of conservation practice such as "Irrigation Pipeline" or "Irrigation Water Conveyance".

Standards and Specifications for materials, design, and construction are available and unique to each state.

Generally, the practices "Irrigation Water Conveyance, Irrigation Pipeline, Pond, and Pond Sealing" will cover nearly all practices that will be encountered. However, for projects which propose canal linings or new water impoundment structures refer to NOFO Sections D.4.2 and D.4.3 respectively for required standards and additional guidance.

Contact the appropriate NRCS official at the following number for more details or clarification on projects:

Colorado
Ms. Madison Gutekunst
Acting State Conservation Engineer
720-544-2829
madison.gutekunst@usda.gov

Utah
Ms. Aimee Rohner
Acting State Conservation Engineer
801-524-4571
jason.roper@usda.gov

Wyoming
Mr. Jackie Byam
State Conservation Engineer
307-233-6748
Jackie.byam@usda.gov

D.4.2 Canal Lining Minimum Construction Criteria

General
The following criteria are minimum standards for canal linings with a 50-year design life that will be included in the NOFO. Any canal lining projects to be constructed using full or partial

Salinity Funding must meet or exceed the standards presented below. In addition, the final design and specifications for a 50-year design life must be designed and stamped by a registered professional engineer in the state of the project.

Specific Reclamation Requirements
The maximum design seepage rate for the canal shall not exceed 0.25 inches per day. The liner shall be designed so as to not exceed that amount throughout the 50-year life of the project. Geomembrane linings with either a concrete/shotcrete cover material or sand and gravel cover material shall be the only design accepted that will meet the 50-year design life.

Covered Geomembrane Lining Systems
Acceptable geomembranes consist of polyvinyl chloride (PVC), polypropylene, ethylene, low-density polyethylene (LDPE), or high-density polyethylene (HDPE) and shall have a minimum liner thickness of 30 mil. Non-woven geotextile with a minimum weight of 10 oz. shall be placed on both sides of the geomembrane to provide protection from both the sub-grade and cover material. The cover material shall be either concrete/shotcrete or sand and gravel.

Groundwater shall be permanently controlled with a designed drain system in order to prevent floating of the liner system. Sub-grade shall be prepared to provide firm compacted foundation for the liner; densities shall be the greater of 85 percent proctor density or the densities of the surrounding soil as approved by a registered engineer. Sub-grade shall be free of organics and sharp objects/rocks.

Geomembrane liner system must be anchored with a minimum horizontal lip of 2 feet that is keyed in underneath the O&M road or embankment, as recommended by the designer and manufacturer. All geomembrane liners must be field seamed. Construction and seaming of liners must be performed by an experienced installer with a minimum of 5 years of seaming experience. Geomembranes must be adequately protected during placement to avoid puncture on installation.

When sand and gravel cover is used, it shall be 1.5 feet thick minimum with consideration given to adequate cover if heavy maintenance activities are anticipated. The sand and gravel cover shall consist of material with a maximum particle size of 6 inches and no more than 15 percent fines with a gradation adequate to withstand canal velocities and wave action. The minimum side slope shall be 2.5:1 or as approved by a registered engineer and the stability of the cover material must be analyzed in final design by a registered engineer.

Concrete and Shotcrete shall be considered synonymous except as noted otherwise. When concrete cover material is used, it shall have a minimum thickness of 3 inches with a minimum compressive strength of 3,000 pounds per square inch (psi). The minimum side slope shall be 1.5:1. Synthetic reinforcement fiber shall be utilized with shotcrete and not concrete.

Construction Quality Assurance
A quality control program should be developed. The quality control testing must be performed by an independent, (from the contractor) third-party materials testing firm. Additionally, Reclamation reserves the right to utilize its material laboratory and personnel to perform supplemental quality control testing. Soil compaction control guidelines can be found in

Reclamation's Earth Manual (available at https://www.usbr.gov/tsc/techreferences/mands/manuals.html)

All testing to support the application shall be performed by accredited laboratories using industry standard methods such as test procedures provided by the American Society for Testing and Materials. Test methods that are used should be cited correctly in the application.

For geomembrane quality control testing, consult Reclamation guide specification 02344 and/or comply with the manufacturer's recommendations for information on seam testing and other aspects of field quality control.

D.4.3 Water Impoundment Structures

This section contains special provisions for applications involving new construction or enlargement of existing water impoundment structures.

