



— BUREAU OF —
RECLAMATION



Notice of Funding Opportunity No. R24AS00329

Central Valley Project Fish Information Needs

For Fiscal Year 2025 and Fiscal Year 2026



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.

The mission of the U.S. Fish and Wildlife Service is working with others to conserve, protect, and enhance fish, wildlife, plants, and their habitats for the continuing benefit of the American people.

Synopsis

Federal Agency Name:	Department of the Interior, Bureau of Reclamation, Interior Region 10, California Great Basin
Funding Opportunity Title:	Central Valley Project Fish Information Needs
Announcement Type:	Notice of Funding Opportunity (NOFO)
Funding Opportunity Number:	R24AS00329
Catalog of Federal Domestic Assistance (CFDA) Number:	USBR Assistance Listing Number: 15.512 USFWS Assistance Listing Number: 15.648
Dates: (See NOFO Section D.4)	This NOFO covers two application submittal periods – Fiscal Year 2025 and Fiscal Year 2026 Application Submittal Period 1 – Applications due Monday, December 23, 2024, at 5:00 p.m. Pacific Standard Time Application Submittal Period 2 – Applications due Thursday, October 16, at 5:00 p.m. Pacific Standard Time (Subject to Change) Funding for applications submitted within a given application submittal period is contingent on available appropriations.
Eligible Applicants: (See NOFO Section C.1)	The State of California or an agency or subdivision thereof ¹ , an Indian tribe, or a non-profit ² entity concerned with restoration, protection, or enhancement of fish, wildlife, habitat, or environmental values.
Recipient Cost Share:	Cost share not required.
Federal Funding Amount: (See NOFO Section B.)	The total Federal funds awarded may not exceed \$5,000,000 in each fiscal year.
Estimated Number of Agreements to be Awarded: (See NOFO Section B.)	An estimated number of 1 – 10 applications will be awarded per application submittal period, contingent on available funding.
Intergovernmental Review: (See NOFO Section D.5)	This NOFO is subject to Executive Order 12372, “Intergovernmental Review of Federal Programs.” A list of states that have elected to participate in the intergovernmental review process can be found here: https://www.whitehouse.gov/wp-content/uploads/2020/04/SPOC-4-13-20.pdf.

¹ Includes state funded universities.

² Does NOT have to be a 501(c3) to qualify as a ‘non-profit’.

Application Checklist

The following table contains a summary of the required application information.

ü	Mandatory Application Items:	Required content	Page
	Mandatory Federal Forms: • SF-424: Application for Federal Assistance • SF-424A: Budget Information - Non-Construction Programs • SF-424B: Assurances for Non-Construction Programs • SF-LLL: Disclosure of Lobbying Activities (if applicable)	See Section D.2.2.1	14
	Technical Proposal: • Title Page • Table of Contents • Executive Summary • Project Location • Project Statement • Background • Technical Project Description • Research Work Plan and Schedule • Peer Review Plan • Project Feasibility • Project Closeout • Evaluation criteria	See Section D.2.2.2	15
	Project Budget: • Funding Plan and Letter of Commitment (if applicable) • Budget Proposal • Budget Narrative • Cash Flow Schedule	See Section D.2.2.3	19
ü	Additional Application Items:	Required content	Page
	Environmental and Cultural Resources Compliance	See Section D.2.2.5	21
	Required Permits or Approvals	See Section D.2.2.6	22
	Overlap or Duplication of Effort Statement	See Section D.2.2.7	22
	Conflict of Interest Disclosure Statement	See Section D.2.2.8	22
	Uniform Audit Reporting Statement	See Section D.2.2.9	23
	Letters of Support	See Section D.2.2.10	23
	Official Resolution	See Section D.2.2.11	24
	Statement of Qualifications	See Section D.2.2.12	24
	Unique Entity Identifier (UEI) & System for Award Management (SAM)	See Section D.3	25

Acronyms and Abbreviations

ASAP	Automated Standard Application for Payments
ARC	Application Review Committee
BIL	Bipartisan Infrastructure Law
CE	Categorical Exclusion
CEC	Categorical Exclusion Checklist
CFDA	Catalog of Federal Domestic Assistance
CFR	Code of Federal Regulations
CSAMP	Collaborative Science and Adaptive Management Program
CWA	Clean Water Act
CWMP	Cooperative Watershed Management Program
D&B	Dun & Bradstreet
DCG	Delta Coordination Group
DSM	Decision Support Model
Department	U.S. Department of the Interior
EA	Environmental Assessment
EIN	Employer Identification Number
EIS	Environmental Impact Statement
E.O.	Executive Order
EPA	Environmental Protection Agency
ESA	Endangered Species Act
FAPIIS	Federal Award Performance Integrity Information System
FOIA	Freedom of Information Act
FONSI	Finding of No Significant Impact
FY	Fiscal Year
IBC	Interior Business Center
IBMR	Individual Based Model in R
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NOAA	National Oceanic and Atmospheric Administration
NOFO	Notice of Funding Opportunity
NRCS	Natural Resources Conservation Service
OMB	Office of Management and Budget
P.L.	Public Law
PSC	Product Service Code
Reclamation	Bureau of Reclamation
SAM	System for Award Management
SIT	Science Integration Team
SF	Standard Form
SFHA	Summer Fall Habitat Action
SOQ	Statement of Qualifications
SPOC	Single Point of Contact
UEI	Unique Entity Identifier
U.S.C.	United States Code
USFWS	United States Fish and Wildlife Service

Contents

Page

Section A. Funding Opportunity Description	1
A.1. Authority	1
A.2. Background and Program Requirements	1
A.3. Notice of Funding Opportunity Purpose and Objective	1
A.4. Program Requirements.....	1
Section B. Federal Award Information	4
B.1. Total Funding	4
B.2. Expected Award Amount and Number of Awards	4
B.3. Expected Award Funding and Anticipated Dates	4
B.4. Type of Award.....	5
B.5. Technical Assistance	5
Section C. Eligibility Information	6
C.1. Eligible Applicants.....	6
C.2. Cost Sharing or Matching	6
C.3. Excluded Parties	6
C.4. Eligible Projects	6
C.5. Ineligible Projects.....	12
C.6. Duration of Projects	12
C.7. Data Guidance for CVPIA Funded or Authorized Work	12
Section D. Application and Submission Information.....	13
D.1. Address to Request Application Package	13
D.2. Content and Form of Application Submission	13
D.3. Unique Entity Identifier and System for Award Management (SAM).....	25
D.4. Submission Date and Time.....	26
D.5. Intergovernmental Review	27
D.6. Funding Restrictions	27
Section E. Application Review Information	29
E.1. Technical Proposal: Evaluation Criteria.....	29
E.2. Review and Selection Process	33
E.3. Federal Award Performance Integrity	36
Section F. Federal Award Administration Information	37
F.1. Federal Award Notices	37
F.2. Administrative and National Policy Requirements.....	37
F.3. Reporting Requirements and Distribution.....	44
F.4. Disclosures	45
F.5. Data Availability (2 CFR §1402.315)	46
Section G. Federal Awarding Agency Contacts(s).....	48
G.1. Reclamation Financial Assistance Contact	48
G.2. Reclamation Program Coordinator Contacts.....	48
G.3. Service Program Coordinator Contact.....	49
Section H. Other Information	50
H.1. Environmental and Cultural Resource Considerations.....	50
H.2. Endangered Species Act	53
Section I. References	55

Section A. Funding Opportunity Description

A.1. Authority

This NOFO is issued under the authority of Public Law (P.L.) 102-575, Title XXXIV – Central Valley Project Improvement Act, Section 3406(b)(1), 3406(b)(15), 3406(g), and 3407(e).