It is allowable to include the construction of a new pond or reservoir in a salinity control application if that structure is needed for the operation of a piped irrigation water delivery system or for other essential purposes. Justification for the pond or reservoir must be provided in the application. To be acceptable the design and construction must meet standards developed by Reclamation. The standards are aimed at providing a liner sufficient to last for the life of the entire project (50 years if coupled with buried pipelines or canal lining). Applicants contemplating a new pond or reservoir can obtain these standards from the appropriate Reclamation Technical Contact listed in NOFO Section G. A successful applicant's funding agreement will require a complete Reclamation review of the proposed design, specifications, and construction.

Additional seepage will likely occur from the new pond or reservoir and must be accounted for in the application's overall salt load reduction estimate. This seepage must be identified and multiplied by the appropriate local salt loading rate to estimate new salt loading, which will then be deducted from the application's total salt load reduction estimate. Reclamation will provide an estimate for this deduction based on information supplied by the applicant.

In order to be responsive to the NOFO, the applicant must:

- In the recommended Salt Load Reduction Worksheet, Background Information, Part D.3:
    - Provide justification for a new pond or reservoir to be constructed with Salinity Funding.
    - Identify the anticipated depth and both the maximum surface area and wetted (subject to seepage) area of the pond or reservoir.
    - Identify the average number of days per year the pond/reservoir will store water and whether the remaining contents will be evacuated during the non-irrigation season.
- In the Project Application:

- o Agree to meet the design and construction standards for water impoundment structures.

- o In Part II D.3 of the Project Application, discuss the preliminary design, specifications, and construction plans for the pond/reservoir and liner, including the following:

    - Type and thickness of the liner.

    - Average seepage rate expected over the project life.

    - Construction methods.

    - Procedures for testing and documentation to ensure that the liner will be constructed according to specifications.

- In Part II G of the Project Application, describe how O&M will be performed in a manner to prevent damage to the liner. This includes, but is not limited to, excluding animals and equipment from the treated area, protection of the liner during initial filling, agitation, or pumping operations, and repair of disturbed or eroded areas. The need for sediment removal and how it will be accomplished should be specifically discussed.

- In the detailed cost estimate table (Appendix A of the Project Application) list all quantities and costs for materials and installation to meet the standards. Costs should be broken into major categories, e.g., land acquisition, excavation, embankment, liner materials/installation, liner cover, underdrains, structures, deliveries, each pipe size, road crossings, fittings, mechanical items, electrical, fencing, seeding, canal/lateral obliteration, etc.

D.5 Enable On-Farm Salinity Control Features to be Constructed

Improvements to irrigation delivery systems may enable the construction of on-farm salinity control features and result in additional salinity control benefits. On-Farm salinity features are considered enabled if the acreage meets the following basic requirements:

- Have been irrigated two (2) of the last five (5) years (2018-2023).
- Has a change in irrigation application system. (e.g. flood to sprinkler). Such systems include sprinklers, micro spray, above ground drip, below ground drip, surge, and border-diked fields.
- Has a NRCS water application efficiency rating of at least 50% for the changed application system.
- Provides the appropriate dynamic water pressure for the proposed system.
    - Where working pressure generated by the pipeline is insufficient booster pumps may be added. Capital costs for pumps and electrical connections would be part of the Reclamation funded project and must be displayed as project costs in Appendix A of the Project Application.

- Provides sufficient water quantity, sufficient water quality (low sediment etc.), and sufficient water timeliness to service the type of high efficiency irrigation system being enabled.

Applicants desiring to demonstrate that the off-farm delivery system improvements will enable on-farm salinity control features to be constructed must do the following:

1. Complete Enable On-Farm Worksheet for each canal, lateral, or ditch. Instructions for completing the Enable On-Farm Worksheet are contained in the spreadsheet. Include the completed tables as Appendix B of the Project Application. The Enable On-Farm Worksheet requests the following information:

    a. Provide evidence that on-farm improvements will be considered by individual landowners by completing page 2 of the Enable On-Farm Worksheet. Include the signatures of those landowners willing to indicate their intention to consider installation of improved irrigation systems and that the proposed project will accommodate intended on farm improvements (Signatures can come from the landowner, canal company or engineer, but must represent that there was a review and discussion with the landowner on potential irrigation system design.).