A.2. Background and Program Requirements

This NOFO provides funding to collect information on Chinook salmon, *Oncorhynchus mykiss* (*O. mykiss*), Green and White sturgeon, and Delta smelt. For further information on the Central Valley Project Improvement Act, see <https://www.usbr.gov/mp/cvpia/>.

A.3. Notice of Funding Opportunity Purpose and Objective

The objective of this NOFO is to reduce key uncertainties in the decision support models (DSMs) by collecting priority information in directed studies for Chinook Salmon, *O. mykiss*, Green and White sturgeon (collectively, “sturgeon”), and Delta smelt. Chinook salmon, *O. mykiss*, and sturgeon information needs are described in the Near-Term Restoration Strategy (USBR and USFWS, 2020)¹. Reducing key uncertainties will improve the performance of each DSM and strengthen the predictive capabilities for developing fish restoration strategies in the Central Valley.

Delta smelt key uncertainties are prescribed in the Delta smelt Individual Based Model in R (IBMR) (Rose, Kimmerer, et al. 2013)² (Smith and Nobriga 2023), which is currently being used in both the Collaborative Science and Adaptive Management Program (CSAMP) and Delta Coordination Group (DCG) Delta smelt-focused Structured Decision-Making efforts.

Information collected pertaining to Delta smelt and their environmental (habitat and prey) conditions will be used to improve the model’s ability to predict the effects of different action alternatives on habitat and food quality and quantity and, subsequently, Delta smelt individual growth and recruitment and population growth rate. Reducing uncertainty in the Delta smelt environmental and bioenergetic parameters within the model will also strengthen Reclamation’s capability to develop and implement population recovery strategies for the species.

A.4. Program Requirements

The Central Valley Project Improvement Act (CVPIA), Title 34 of Public Law 102-575 authorizes the U.S. Bureau of Reclamation (Reclamation) and the U.S. Fish and Wildlife Service (the Service) to take actions aimed at increasing anadromous fish production in the

¹ [Near-term Restoration Strategy for the Central Valley Project Improvement Act \(2020\)](#)

² [Full article: Individual-Based Modeling of Delta Smelt Population Dynamics in the Upper San Francisco Estuary: I. Model Description and Baseline Results \(tandfonline.com\)](#)

Central Valley of California. In response, Reclamation and the Service adopted a Structured Decision Making (SDM) process as a collaborative approach with agencies (State, Federal, and Local) and stakeholders (non-government organizations, Federal and State Water Contractors, etc.).

Reclamation and the Service (the Program) established the Science Integration Team (SIT) to use the SDM process as a science-based framework to identify restoration strategies for increasing production of Chinook salmon (*Oncorhynchus tshawytscha*), *O. mykiss*, and Green and White sturgeon (*Acipenser medirostris* and *Acipenser transmontanus*, respectively). The SIT is a self-selected technical group of agency staff and stakeholders that follow the SDM collaborative and transparent process. The SIT uses the Structured Decision-Making process to identify, compile, and provide access to relevant data; develop decision support models; and provide input to the agencies' development of priorities for fishery restoration actions and information needs.

As a part of the SDM process, members of the SIT developed Decision Support Models (DSMs) for each of the fish species listed above. For a given fish species, the decision support model simulates the population's life cycle (i.e., migration, spawning, rearing, growth, mortality, etc.) and provides results such as the number juveniles and the available spawning population. The geographic scope of the Chinook salmon, *O. mykiss*, and sturgeon DSMs includes the entire Central Valley. For more information about the scope, functionality, and uses of these models, please visit the [SIT website](#).

Another species of interest is the Delta smelt (*Hypomesus transpacificus*), a typically annual fish species that is endemic to the San Francisco Estuary in California. Delta smelt were listed as threatened in 1993 (USFWS 1993), with critical habitat designated for the species in 1994 (USFWS 1994). The species is one of eight fish species included in the Recovery Plan for the Sacramento-San Joaquin Delta Native Fishes; objectives in the Recovery Plan include increasing Delta inflows to improve habitat within the Delta and providing transport inflows and outflows for larval and juvenile dispersal from the Sacramento River, among others (USFWS 1996).

The CSAMP Delta Smelt Structured Decision-Making Project was established to provide opportunities for analysis and dialogue on Delta smelt management and science actions that could advance the CSAMP management goal of reversing the declining trajectory of the Delta smelt population. As part of the Long-term operations of the CVP and SWP, the Delta Smelt Summer Fall Habitat Action (SFHA) is intended to improve growth, survival, and recruitment of critically endangered Delta smelt by enhancing habitat and food availability through coordinated habitat and water management actions. Planning, recommendations for implementation, and reporting of the SFHA are coordinated through the DCG, consisting of state and federal agencies and CVP and SWP water contractors. The DCG engages in structured decision-making to develop a recommended action plan for the water year.

Moreover, the Program seeks to implement the Biden-Harris administration's priorities through the following Executive Orders:

Executive Order 14008: Tackling the Climate Crisis at Home and Abroad – Directs the Department and other Federal agencies to prioritize efforts to support land conservation and biodiversity efforts.

Executive Order 13985 – Advancing Racial Equity and Support for Underserved Communities through the Federal Government – Federally recognized tribes are eligible to apply under this NOFO.

Executive Order 14005 – Ensuring the Future is Made in All of America by All of America’s Workers – This NOFO relies on US-based non-profits, tribes, and California state agencies. Through this action Reclamation and the Service will also ensure that Tribes and Tribal organizations are eligible to participate, consistent with underlying law (*P.L. 102-575, Title XXXIV – Central Valley Project Improvement Act, Section 3407(e)*), and receive appropriate technical assistance if required.

Section B. Federal Award Information

B.1. Total Funding

An estimated amount of \$5 million is available for this NOFO, subject to appropriations, with per-project limits as described in Section B.2 Expected Award Amount and Number of Awards. Reclamation will determine the final amount of Federal funding available for award under this NOFO once final fiscal year (FY) 2025 appropriations have been made. This NOFO may be canceled if appropriations are insufficient to support new awards. Applications submitted under this NOFO may also be considered if other Federal funding becomes available in or after FY 2026.

An estimated amount of \$5 million will be available in FY 2026, subject to appropriations, with per-project limits as described in Section B.2 Expected Award Amount and Number of Awards. Reclamation will determine the final amount of Federal funding available for award under this NOFO once final FY 2026 appropriations have been made. This NOFO may be canceled if appropriations are insufficient to support new awards. Applications submitted under this NOFO may also be considered if other Federal funding becomes available in or after FY 2026.

Through this NOFO, Reclamation plans to award funds to eligible groups. See Section C.1 Eligible Applicants for additional information on applicant eligibility.

B.2. Expected Award Amount and Number of Awards

Up to \$5,000,000 in Federal funds is available in both FY 2025 and FY 2026, subject to appropriations. Applications will be solicited in each of the two fiscal years. An estimated number of 1 to 10 applications are expected to be awarded per fiscal year, depending on the amount requested by the applicants and the amount of available funding. No single application estimated to cost more than \$5,000,000 in Federal funds will be funded in any FY. Federal funds are limited to eligible applicants. See Section C. Eligibility Information for more information on eligibility.

B.3. Expected Award Funding and Anticipated Dates

B.3.1. Application Submittal Period 1

For proposals submitted under the first application submittal period, Reclamation expects to contact potential award recipients and unsuccessful applicants in summer 2025 (or later if necessary), subject to the timing of final FY 2025 appropriations. See Section D.4 Submission Date and Time for application due dates. The anticipated award and completion dates for the first application submittal period are as follows:

Anticipated Award Date: 09/06/2025

Anticipated Project Completion Date: 09/06/2030

B.3.2. Application Submittal Period 2

For proposals submitted under the second application submittal period, Reclamation expects to contact potential award recipients and unsuccessful applicants in summer 2026 (or later if necessary), subject to the timing of final FY 2026 appropriations. See Section D.4 Submission Date and Time for application due dates. The anticipated award and completion dates for the second application submittal period are as follows:

Anticipated Award Date: 9/15/2026

Anticipated Project Completion Date: 09/30/2031

B.4. Type of Award

Project awards will be made through either a grant or cooperative agreement.

Under cooperative agreements, the successful applicant should expect Reclamation and/or the Service to have substantial involvement in the project. Substantial involvement may include but is not limited to:

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

B.5. Technical Assistance

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

Section C. Eligibility Information

C.1. Eligible Applicants

In accordance with P.L. 102-575, Title XXXIV, Section 3407(e), applicants eligible to receive an award under this NOFO include the State of California or an agency or subdivision thereof,¹ Tribes, irrigation districts or water districts, or a non-profit entity concerned with restoration, protection, or enhancement of fish, wildlife, habitat, or environmental values.

C.2. Cost Sharing or Matching

Cost sharing is not required in this NOFO but is permitted. See Section D.2.2.3 Project Budget for information on reporting cost share funding in your application, as applicable. All cost-share contributions must meet the applicable administrative and cost principles criteria established in 2 Code of Federal Regulations (CFR) Part 200.

C.3. Excluded Parties

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

C.4. Eligible Projects

The following sections describe projects that are eligible for funding under this NOFO. An eligible project consists of a priority information need measured for an eligible fish type at an eligible location in the Central Valley, as appropriate. Eligible fish types include Chinook salmon, *O. mykiss*, Green and White sturgeon, and Delta smelt.

Applications aimed at Chinook salmon, *O. mykiss*, or sturgeon must seek to reduce decision support model uncertainty by collecting the priority information needs as defined in this section of this NOFO. The priority information needs listed for Chinook salmon, *O. mykiss*, and sturgeon were derived from the Information Priorities listed in Tables 9, 10, and 11 and associated descriptive text regarding Information Needs of the NTRS (2020)². Eligible projects must directly address one or more of the information needs listed in Section C.4.1, C.4.2, and/or C.4.3.

Alternatively, applications aimed at Delta smelt must seek to collect priority information needs that have been identified through CSAMP and the DCG Summer-Fall Habitat Action SDM for the food web processes and Delta smelt IBMR, especially as they relate to actions described in the long-term operation of the CVP and SWP Proposed Action (USBR 2019) and Biological

¹ Including State funded universities.

² [Near-term Restoration Strategy for the Central Valley Project Improvement Act \(2020\)](#)

Opinion (USFWS 2019). The smelt information requested in this section will be used to update decision support tools to improve their evaluation of the effects of potential management actions for Delta smelt described in the Recovery Plan (USFWS 1996) and the Delta Smelt Resiliency Strategy (CNRA 2016). Eligible projects must meet one or more of the information needs listed in section C.4.4.

C.4.1. Chinook Salmon Information Needs

Table 1 lists the CVPIA Chinook salmon information priorities for the Central Valley of California, as identified in the NTRS (2020, Table 9). The information needs are inclusive of spring-run, fall-run, late fall-run, and winter-run Chinook salmon.

Table 1. Chinook salmon information priorities adapted from Table 9 of the Near-Term Restoration Strategy (2020).¹

Chinook Salmon Information Needs
Information Need A: Juvenile Chinook salmon survival: tributaries, mainstem, and Delta, and the effect of habitat on survival.
Information Need B: Juvenile Chinook salmon growth: tributaries, mainstem, and Delta, and the effect of habitat on growth.
Information Need C: Juvenile Chinook salmon movement: site fidelity and effect of habitat type, the effect of temperature and flows on movement.
Information Need D: Juvenile Chinook salmon territory size: site fidelity and effect of habitat type and other conditions.

The geographic scope of the Chinook salmon decision support model includes the four (4) Central Valley watersheds—the Sacramento River, American River, Stanislaus River, and San Joaquin River—and the Delta. *Table 2* lists locations in the model domain where the Chinook salmon information priorities, as identified in *Table 1*, are needed. These locations include mainstem sub-reaches within each watershed, adjoining tributaries, and multiple locations within the Delta. For more information about the geographic scope of the model, please visit the SIT website ([DSM Geographic Scope](#)).

To reduce model uncertainty, projects must seek to collect a priority information need (from *Table 1*) on either a mainstem reach (or sub-reach), tributary, or the Delta (see *Table 2* for locations), as appropriate. Studies should focus on wild origin Chinook salmon in accordance with the NTRS (2020) recommendations. Applicants are strongly encouraged to consider Chinook salmon life stages and migration timing in order to make an informed choice about the best study location for a given information need. Applicants are also encouraged to consider a study location that may be representative of other study locations in the Central Valley. Projects may collect a priority information need on more than one reach and/or more than one tributary. Similarly, projects may collect data to address more than one information need.

¹ Table 9. USBR and USFWS 2020. *Near-term Restoration Strategy for the Central Valley Project Improvement Act Fish Resource Area FY2021–FY2025*. Prepared for the Bureau of Reclamation and U.S. Fish and Wildlife Service. Sacramento, California. 100 pages.

Applicants are encouraged to work with the SIT's DSM modelers to ensure that projects reduce key uncertainties in the decision support models. Applicants are also encouraged to participate in SIT subgroup meetings to ensure that study will refine existing information and/or provide new data.

Table 2. Watersheds, mainstem sub-reaches, and related tributaries in the four (4) CVPIA watersheds and the Delta.

Watershed	Mainstem Sub-reach	Tributaries Adjacent to Mainstem Reach
Sacramento River	Upper Sacramento River (Keswick to Red Bluff Diversion Dam, River Mile 302-244)	• Battle Creek • Bear Creek • Clear Creek • Cottonwood Creek • Cow Creek • Paynes Creek
	Upper-mid Sacramento River (Red Bluff Diversion Dam to Wilkins Slough, River Mile 244-118)	• Antelope Creek • Big Chico Creek • Butte Creek • Deer Creek • Elder Creek • Mill Creek • Stony Creek • Thomes Creek
	Lower-mid Sacramento River (Wilkins Slough to American River Confluence, River Mile 118-61)	• Sutter Bypass • Bear River • Feather River • Yuba River
	Lower Sacramento River (American River Confluence to Freeport, River Mile 61-46)	• Yolo Bypass
American River	Nimbus Dam to Confluence with the Sacramento River	N/A
Stanislaus River	Goodwin Dam to Confluence with the San Joaquin River	N/A
San Joaquin River	Mendota Pool to Vernalis	• Calaveras River • Cosumnes River • Mokelumne River • Merced River • Tuolumne River
Delta		
Thirteen (13) eligible subregions as described in Figure 1 of Peterson and Duarte (2020) .		

The model segments listed in *Table 2* are the only eligible locations for Chinook salmon field investigations under this NOFO. Other locations will not be considered.

C.4.2. *O. Mykiss* Information Needs

Table 3 lists CVPIA *O. mykiss* information priorities for the Central Valley of California. The priorities have been updated from *Table 10* of the NTRS to reflect a more current understanding of the information needs/priorities identified by the SIT Steelhead Subgroup.

Table 3. O. mykiss information priorities adapted from Table 10 of the Near-Term Restoration Strategy¹ (2020).