2. Submit GIS map(s) (with aerial photo background) that:

    a. Identifies the eligible acreage to be provided with the appropriate dynamic working pressure for the proposed system and displays number of acres for each field.
    b. Identifies each delivery location and includes the elevation of that delivery with background topography (contour lines) for easy verification.

    c. Identifies the off-farm pipelines that will be constructed, and the timeline proposed for construction. (This map will be shared with the local NRCS Office)

D.6 Other Types of Salinity Control

D.6.1 Estimated Salt Load Reduction Non-Irrigation

The Applicant should contact the appropriate Reclamation Technical Contact (See NOFO Section G), prior to preparing the responses for the Project Application.
The recommended **SALT LOAD REDUCTION WORKSHEET(S)** should be submitted to: bor-sha-uc foasaltloadreduction@usbr.gov as soon as possible to the Salinity Program Manager with a copy to the appropriate Technical Contact. The recommended Salt Load Reduction Worksheet must be received by the Salinity Program Manager or GMS no later than **August 11, 2023**. Reclamation will process requests on a first-come first-served basis and work with applicants to develop salt load reduction estimates. For more information on submitting the recommended Salt Load Reduction Worksheet see NOFO Section D.6.1.

D.7 Wildlife Habitat Replacement

The Salinity Control Act, Section 202(a)(6), provides for the replacement of incidental fish and wildlife values that are lost because of cost effective measures and associated works to reduce salinity.

Applicants are encouraged to download the, ***NEPA Guidance Document for Salinity Control Projects,*** document from https://www.usbr.gov/uc/progact/salinity/

The following are minimum requirements for habitat replacement for Salinity Control Projects:

- There shall be no net loss of habitat function. This is not to say that acreage amounts need to be the same, but that there is no net loss in total value to wildlife.

- The Applicant will be required to submit a detailed habitat replacement plan, anticipated monitoring schedule covering the 50-year life of the project and the anticipated budget to maintain the habitat replacement project for the 50-year life of the project. The replacement lands must be protected through acquisition, easement, or through public ownership and long-term management and monitoring must be provided.

- Long-term active management must be included to assure that exotic plant species will not reduce the function of the site as wildlife habitat.

- Habitat replacement should be implemented in advance of project (for example, pipeline) construction or otherwise, must occur concurrently.

- The estimated cost of the habitat replacement will be included in the cost effectiveness computation and included as a cost risk factor. It is recommended Applicants have a preliminary plan of habitat replacement as it will result in a higher ranking. Applicants may also acquire an existing Reclamation approved plan from a third party. The acquisition of the plan must include permission to implement habitat replacement at the site described in the plan. Unless justification is provided in the application for a different value, the applicant should include a wildlife habitat replacement cost of at least 5 percent of the total construction costs.

- Applicants who are currently managing a mitigation/habitat plan(s) from a previous FOA award must be compliant on operating and maintenance to the standards set in the cooperative agreement. Failure to keep up the mitigation/habitat plan (s) will forfeit an agreement award in this NOFO.

E. Application Review Information

E.1 Review and Selection Process

Reclamation reserves the right to reject any application that does not meet the requirements of this NOFO or that is outside the scope of the Salinity Control Program. Awards will be made to applications that rank highest based on Reclamation evaluation criteria. The screening and evaluation process will be comprised of the following subsections:

E1.1 Initial Screening

All applications will be screened to ensure that:

- The application meets the requirements of the NOFO package, including submission of project plans, schedule and budget, and related forms.

- The application contains all required and properly executed SF-424 Family of Forms.

- Applicants are registered in SAM with legal UEI number.

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

E. 1.2 Application Review Committee (ARC) Review

Applications will be evaluated and ranked by an ARC using the Evaluation Criteria described in this section. The ARC will then recommend to the Program Manager applications to be considered for award. The Program Manager then provides recommendations to the Grants Officer (GO) for award. Applications ultimately selected for award will be determined by the GO.

E.2 Evaluation Criteria

Applications will be evaluated individually according to the following criteria, listed in descending order of importance.

There is a total of 100 possible points to be awarded in the Evaluation Criteria. Points in each criterion will have a range of values within 3 tiers of High, Medium and Low. The relative importance of each Evaluation Criterion is as follows:

1. Cost Effectiveness = 0-40 points
2. Enable On-Farm Salinity Control Features = 0-30 points
3. Implementation Ability = 0-30 points
   A) Detailed Project Plan and Costs & Capability to Implement Project = 0-15 points
   B) O&M and Management 0-10 points
   C) Biden-Harris Priorities = 0-5 points

Additional Consideration
The following items may improve the ranking of the application.

State Representative Signature Letter

- State Representative must review proposed project and offer the Signature Letter.