<i>O. Mykiss</i> Information Needs
Information Need E: Juvenile <i>O. mykiss</i> survival in tributaries, mainstem, and the Delta, with comparison of survival in tributaries with different environmental conditions.
Information Need F: Juvenile <i>O. mykiss</i> age and growth in tributaries and the mainstem with comparison of growth in tributaries with different environmental conditions.
Information Need G: Empirical estimates of spawning population size (proportion of resident and anadromous fish) and juvenile out-migration abundance, with measures of uncertainty and methodology efficiency.

To further refine the focus of study efforts, the *O. mykiss* information listed in *Table 3* is needed in three (3) of the four (4) watersheds in the Central Valley. These watersheds include the Sacramento River, American River, and San Joaquin River. The information listed in *Table 3* is also needed at various locations in the Delta. All locations correspond to the data input locations within the geographic scope of the *O. mykiss* decision support model. *Table 4* summarizes these locations.

To reduce model uncertainty, projects must seek to collect a priority information need (from *Table 3*) on either a mainstem reach (or sub-reach), tributary, or the Delta (see *Table 4* for locations), as appropriate. Studies should focus on wild *O. mykiss* in accordance with the NTRS (2020) recommendations. Applicants are strongly encouraged to consider *O. mykiss* life stages and migration timing in order to make an informed choice about the best study location for a given information need. Applicants are also encouraged to consider a study location that may be representative of other study locations in the Central Valley. Projects may collect a priority information need on more than one reach and/or more than one tributary. Similarly, projects may collect data to address more than one information need.

Further, projects may seek to collect information needs from multiple locations (*Table 4*) or from the same location over multiple years to ensure the information needs are collected under a

¹ Table 10. Bureau of Reclamation and U.S. Fish and Wildlife Service. 2020. *Near-term Restoration Strategy for the Central Valley Project Improvement Act Fish Resource Area FY2021–FY2025*. Prepared for the Bureau of Reclamation and U.S. Fish and Wildlife Service. Sacramento, California. 100 pages.

diverse range of environmental conditions (e.g., flow and temperature variation). In doing so, projects may increase the likelihood that information needs, and conclusions about the effects of factors like flow and temperature on those information needs, are robust to future environmental conditions.

Table 4. Watersheds, mainstem sub-reaches, and related tributaries the three (3) CVPIA watersheds and the Delta.

Watershed	Mainstem Sub-reach	Tributaries Adjacent to Mainstem Reach
Sacramento River	Upper Sacramento River (Keswick to Red Bluff Diversion Dam, River Mile 302-244)	• Battle Creek • Bear Creek • Clear Creek • Cottonwood Creek • Cow Creek • Paynes Creek
	Upper-mid Sacramento River (Red Bluff Diversion Dam to Wilkins Slough, River Mile 244-118)	• Antelope Creek • Big Chico Creek • Butte Creek • Deer Creek • Elder Creek • Mill Creek • Stony Creek • Thomes Creek
	Lower-mid Sacramento River (Wilkins Slough to American River Confluence, River Mile 118-61)	• Sutter Bypass • Bear River • Feather River • Yuba River
	Lower Sacramento River (American River Confluence to Freeport, River Mile 61-46)	• Yolo Bypass
American River	Nimbus Dam to Confluence with the Sacramento River	N/A
San Joaquin River	Mendota Pool to Vernalis	• Calaveras River • Cosumnes River • Mokelumne River • Merced River • Tuolumne River
Delta		
Thirteen (13) eligible subregions as described in Figure 1 of Peterson and Duarte (2020) .		

The model segments listed in *Table 4* are the only eligible locations for *O. mykiss* field investigations under this NOFO. Other locations will not be considered.

Applicants are encouraged to work with the SIT’s DSM modelers to ensure that projects reduce key uncertainties in the decision support models. Applicants are also encouraged to participate in SIT subgroup meetings to ensure that study will refine existing information and/or provide new data.

C.4.3. Sturgeon Information Needs

Table 5 contains CVPIA Green and White sturgeon information priorities for the Central Valley of California. The original priorities were identified in the NTRS (2020, Table 11). Since that time, the SIT Sturgeon Subgroup has refined the needs based on the production of a new sturgeon lifecycle model (DSM) for the CVPIA structured decision-making process. As part of the new sturgeon DSM, a literature search of sturgeon habitat suitability criteria (HSC) was completed, and a set of sturgeon HSC was recommended for use in the Central Valley by CVPIA. Moreover, the critical gaps in DSM inputs were derived from the original priorities listed in NTRS Table 11 and restated in *Table 5*.

Table 5. Sturgeon information priorities adapted from Table 11 of the Near-Term Restoration Strategy¹ (2020).

Sturgeon Information Needs
Information Need H: Field validation and refinement of literature-based sturgeon habitat suitability criteria.
Information Need I: Estimate of juvenile sturgeon abundance and distribution.
Information Need J: Estimate of adult sturgeon abundance and distribution.

The priority locations for the information needs listed in *Table 5* include the following:

- Sacramento River
 - Upper Sacramento River (Keswick to Red Bluff Diversion Dam, River Mile 302-244)
 - Upper-mid Sacramento River (Red Bluff Diversion Dam to Wilkins Slough, River Mile 244-118)
 - Lower-mid Sacramento River (Wilkins Slough to American River Confluence, River Mile 118-61)
 - Lower Sacramento River (American River Confluence to Freeport, River Mile 61-46)
- Feather River
- Yuba River
- Bear River
- American River
- Stanislaus River
- San Joaquin River below Mendota Pool

¹ Table 11. Bureau of Reclamation and U.S. Fish and Wildlife Service. 2020. *Near-term Restoration Strategy for the Central Valley Project Improvement Act Fish Resource Area FY2021–FY2025*. Prepared for the Bureau of Reclamation and U.S. Fish and Wildlife Service. Sacramento, California. 100 pages.

- Delta

Applicants are encouraged to work with the SIT’s DSM modelers to ensure that projects reduce key uncertainties in the decision support models. Applicants are also encouraged to participate in SIT subgroup meetings to ensure that study will refine existing information and/or provide new data.

C.4.4. Smelt Information Needs

Table 6 contains information priorities for Delta smelt. These priorities were derived from CSAMP and Summer-Fall Habitat Action SDM for the food web processes, and Delta smelt IBMR. Information priorities will allow for updating Delta smelt decision support tools and quantifying how actions described in the Recovery Plan (USFWS 1996) and Delta Smelt Resiliency Strategy (CA Natural Resources Agency 2016) affect Delta smelt individuals and the population. The primary location for the information needs is in the Delta.

Table 6. Delta smelt information needs adapted from CSAMP and the Summer-Fall Habitat Action SDM for the food web processes and Delta smelt IBMR.

Delta Smelt Information Needs
Information Need K: Relationship between maximum rate of consumption, Delta smelt length, and temperature. (IBMR)
Information Need L: Relationship between respiration rate, Delta smelt length, and temperature. (IBMR)
Information Need M: Holling-type prey choice functional response curves to different types and concentrations of prey. (IBMR)
Information Need N: Relationship between ambient contaminant concentrations (individual or combined) and maximum rate of consumption, respiration rate, or somatic and gonadal growth. (IBMR)
Information Need O: Abiotic and biotic processes that lead to locations of enhanced primary and secondary production in the low salinity zone, Cache Slough Complex, and the Sacramento Deepwater Ship Channel. (Food web support)

C.5. Ineligible Projects

Projects specifically not identified in Section C.4 Eligible Projects will not be considered for funding. Applications that are non-responsive or incomplete will not be eligible for funding.

C.6. Duration of Projects

Projects funded under this NOFO must be completed within five (5) years of issuance of a Financial Assistance agreement. Contact the program coordinators identified in Section G. Federal Awarding Agency Contacts(s) for projects anticipated to require more than **four** (4) years to complete.