Basin States Salinity Coordinator Concurrence Letter

- Basin States Coordinator must review proposed project and offer comments and a concurrence letter of support.

  - Funding from sources outside the applicant's organization, e.g., loans or state grants, are secured and available to the applicant at the time of the application. Reclamation may approve an award prior to an applicant securing cost-share funds if Reclamation determines that there is sufficient evidence and likelihood that the non-Salinity Funding will be available to the applicant by the start of the project.

THE EVALUATION CRITERIA ARE DESCRIBED IN DETAIL BELOW.

E.2.1 Cost effectiveness (0-40 Points)

Cost effectiveness is defined as the amortized Basinwide Program or BSP funding amount divided by the tons of salt controlled per year.

The applications with a cost per ton that is significantly greater than the majority of the applications received will not be reviewed by the ARC unless, there are insufficient lower cost per ton projects to use the available funding.

The applications with a cost per ton that is significantly greater than the majority of the applications received may not be reviewed by the ARC

Once the applications have been placed in order of priority based on cost effectiveness, the applications will then be evaluated using all other criteria, established in the NOFO, and ranked to determine selection for application award.

E.2.2 Enable On-farm Salinity Control Features to be Constructed (0-30 Points)

The projects will be ranked and awarded up to 30 points based on the on-farm enabled spreadsheet.

The ability to enable On-Farm control features is a major criterion in this NOFO. Applications that demonstrate off-farm delivery system improvements that will provide the necessary conditions to allow high-efficiency on-farm applications to be installed will be eligible for rating under these criteria.

Such improvements may include (1) delivery of a sufficient volume of water at a dynamic working pressure of 35 psi to the edge of the field, (2) delivery of sufficient volume of water at the schedule required by the irrigators to service high-efficiency, precision-leveled border, or precision-leveled surge irrigation systems, and (3) delivery of sufficient volume and quality of water to meet the needs of surface drip and buried drip irrigation systems. A GIS map must be provided showing the proposed system.

To receive more points in this criterion the application will need to have a high percentage of interested landowners per acres claimed. This will be verified by the signatures on the Enable On-Farm Worksheet. <u>Failure to get signatures and provide sufficient information will result in a</u>

zero-point ranking under this criterion.

E.2.3. Implementation Ability (0-30 Points combined sub-criteria below)

In the Report to Congress prepared by Reclamation as required by P.L. 104-20 that created the Basinwide Salinity Control Program, it is stated that risk factors that might affect the project's performance would be considered in the ranking of applications.

The following criteria addresses the Risk Assessment's sub-catergories

A) Detailed Conceptual Project Plan and Costs & Capability to Implement Project and Meet Project Schedule (0-15 Points)

Applications that provide detailed project plans, cost estimates, project analysis and a detailed GIS map will receive a higher ranking. A brief synopsis for each item planned must be included. It is also encourage to identify who will be responsible for each scheduled task.

Detailed project plans should include the following: preliminary hydraulic analysis, geotechnical description, initial design drawings, GIS map(s) detailing the various construction phases, preliminary work on habitat mitigation plan, initial NEPA scoping and timeline, detailed timeline of right-of-way acquisition and all other major milestones as needed.

Applications that adequately demonstrate the capability to implement the project for the proposed cost and have a detailed project schedule, which identifies all the major work items, including NEPA process, with reasonable completion dates for each will increase application ranking.

A detailed project schedule will be evaluated for completeness and the applicant's understanding of all the project technical requirements and processes. Projects should plan to begin construction within 12-18 months of agreement signature.

Costs and other figures described in the Project Application must precisely match the quantities and cost estimates in Appendix A of the Project Application. Inconsistencies in a Project Application or not fully describing each requirement may result in a decision by the ARC to not recommend the application for award.

Failure to meet all the above criterion will result in a lower ranking, and the ARC may not recommend the application for award.

B) O&M and Management (0-10 Points)

Applications for projects that have low O&M and management requirements, and which have a well-defined and adequately funded O&M and management plan, will reduce the financial risks to Reclamation. Generally, a pipeline project would have less O&M, and management requirements than a ditch lining project.

Applicants must provide a current, yearly budget and personnel organization description along with any anticipated changes in budget or personnel for the proposed project. Applicants must also submit a funding and management plan for future procedures, which will be put in place, to assure adequate O&M for the life of the project. (E.g., cleaning headwork screens and clearing sediment, performing electrical maintenance, replacing mechanical equipment, etc.) This includes the habit replacement O&M for the 50-year life of the project. Salinity Grant Funds cannot be used for any O&M costs, including maintenance of habitat mitigation

Failure to meet all the above criterion will result in a lower ranking, and the ARC may not recommend the application for award.

C) Presidential and Department of the Interior Priorities (0-5 points)

Up to 5 points may be awarded based upon the extent to which the proposed project demonstrates support for the Biden-Harris Administration's priorities, including Presidential Executive Order 14005: Ensuring the Future is Made in All of America by All of America's Workers, which calls on federal agencies to ensure that terms and conditions of financial assistance awards maximize the use of goods, products, materials and services produced or offered in the United States (E.O. 14005) is implemented through this NOFO.

The following criteria addresses the Risk Assessment's sub-catergories

1) Cost Share Availability:
   a) Funding from non-federal source must be stable and available at the time of award.

2) Quality of Project Management Systems:
   a) The ability to meet the management standards prescribed in the detailed plan and capability to implement criteria.
   b) Correct representation of claimable On-Farm Acres that resulted in a signature from landowners on the On-Farm Worksheet.

3) Water Right Significance:
   a) Applicants will be required to complete the Water Right Significance Worksheet Appendix F. Listing the water rights used under the proposed project.
   b) Risk points will be awarded based on evidence of probability of implementation of the project based on water right Significance.

E.3.1 Funding Subject to Appropriation

Funding for the program is subject to annual appropriations from Congress.

E.4 Pre-Award Clearances and Approvals

After completion of the ARC evaluation, Reclamation will notify applicants whose applications have been selected for award consideration.

The local Reclamation office will also complete a business evaluation and determination of responsibility. During these evaluations, the GO will also consider several factors that 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 OMB circulars.
- The Risk Assessment/ Red Flag Review Committee will review Agency Records, such as past progress reports, public information records; such as online searches, interviews, and GO/GOTR notes, and determine if targets were met and issues resolved in a timely manner.

E.5 Anticipated Award Dates

The ARC will meet on or about November 28th - 30th, 2023.

All applications will receive a letter indicating selection or non-selection by January 12th, 2024.

If the results of all pre-award reviews and clearances are satisfactory, an award of funding will be made once the agreement is finalized (approximately 180 to 240 days from date of initial selection). If the results of pre-award reviews and clearances are unsatisfactory, consideration of funding for the project may be withdrawn.

E.6 Application Delivery Instructions

Estimated Salt Load Reduction Table
Provide the estimated salt load reduction, in tons per year. This estimate is provided to the applicant by letter from Reclamation. In order to obtain a salt load reduction estimate from Reclamation the Salt Load Reduction. Worksheet must be submitted to bor-sha-uc-foasaltloadreduction@usbr.gov. For each Salinity Control Project, applicants will be allowed no more than two submissions of the recommended Salt Load Reduction Worksheet. Applicants should be aware that submittals may require 20 or more calendar days to process. Applicants are encouraged to submit the recommended Salt Load Reduction Worksheet as early as possible following the release of the NOFO, especially if the applicant anticipates submitting a revised version of the recommended Salt Load Reduction Worksheet.

Final submissions of the recommended Salt Load Reduction Worksheets must be received by Reclamation no later than August 11, 2023.

Applications should submit electronically through http://www.grants.gov

E.7 Application Submission Deadline

September 27, 2023, 11:59 p.m. (MDST)

Applications received after the application deadline will not be considered unless it can be determined that the delay was caused by the Grants.gov application system.

E.8 Submission Requirements

Electronic applications must be submitted through Grants.gov. Reclamation encourages applicants to submit their applications for funding electronically through www.grants.gov/applicants/apply-for-grants.html. Applicant resource documents and a full set of instructions for registering with Grants.gov and completing and submitting applications online are also available at: www.grants.gov/applicants/apply-for-grants.html.

- Please note that submission of an application electronically requires prior registration through Grants.gov, which may take 7 to 21 days. Please see registration instructions at www.grants.gov/applicants/apply-for-grants.html. ***In addition, please note that the Grants.gov system only accepts applications submitted by individuals that are registered and active in SAM as both a user and an Authorized Organizational Representative.***

- Applicants have experienced significant delays when attempting to submit applications through Grants.gov. If you plan to submit your application through Grants.gov, you are encouraged to submit your application several days prior to the application deadline. If you are a properly registered Grants.gov applicant and encounter problems with the Grants.gov application submission process, you must contact the Grants.gov Help Desk to obtain a case number. This case number will provide evidence of your attempt to submit an application prior to the submission deadline.