C.7. Data Guidance for CVPIA Funded or Authorized Work

The [CVPIA SIT Data Guidance](#) (USBR and USFWS 2020) applies to all applications, agreements, contracts and sub-contracts funded under this NOFO. The Data Guidance is the framework for managing all data generated as part of this NOFO. Each recipient of funding

under this NOFO is responsible for designating a member of the Project Management Team (PMT) to serve as the Project Data Steward. The Project Data Steward will be assigned a Data Manager at the inception of the financial assistance agreement to establish communication. Together, they shall meet and determine the types/categories of data the project will produce (e.g., Application data; Design data; Permitting data; Analyses; Work Product; Results; Closeout data; etc.). The Data Manager and Data Steward shall agree on protocols, meta data standards, formats, and means of data transmission. Furthermore, they shall agree on a twice-per-year transmittal of completed data and work in progress data. For more specifics on the CVPIA Data Management policy, the Data Guidance can be found at [CVPIA SIT Guidance Documents](#).

Section D. Application and Submission Information

D.1. Address to Request Application Package

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

Please note that applications must be submitted electronically. See Section D.4.2 for more information.

D.2. Content and Form of Application Submission

All applications must conform to the requirements described in this section.

D.2.1. Application Format and Length

The total technical proposal and criteria section (defined below) shall be limited to a maximum of **75 pages** consecutively numbered pages. If this section exceeds **75 pages**, only the first **75 pages** will be evaluated. The font shall be at least 12 points in size and easily readable. Page size shall be 8½ by 11 inches, including charts, maps, and drawings. Margins should be standard 1-inch margins. Oversized pages will not be accepted.

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

D.2.2. Application Content

Applications must include the following elements to be considered complete:

- Mandatory Federal Forms
- Technical Proposal
- Project Budget
- Pre-Award Costs
- Environmental and Cultural Resource Compliance
- Required Permits and Approvals
- Overlap or Duplication Effort Statement

- Conflict of Interest Disclosure Statement
- Uniform Audit Reporting Statement
- Letters of Support
- Official Resolution
- Statement of Qualifications
- Project Abstract Summary (recommended)

For more information about each of these elements, please see the following subsections. To facilitate fair and timely reviews, it is highly recommended that application packages be structured in the order identified above.

Applications will be screened for completeness and compliance with the provisions of this notice. Incomplete or noncompliant applications, or applications not meeting the formatting criteria or not including required materials will be eliminated from competition.

D.2.2.1. Mandatory Federal Forms

The application must include the following standard Federal forms for an application to be considered complete. Incomplete applications will be screened as ineligible and will not proceed to a merit evaluation by the Application Review Committee. Questions regarding forms should be referred to the Financial Assistance Point of Contact under *Section G. Agency Contacts*.

Note: Applications submitted by consultants must contain an SF-424 and SF-424B that is signed by an authorized representative of the entity applying. These forms are available at <https://www.grants.gov/forms/forms-repository/sf-424-family>.

D.2.2.1.1 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 Section D.3 for additional information.

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.

D.2.2.1.2 SF-424A Budget Information for Non-Construction Programs

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

Failure to submit an SF-424A will result in the elimination of the application from further consideration.

D.2.2.1.3 SF-424B Assurances for Non-Construction Programs

A SF-424B Assurances for Non-Construction Programs signed by a person legally authorized to commit the applicant to performance of the project shall be included.

Failure to submit a signed SF-424B will result in the elimination of the application from further consideration.

D.2.2.1.4 SF-LLL Disclosure of Lobbying Activities (if applicable)

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

D.2.2.2. Technical Proposal

Submission of a technical proposal is mandatory. Applications that fail to include this information will be considered ineligible and will not pass initial screening. Technical proposals must include the following sections to be considered complete:

- (1) Title Page
- (2) Table of Contents
- (3) Executive Summary
- (4) Project Location
- (5) Project Statement
- (6) Background
- (7) Technical Project Description
- (8) Research Work Plan and Schedule
- (9) Peer Review Plan
- (10) Project Feasibility
- (11) Project Closeout
- (12) Evaluation criteria

The following subsections provide detail on each of the elements listed above.

The technical proposal is limited to a maximum of 30 consecutively numbered pages. If this section of the application exceeds 30 pages, only the first 30 pages will be evaluated. The font should be at least 11 points in size and easily readable. Page size should be 8½ by 11 inches. Charts, maps, and drawings page size may be as large as 11 by 17 inches. Margins should be standard 1-inch margins.

Applications will be screened for completeness and for compliance to the above page number and page size limitations. Excess pages will be removed and will not be considered in the evaluation of the proposed project.

Failure to submit a technical proposal will result in the elimination of the application from further consideration.

D.2.2.2.1 Title Page

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

D.2.2.2.2 Table of Contents

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

D.2.2.2.3 Executive Summary

Provide an executive summary limited to one page. The executive summary should include the following information:

- The date, applicant name, city, county, and state.
- A one paragraph project summary that briefly describes what fish information will be collected in this project and how the data will be used to meet the goals described in this NOFO.
- The length of time and estimated completion date for the proposed project.
- Location(s) of proposed project and whether the proposed project efforts are focused on a Federal facility or will involve Federal land.
- Project cost summary.

D.2.2.2.4 Project Location

Provide specific information on the geographic location of the project area. For example, {watershed area or laboratory} is located in {state and county} approximately {distance} miles {direction, e.g., northeast} of {nearest town}. If you are selected for funding, Reclamation and the Service may request additional detail regarding your project location.

Provide a map of the proposed project area(s). The map should easily identify the project area and include its latitude and longitude, as well as any major geographic features including roads, streams, reservoirs, towns, and canals. The map should also identify site access routes, known landowners, easements, and utility rights of way, as appropriate. Include a description of relevant parcel boundaries. The map should include a legend, scale, and a north arrow. Label project features on the map, as appropriate.

D.2.2.2.5 Project Statement

Briefly describe the proposed project. Describe how the proposed work aligns with one or more of the objectives listed in Section C.4 Eligible Projects.

D.2.2.2.6 Background

Discuss any past working relationships with Reclamation and/or the Service. This should include the date(s), description of the relationship(s) with Reclamation and/or the Service, and a description of the projects(s).

Describe any other relevant background information, such as past monitoring work on the subject fish species.

D.2.2.2.7 Technical Project Description

The technical project description must identify what fish information (see Section C.4) will be collected, the location(s) of the proposed study (i.e., mainstem reach, tributary, Delta, or laboratory facility), and how the project will improve the relevant Decision Support Model. To summarize the scope of the study, applicants should copy *Table 7* into their project description and modify as appropriate.

The technical project description should describe the project in detail, including specific activities (e.g., development of a study plan, field surveys, laboratory experiments, data processing, statistical analyses, etc.) that will be undertaken and the approach (e.g., passive integrated transponder (PIT) tagging, mark recapture, etc.). State all relevant measurements required by the study (e.g., body length, water temperature, turbidity, etc.), as appropriate. The project description should have enough detail to allow a comprehensive evaluation of the proposal. Briefly describe and summarize how the data will be post-processed for use in the relevant Decision Support Model (DSM) or other decision tools as part of the CVPIA SIT or CSAMP Delta Structured Decision-Making processes. Please refer to the SIT Data Guidance in Section C.7.

Table 7. Project scope summary. To be modified by the applicant, as appropriate.

Information Need	Fish Species	Location
e.g., A	e.g., Chinook salmon (winter run)	e.g., Battle Creek
e.g., A	e.g., Chinook salmon (spring run)	e.g., Battle Creek
e.g., A	e.g., <i>O. mykiss</i>	e.g., Battle Creek

D.2.2.2.8 Research Work Plan and Schedule

Provide a research work plan based on the technical approach and project activities, including any necessary permits. The research work plan should include a schedule showing individual tasks with significant milestones identified for the work to be accomplished. Clearly and concisely convey this schedule using a table, Gantt chart, project network diagram, or any other visual format. Time for final report preparation as described in Section F.3 Reporting Requirements and Distribution should be included in the work plan.

D.2.2.2.9 Peer Review Plan

The technical proposal must include a brief description of the project's plan for peer review. The peer review is intended to ensure that the project provides high quality and objective scientific results.

D.2.2.2.10 Project Feasibility

The technical proposal must contain an assessment of the proposed project's feasibility. The feasibility assessment is intended to determine if the field work or laboratory experiments, analyses, and deliverables may be reasonably completed within the proposed timeframe and

budget. Proposals must assess the availability of resources, including equipment, personnel, and funding.

As a part of the feasibility determination, technical proposals should include a completed risk assessment table, as illustrated in *Table 8*. The purpose of the risk assessment table is to highlight potential risk factors to the project, the likelihood of occurrence, and the potential impact to the scope, schedule, and budget. The technical proposal must contain a narrative that briefly discusses the anticipated risks in the table and identify potential solutions, if possible.

Table 8. Project risk assessment.

Risk Factor	Likelihood	Impact	Risk Level
(e.g., unsuitable flow conditions)			
(e.g., permit request denied)			
(e.g., landowner permission denied, etc.)			

Please fill out *Table 8* accordingly and include it in your application:

- Add rows as needed to the table to adequately capture the breadth of the anticipated risks to the project.
- Score the likelihood as follows:
 - 1 – unlikely to occur
 - 2 – might occur
 - 3 – expected to occur
- Score the impact as follows:
 - 1 – low
 - 2 – medium
 - 3 – high
- Calculate the risk level by multiplying the likelihood score by the impact score for a given risk factor.

D.2.2.2.11 Project Closeout

The technical proposal must include a project closeout plan. The project closeout plan is the team's plan for transmitting the final data to the Program and appropriate collaborative work group (i.e., SIT, CSAMP Delta smelt SDM, or SFHA Delta Coordination Group), as appropriate. The project closeout plan must include the plan for submitting a peer-reviewed final report and final sets. The final data sets must be uploaded to the [Environmental Data Initiative \(EDI\) Data Portal](#).

The plan must also include a closeout presentation to the Program and relevant collaborative work group. All deliverables and presentations should be reflected in the project schedule (see Section D.2.2.2.8).

D.2.2.2.12 Evaluation Criteria

Section E.1 Technical Proposal: Evaluation Criteria provides a detailed description of each criterion and sub-criterion and points associated with each. The evaluation criteria portion of your application should thoroughly address each criterion and sub-criterion in the order presented to assist in the complete and accurate evaluation of your proposal.

Note: copying and pasting the evaluation criteria and sub-criteria from Section E.1 Technical Proposal: Evaluation Criteria into the application is suggested to ensure that all necessary information is adequately addressed.

D.2.2.3. Project Budget

A project budget must be submitted, and it should include the following elements:

- (1) Funding Plan and Letter of Commitment (if applicable)
- (2) Budget Proposal
- (3) Budget Narrative
- (4) Cash Flow Schedule

D.2.2.3.1 Funding Plan and Letter of Commitment (if applicable)

Describe how the non-Federal cost share of the project will be obtained and the status of funding (i.e., in hand or anticipated), if applicable. Reclamation will use this information when making a determination of financial capability. Summarize the cost share information in Table 9.

Note: A non-federal funding source is not required.

Table 9. Cost share plan

FUNDING SOURCES	AMOUNT
1. Reclamation Funding	
2. Non-Federal funding source	
Subtotal	
REQUESTED RECLAMATION FUNDING	

Project funding provided by a source other than the applicant should be supported with letters of commitment from the additional source(s) and should identify the following elements:

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

D.2.2.3.2 Budget Proposal

Submission of a budget proposal is mandatory. The total project cost is the sum of all allowable items of costs, including Federal funding, cost sharing and voluntary committed cost sharing, including third-party contributions, as appropriate, that are necessary to complete the project. Please include the following table (Table 10) to summarize all funding sources. 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.

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

Table 10. Total Project Cost Table

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

Failure to submit a budget proposal will result in the elimination of the application from further consideration.

D.2.2.3.3 Budget Narrative

Submission of a budget narrative is mandatory. It is also strongly advised that applicants use the budget proposal format shown in Table 10 or a similar format that provides this information. If selected for award, successful applicants must submit detailed supporting documentation for all budgeted costs.

The budget narrative provides a discussion of, or explanation for, items included in Section B of the SF-424A. The types of information to describe in the narrative include, but are not limited to, those identified in the Budget Narrative Guidance attached to this NOFO. Applicants are encouraged to use the Budget Detail and Narrative spreadsheet for their budget narrative. Costs, including the valuation of third-party in-kind contributions, must comply with the applicable cost principles contained in 2 CFR Part §200, available at the Electronic CFR (www.ecfr.gov).

In addition, please identify whether the budget narrative includes any project costs that may be incurred prior to award. For more information about pre-award costs, see Section D.2.2.4. For each cost, describe:

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

Failure to submit a budget proposal will result in the elimination of the application from further consideration.

D.2.2.3.4 Cash Flow Schedule

Each application must include a cash flow schedule that estimates the funding required for each FY for the duration of the project. Include Table 11 in the application to summarize the expected funding needs by FY and contributing partner, as appropriate.

Table 11. Cash flow schedule

Funding Source	Total \$	Project Funding by Fiscal Year				
		2025	2026	2027	2028	2029
Reclamation	\$	\$	\$	\$	\$	\$
Non-Federal Partner	\$	\$	\$	\$	\$	\$

Failure to submit a cash flow schedule will result in the elimination of the application from further consideration.

D.2.2.4. Pre-Award Costs

Incurrence of pre-award costs is not authorized without prior written approval of the awarding Grants Officer. Per 2 CFR 200.458, pre-award costs are those incurred prior to the effective date of the Federal award or subaward directly pursuant to the negotiation and in anticipation of the Federal award where such costs are necessary for efficient and timely performance of the scope of work.

If the proposed project is selected, the awarding Reclamation (or Service) Grants Officer will review the proposed pre-award costs to determine if they are consistent with program objectives and are allowable in accordance with the authorizing legislation. Proposed pre-award costs must also be compliant with all applicable administrative and cost principles criteria established in 2 CFR Part 200 and all other requirements of this NOFO. **In no case will pre-award costs incurred prior to a recipient's notification of selection be considered for reimbursement or non-Federal cost-share purposes.**

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

D.2.2.5. Environmental and Cultural Resources Compliance

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

D.2.2.6. Required Permits or Approvals

The application must state whether any permits or approvals are required and explain the plan for obtaining such permits or approvals. The permitting process should also be reflected in the work plan schedule (see Section D.2.2.2.8).

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

D.2.2.7. Overlap or Duplication of Effort Statement

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

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

D.2.2.8. Conflict of Interest Disclosure Statement

Conflict of Interest Disclosure Per the Financial Assistance Interior Regulation (FAIR), 2 CFR §1402.112, you should state in your application if any actual or potential conflict of interest exists at the time of submission.

D.2.2.8.1 Applicability

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

In the procurement of supplies, equipment, construction, and services by recipients and by sub recipients, the conflict-of-interest provisions in 2 CFR§200.318 apply.