You must ensure that your proposal arrives by the date and time deadline stated in this NOFO. Applications received after this date and time will not be considered for award. Late applications will not be considered unless it is determined that the delay was caused by Reclamation mishandling or technical issues with the Grants.gov application system.

Please note that difficulties related to an applicant's Grants.gov profile (e.g., incorrect organizational representative), uploading documents to Grants.gov, or an applicant's SAM registration are not considered technical issues with the Grants.gov system.

E.8.1 Acknowledgement of Application Receipt.

After an application is submitted through Grants.gov, you will receive an email acknowledging receipt of the application from Grants.gov. In addition, you will receive an email acknowledgement when your application is successfully downloaded from Grants.gov.

E.9. Intergovernmental Review

This NOFO is not subject to Executive Order 12372, "Intergovernmental Review of Federal Programs."

E.10 System for Award Management Registration Requirement

All grant applicants are required to be registered in the System for Award Management (SAM) at the time of application, unless the applicant has an exemption under 2 CFR 25.110. Applicants must maintain an active SAM registration with current information at all times during the time in which the applicant has an active Federal award or an application under consideration. For additional information, or to register, go to www.sam.gov/SAM.

E.11 Late Submissions, Modifications, and Withdrawals of Application and Proposal

Any application received at the designated office mentioned in this NOFO after the specified time for receipt will not be considered.

E.12 Retention/Disposition of Materials

Proposals submitted in response to this NOFO will not be returned but will be retained by Reclamation for official record purposes. Materials supplied to the applicant need not be returned but may be disposed of at the discretion of the applicant, unless otherwise specifically directed that the applicant return for auditing purposes.

Section F. Federal Award Administration

F.1 Federal Award Notices

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

F 2. Administrative and National Policy Requirements

See the "DOI Standard Terms and Conditions" for the administrative and national policy requirements applicable to Reclamation and Department awards.

F. 2.1. Automated Standard Application for Payments Registration

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

Note that if your entity is currently enrolled in the ASAP system with an agency other than

Reclamation, you must enroll specifically with Reclamation in order to process payments.

F.2.2 Environmental and Cultural Resources Compliance

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

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

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

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

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

F.2.3. Approvals and Permits

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

F.2.4. Geospatial Data and Data Tools

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

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

F.2.5. Intangible Property (2 CFR §200.315)

Title to intangible property acquired under a Federal award vests upon acquisition in the non-Federal entity (see §200.1 Intangible Property). The non-Federal entity must use that property for the originally authorized purpose and must not encumber the property without approval of the Federal awarding agency. When no longer needed for the originally authorized purpose, disposition of the intangible property must occur in accordance with the provisions in §200.313(e) Equipment (of this CFR).
The non-Federal entity may copyright any work that is subject to copyright and was developed, or for which ownership was acquired, under a Federal award. However, per 2 CFR 200.315 (b) the Federal awarding agency reserves a royalty-free, nonexclusive, and irrevocable right to reproduce, publish, or otherwise use the work for Federal purposes, and to authorize others to do so.
The non-Federal entity is subject to applicable regulations governing patents and inventions, including government wide regulations issued by the Department of Commerce at 37 CFR §401, "Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Awards, Contracts and Cooperative Agreements."

F.2.6. Real Property, 2 CFR §200.311

Real property, equipment, and intangible property, that are acquired or improved with a Federal award must be held in trust by the non-Federal entity as trustee for the beneficiaries of the project or program under which the property was acquired or improved (2 CFR §200.316 *Property trust relationship*). Title to real property acquired or improved under a Federal award will vest upon acquisition in the non-Federal entity. Except as otherwise provided by Federal statutes or by Reclamation, real property will be used for the originally authorized purpose as long as needed for that purpose, during which time the non-Federal entity must not dispose of or encumber its title or other interests. When real property is no longer needed for the originally authorized purpose, the non-Federal entity must obtain disposition instructions from

Reclamation. As required by 2 CFR §200.330 *Reporting on real property,* recipients will be required to submit reports on the status of real property acquired or improved under a financial assistance agreement issued under this NOFO.