D.2.2.8.2 Notification

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

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

D.2.2.8.3 Restrictions on Lobbying

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

D.2.2.8.4 Review Procedures

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

D.2.2.8.5 Enforcement

Failure to resolve conflicts of interest in a manner that satisfies the government may be cause for termination of the award. Failure to make required disclosures may result in any of the remedies described in 2 CFR §200.339, Remedies for noncompliance, including suspension or debarment (see also 2 CFR §180).

D.2.2.9. Uniform Audit Reporting Statement

All U.S. states, local governments, federally recognized Indian Tribal governments, and non-profit organizations expending \$750,000 in U.S. dollars or more in Federal award funds in your organization's FY must submit a Single Audit report for that year through the [Federal Audit Clearinghouse's Internet Data Entry System](#) in accordance with 2 CFR §200 subpart F. U.S. state, local government, federally recognized Indian Tribal governments, and non-profit applicants must state if your organization was or was not required to submit a Single Audit report for the most recently closed FY. If your organization was required to submit a Single Audit report for the most recently closed FY, provide the Employer Identification Number (EIN) associated with that report and state if it is available through the [Federal Audit Clearing House](#) website.

D.2.2.10. Letters of Support

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

considered in evaluating your proposed project. These letters do not count within the 75-page maximum.

D.2.2.11. Official Resolution

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

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

An official resolution meeting the requirements set forth above is mandatory. If you are unable to submit the official resolution by the application deadline because of the timing of board meetings or other justifiable reasons, the official resolution may be submitted to bor-sha-acq-fa@usbr.gov up to 30 days after the application deadline. This resolution does not count within the 75-page maximum.

D.2.2.12. Statement of Qualifications

Include a Statement of Qualifications (SOQ) with your application. The SOQ should demonstrate the applicant's (or team's) capability to perform the proposed work. For each key member of the team, please include the following, as appropriate:

- Role and responsibility in the proposed project (i.e., project manager, biologist, technician, data analyst, etc.)
- Education (including institution, major, and degree earned)
- Professional certifications or licenses (i.e., professional engineering registration, boat operator, etc.)
- Years of practice performing the type of work proposed in the application
- Examples of past projects demonstrating experience and expertise in the area of proposed work and responsibility

The SOQ should not exceed 1 page per team member, with a maximum of 10 pages per team.

D.2.2.13. Project Abstract Summary

A fully completed Project Abstract Summary (OMB Form 4040-0019) is highly encouraged to be submitted with the application, but not required. The Project Abstract Summary shall include the purpose of the project, the activities to be performed, the expected deliverables or outcomes, the intended beneficiaries, and any subrecipient activities, if known.

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

Each applicant is required to:

- Be registered in SAM before submitting an application. Instructions for registering are available at <https://sam.gov/content/home>
- Provide a valid UEI in its application
- Maintain an active SAM registration with current information at all times during which it has an active Federal award or plan under consideration by a Federal award agency

Meeting the requirements set forth above is mandatory.

D.3.1. Register with the System for Award Management

Each applicant must be registered in SAM before submitting an application.

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

See the “Submission Requirements” section of this document below for more information on SAM.gov registration.

There is no cost to register with SAM.gov. There are third-party vendors who will charge a fee in exchange for registering entities with SAM.gov; **please be aware you can register and request help for free.**

D.3.2. Obtain a UEI Number

Provide a valid unique entity identifier in its application. You are required to register in SAM.gov prior to submitting a Federal award application and obtain a Unique Entity Identifier (UEI). A UEI will be assigned to entities upon registering with SAM.

D.3.3. Maintain an Active SAM Registration and UEI Number

Continue to maintain an active SAM registration with current information at all times during which it has an active Federal award or an application or plan under consideration by a Federal awarding agency. The Federal awarding agency may not make a Federal award to an applicant until the applicant has complied with all applicable unique entity identifier and SAM requirements and, if an applicant has not fully complied with the requirements by the time the Federal awarding agency is ready to make a Federal award, the Federal awarding agency may determine that the applicant is not qualified to receive a Federal award and use that determination as a basis for making a Federal award to another applicant.

D.4. Submission Date and Time

This NOFO identifies two application submittal periods. The application submission deadlines for each submittal period are listed below:

Application Submittal Period 1: Applications are due on Monday, December 23, 2024, at 5:00 p.m. Pacific Standard Time for FY 2025 funding.

Application Submittal Period 2: Applications are due on Thursday, October 16, 2025, at 5:00 p.m. Pacific Standard Time for FY 2026 funding. (Subject to Change)

Applications must be submitted to Grants.gov no later than this due date and time.

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

D.4.1. Application Delivery Instructions

Applications **must** be submitted electronically through Grants.gov (www.grants.gov) *Under no circumstances will applications received through any other method (such as email or fax) be considered eligible for award.*

D.4.2. Instructions for Submitting the Project Application

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

D.4.2.1. Applications Submission

Applications must be submitted through Grants.gov (<https://www.grants.gov/>.) Applicant resource documents and a full set of instructions for registering with Grants.gov and completing and submitting applications online are available at: <https://www.grants.gov/>.

Application submission requires prior registration through Grants.gov, which may take 7 to 21 days. See the registration instructions available 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. Applicants are encouraged to submit applications 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.

Late applications will not be considered unless it is determined that a delay was caused by Reclamation mishandling or technical issues with the Grants.gov application system. Please note that difficulties related to an applicant's Grants.gov profile (e.g., incorrect organizational representative), uploading documents to Grants.gov, or an applicant's SAM registration are not considered technical issues with the Grants.gov system.

D.4.2.2. Acknowledgement of Application Receipt

Applicants will receive an e-mail acknowledging receipt of the application from Grants.gov. In addition, Reclamation will notify an applicant via email if application was successfully downloaded from Grants.gov.

D.5. Intergovernmental Review

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

D.6. Funding Restrictions

D.6.1. Environmental and Regulatory Compliance Costs

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

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 a line item for costs incurred by Reclamation to the budget during development of the financial assistance agreement and cost shared accordingly (i.e., withheld from the Federal award amount). Any costs to the successful applicant associated with compliance will be identified during the process of developing a final project budget for inclusion in the financial assistance agreement. ***In no case will pre-award costs incurred prior to a recipient's notification of selection be considered for reimbursement or non-Federal cost-share purposes.***

D.6.2. 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.

D.6.3. Pre-Award Costs

Incurrence of pre-award costs is not authorized without prior written approval of the awarding Grants Officer. Per 2 CFR 200.458, pre-award costs are those incurred prior to the effective date of the Federal award or subaward directly pursuant to the negotiation and in anticipation of the Federal award where such costs are necessary for efficient and timely performance of the scope of work.

If the proposed project is selected, the awarding Reclamation (or Service) Grants Officer will review the proposed pre-award costs to determine if they are consistent with program objectives and are allowable in accordance with the authorizing legislation. Proposed pre-award costs must also be compliant with all applicable administrative and cost principles criteria established in 2 CFR Part 200 and all other requirements of this NOFO. **In no case will pre-award costs incurred prior to a recipient’s notification of selection be considered for reimbursement or non-Federal cost-share purposes.**

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

Section E. Application Review Information

E.1. Technical Proposal: Evaluation Criteria

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

After an application has been scored (per Table 12), the total score will be divided by the total project cost to determine a benefit-cost ratio. The benefit cost ratio will be used to rank applications for award. **Applications should aim to maximize total score, as well as the benefit-cost ratio.** See Section E.2 for more information about the application review and selection process.

Table 12. Evaluation and scoring criteria for applications.