F.2.7 Buy America Domestic Procurement Preference

As required by Section 70914 of the Bipartisan Infrastructure Law (also known as the Infrastructure Investment and Jobs Act), P.L. 117-58, on or after May 14, 2022, none of the funds under a federal award that are part of Federal financial assistance program for infrastructure may be obligated for a project unless all of the iron, steel, manufactured products, and construction materials used in the project are produced in the United States, unless subject to an approved waiver. The requirements of this section must be included in all subawards, including all contracts and purchase orders for work or products under this program.
Recipients of an award of Federal financial assistance are hereby notified that none of the funds provided under this award may be used for a project for infrastructure unless:

1. all iron and steel used in the project are produced in the United States--this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States;
2. all manufactured products used in the project are produced in the United States—this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and
3. all construction materials are manufactured in the United States—this means that all manufacturing processes for the construction material occurred in the United States.

The Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a Buy America preference apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project but are not an integral part of the structure or permanently affixed to the infrastructure project.

For further information on the Buy America preference, please visit www.doi.gov/grants/BuyAmerica. Additional information can also be found at the White House Made in America Office website: www.whitehouse.gov/omb/management/made-in-america/.

Waivers

When necessary, recipients may apply for, and the Department of the Interior (DOI) may grant, a waiver from these requirements, subject to review by the Made in America Office. The DOI may waive the application of the domestic content procurement preference in any case in which it is determined that one of the below circumstances applies:

1. Non-availability Waiver: the types of iron, steel, manufactured products, or construction materials are not produced in the United States in sufficient and reasonably available quantities or of a satisfactory quality;
2. Unreasonable Cost Waiver: the inclusion of iron, steel, manufactured products, or construction materials produced in the United States will increase the cost of the overall project by more than 25 percent; or
3. Public Interest Waiver: applying the domestic content procurement preference would be inconsistent with the public interest.

There may be instances where an award qualifies, in whole or in part, for an existing DOI general applicability waiver as described at: www.doi.gov/grants/BuyAmerica/GeneralApplicabilityWaivers. If the specific financial assistance agreement, infrastructure project, or non-domestic materials meets the criteria of an existing general applicability waiver within the limitations defined within the waiver, the recipient is not required to request a separate waiver for non-domestic materials.
If a general applicability waiver does not already apply, and a recipient believes that one of the above circumstances applies to an award, a request to waive the application of the domestic content procurement preference may be submitted to the financial assistance awarding officer in writing. Waiver requests shall include the below information. The waiver shall not include any Privacy Act information, sensitive data, or proprietary information within their waiver request. Waiver requests will be posted to www.doi.gov/grants/buyamerica and are subject to public comment periods of no less than 15 days. Waiver requests will also be reviewed by the Made in America Office.

1. Type of waiver requested (non-availability, unreasonable cost, or public interest).
2. Requesting entity and Unique Entity Identifier (UEI) submitting the request.
3. Department of Interior Bureau or Office who issued the award.
4. Federal financial assistance listing name and number (reference block 2 on DOI Notice of Award)
5. Financial assistance title of project (reference block 8 on DOI Notice of Award).
6. Federal Award Identification Number (FAIN).
7. Federal funding amount (reference block 11.m. on DO Notice of Award).
8. Total cost of Infrastructure expenditures (includes federal and non-federal funds to the extent known).
9. Infrastructure project description(s) and location(s) (to the extent known).
10. List of iron or steel item(s), manufactured goods, and construction material(s) the recipient seeks to waive from Buy America requirements. Include the name, cost, countries of origin (if known), and relevant PSC or NAICS code for each.
11. A certification that the recipient made a good faith effort to solicit bids for domestic products supported by terms included in requests for proposals, contracts, and nonproprietary communications with the prime contractor.
12. A statement of waiver justification, including a description of efforts made (e.g., market research, industry outreach) by the recipient, in an attempt to avoid the need for a waiver. Such a justification may cite, if applicable, the absence of any Buy America-compliant bids received in response to a solicitation.

13. Anticipated impact if no waiver is issued.

Approved waivers will be posted at www.doi.gov/grants/BuyAmerica/ApprovedWaivers; recipients requesting a waiver will be notified of their waiver request determination by an awarding officer.

Questions pertaining to waivers should be directed to the financial assistance awarding officer.

Definitions

"Construction materials" includes an article, material, or supply that is or consists primarily of:

- non-ferrous metals;
- plastic and polymer-based products (including polyvinylchloride, composite building materials, and polymers used in fiber optic cables);
- glass (including optic glass);
- lumber; or
- drywall.

"Construction Materials" does **not** include cement and cementitious materials, aggregates such as stone, sand, or gravel, or aggregate binding agents or additives.

"Domestic content procurement preference'' means all iron and steel used in the project are produced in the United States; the manufactured products used in the project are produced in the United States; or the construction materials used in the project are produced in the United States.

"Infrastructure" includes, at a minimum, the structures, facilities, and equipment for, in the United States, roads, highways, and bridges; public transportation; dams, ports, harbors, and other maritime facilities; intercity passenger and freight railroads; freight and intermodal facilities; airports; water systems, including drinking water and wastewater systems; electrical transmission facilities and systems; utilities; broadband infrastructure; and buildings and real property. Infrastructure includes facilities that generate, transport, and distribute energy.

''Project'' means the construction, alteration, maintenance, or repair of infrastructure in the United States.

F.2.8. Cost Share/Match Waiver for Insular Areas

In accordance with provisions of Public Law 95-134, Title V, § 501 (1977)(codified at 48 U.S.C. 1469a), as amended by Public Law 96-205, Title V, § 601, DOI has determined that any requirement for local matching funds to be provided by insular governmental entities shall be waived, notwithstanding any other provision of law. Any matching funds otherwise required by law to be provided by government entities of an insular area are waived.
The areas defined by Public Law 95-134, Title V, § 501 (1977), as amended (48 U.S.C. § 1469a), include the Virgin Islands, Guam, American Samoa, and the islands formerly referred to as the "Trust Territory of the Pacific Islands": the Commonwealth of the Northern Mariana Islands, the Federated States of Micronesia, the Republic of the Marshall Islands, and the

Republic of Palau.

F.3. Reporting Requirements and Distribution

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

F.3.1 Financial Reports

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

F. 3.2 Interim Performance Reports

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

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

F.3.3 Final Performance Report

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

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

F. 3.4 Real Property Reports

Recipients and subrecipients are required to submit status reports on the status of real property acquired under the award in which the Federal government retains an interest. The required frequency of these reports will depend on the anticipated length of the Federal interest period. The Bureau will include recipient-specific real property reporting requirements, including the required standard form or data elements, reporting frequency, and report due dates, in the Notice of Award when applicable.

F. 4 Disclosures

F.4.1 Conflict of Interest Disclosures

Recipients must notify the program immediately in writing of any conflict of interest that arise during the life of their Federal award, including those reported to them by any subrecipient under the award. Recipients must notify the program in writing if any employees, including subrecipient and contractor personnel, are related to, married to, or have a close personal relationship with any Federal employee in the Federal funding program or who otherwise may have been involved in the review and selection of the award. The term employee means any individual engaged in the performance of work pursuant to the Federal award.

F.4.2. Other Mandatory Disclosures

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

F.5 Data Availability (2 CFR §1402.315)

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

The Federal Government has the right to:

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

F.5.1 Freedom of Information Act

Please note that any application submitted for funding under this NOFO may be subjected to a Freedom of Information Act (FOIA) request (5 U.S.C. §552, as amended by P.L. No. 110-175), and as a result, may be made publicly available.

In response to a Freedom of Information Act (FOIA) request for research data relating to published research findings produced under a Federal award that were used by the Federal government in developing an agency action that has the force and effect of law, the Federal awarding agency must request, and the non-Federal entity must provide, within a reasonable time, the research data so that they can be made available to the public through the procedures established under the FOIA. If the Federal awarding agency obtains the research data solely in response to a FOIA request, the Federal awarding agency may charge the requester a reasonable fee equaling the full incremental cost of obtaining the research data. This fee should reflect costs incurred by the Federal agency and the non-Federal entity. This fee is in addition to any fees the Federal awarding agency may assess under the FOIA (5 U.S.C. 552(a)(4)(A)).

Published research findings mean when:

- Research findings are published in a peer-reviewed scientific or technical journal; or
- A Federal agency publicly and officially cites the research findings in support of an agency action that has the force and effect of law. "Used by the Federal government in developing an agency action that has the force and effect of law" is defined as when an agency publicly and officially cites the research findings in support of an agency action that has the force and effect of law.

Research data means the recorded factual material commonly accepted in the scientific community as necessary to validate research findings, but not any of the following: preliminary analyses, drafts of scientific papers, plans for future research, peer reviews, or communications with colleagues. This "recorded" material excludes physical objects (e.g., laboratory samples). Research data also does not include:

- Trade secrets, commercial information, materials necessary to be held confidential by a researcher until they are published, or similar information which is protected under law; and
- Personnel and medical information and similar information the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, such as information that could be used to identify a particular person in a research study.

G. Federal Awarding Agency Contacts

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