Evaluation Criteria	Points
Methods and Objectives	25
Team Qualifications	20
Collaboration and Leverage	15
Permitting Approach	10
Data Management, Analysis, and Reporting Plan	20
Project Feasibility	10
Total Score	100

E.1.1. Criterion 1: Methods and Objectives (25 points)

Up to 25 points may be awarded to applications that clearly state the objectives of the directed study and briefly outline the scientific methods and techniques that will be used to complete the work. Applications must include a narrative that addresses each of the following elements:

- The application clearly identifies the priority information, as stated in Section C.4 that the project seeks to collect (5 points).
- The application outlines a study plan including (1) the field or laboratory procedures that will be used to collect the requested fish information and rationale for approach, (2) the methods of analysis, and (3) the expected outcome of the study. The application must include development of a written study plan that is reflected in the scope, schedule, and budget (15 points).

- The application states how the project will reduce uncertainty in the decision support models for the target species (5 points).

The fish information advertised for collection under this NOFO (see Section C.4.1 – C.4.4) is needed to reduce uncertainty within the existing decision support models. The purpose of this section is to allow an applicant to demonstrate (1) technical capability for designing a scientific study, and (2) an understanding of the needs being addressed by the proposed project and how the resulting fish information will be useful for the refinement of the target decision support model. To achieve a maximum score, an applicant must demonstrate that the proposed project will lead to a meaningful data set that can be applied to, or imported directly into, a decision support model for immediate use.

E.1.2. Criterion 2: Team Qualifications (20 points)

Up to 20 points may be awarded for applications that demonstrate expertise in the proposed work area. The application must include an SOQ. The SOQ must reflect that the project team has the relevant experience, qualifications, and capabilities to successfully complete the proposed project. The SOQ must address each of the following four (4) sub criterion (5 points each possible):

- Project management and implementation experience (ability to communicate and manage inter-disciplinary scientific teams and work in a timely and organized manner)
- Permitting experience (e.g., examples of permits, regulatory compliance, role and responsibility on permits, and type of monitoring covered under the permit)
- Technical capabilities (e.g., science-based approaches in the field, in the laboratory, and/or modeling, GIS capabilities, peer review experience, and experience with scientific publications)
- Data management experience (e.g., examples of previous projects with large data sets). For more information about relevant data requirements for this project, see the [CVPIA SIT Data Guidance](#).

For each of the sub criterion listed above, points will be awarded as follows:

- The SOQ does not demonstrate education, training, or experience in a given sub criterion (0 points).
- The SOQ demonstrates education or training, but no experience in a given sub criterion (1 points).
- The SOQ demonstrates experience performing the work described in a given sub criterion (5 points).

Note: SOQs are limited to 10 pages. If an SOQ exceeds 10 pages, only the first 10 pages will be reviewed.

E.1.3. Criterion 3: Collaboration and Leverage (15 points)

Up to 15 points may be awarded to applications that include partnerships or interactions with collaborative workgroups or science initiatives, such as the Science Integration Team, CSAMP Delta smelt SDM, or SFHA Delta Coordination Group. Multiple entities working together can

increase public support and enhance the success of a project by involving a wide range of expertise. The application will be judged for the potential integration of the proposed work with other ongoing work in the target fish group or project location. The application must clearly address the following sub criteria:

- Does the Project Management Team (PMT) (and/or a key member of the PMT) participate in a collaborative workgroup, the SIT, or a subgroup of the Science Integration Team, and/or a related science initiative (yes = 5 points, no = 0 points)? The narrative of the application must include the names of the relevant workgroups and how the team participates to receive credit.
- Does the proposal include funding, labor, materials, results (i.e., published habitat suitability criteria), and/or equipment (e.g., rotary screw traps, PIT tag arrays installed by other monitoring groups, etc.) that has been contributed from another entity (yes = 5 points, no = 0 points)? The narrative of the application must clearly describe the relevant contributions and the names of contributors to receive credit.
- Does the proposed project address more than one fish information need, more than one fish type (e.g., multiple salmon runs), and/or more than one study location (yes = 5 points, no = 0 points)?

Note: For projects targeting Chinook salmon, *O. mykiss*, or sturgeon, the applicant, if awarded, will be expected to submit a SIT pre-proposal and subsequent “full” proposal to the SIT Science Coordinator for evaluation by the SIT after the financial assistance agreement is signed. For more information about SIT proposals and pre-proposals, see the [SIT DSM Proposal webpage](#).

E.1.4. Criterion 4: Permitting Approach (10 points)

The application must outline a brief plan for obtaining permits for the proposed project. In this category, applications will be evaluated and scored as follows:

- Application does not account for permitting (0 points).
- Application states the anticipated permits are needed for the proposed project but does not provide a narrative for obtaining permits (5 points).
- Application lists all the anticipated permits needed to carry out the proposed project, includes a brief narrative for obtaining permits, and accounts for the permitting process in the milestone schedule (10 points).

The purpose of this section is to demonstrate understanding, awareness, and experience with regulatory compliance. A final permitting plan is not expected to accompany the application.

E.1.5. Criterion 5: Data Management, Analysis, and Reporting Plan (20 points)

The application must outline a plan analyzing and managing raw data sets, as well as documenting the results in a report. Applications will be evaluated and scored in this criterion as follows:

- Application does not have a plan for analyzing, managing, and reporting on the data collected in the study (0 points).
- Application has a plan for managing, analyzing, and reporting on the data collected in the study and includes the following components (20 points possible):
 - An outlined approach for processing raw data from the field (or the lab) into a format that is compatible with the target decision support model (Hint: the format of the resulting data set should be compatible with and ready for direct input into the model. Consider compatible file types, applicable units of measure, and any special formatting needs, such as a comma-delimited format). (10 points).
 - The plan includes coordination with the CVPIA data manager and relevant decision support modeling team.
 - The plan demonstrates compliance with CVPIA SIT Data Guidance.
 - States how the final deliverable (data and documentation) will be transmitted to the Program (5 points).
 - Includes a final report signed by preparers and peer reviewers.
 - Includes a closeout presentation delivered to the collaborative work group and the Program.
 - Includes uploading final data to EDI.
 - A communication and accountability plan that includes biannual progress reports, periodic meetings, and presentations to the relevant collaborative workgroup (Science Integration Team, CSAMP Delta smelt SDM, or SFHA Delta Coordination Group), as appropriate. The communication plan is reflected in the project's milestone schedule (5 points).

Note: For projects targeting Chinook salmon, *O. mykiss*, or sturgeon, participation in quarterly SIT meetings and relevant subgroup meetings will be required and should be reflected in the milestone schedule and budget.

E.1.6. Criterion 6: Project Feasibility (10 points)

The application must contain an assessment of the proposed project's feasibility. The feasibility assessment is intended to determine if the field work or laboratory experiments, analyses, and deliverables may be reasonably completed within the proposed timeframe and budget. Proposals must assess the availability of resources, including equipment, personnel, and funding. The project feasibility category will be evaluated and scored as follows:

- The application does not assess the feasibility of the proposed project or include a risk assessment table (0 points).
- The application includes a risk assessment table but does not provide a brief discussion on the feasibility of the proposed project (5 points).
- The application briefly discusses a diverse and realistic set of potential challenges to the success of the proposed project including, but not limited to, flow conditions, securing permits, personnel, equipment lead times, etc., and includes a risk assessment table (10 points).

The purpose of this section is to demonstrate that risks to the schedule and budget have been carefully considered in the proposed project and that all components of work are feasible given the timeframe and budget proposed in the application.

E.2. Review and Selection Process

After the application period has closed, application packages will be subject to a multi-step review process. Steps in the review process include an initial screening to eliminate incomplete applications, review by a technical committee, red flag review by the Program, managerial reviews, Secretary Approval, and pre-award clearances and approvals (see Figure 1). The following subsections provide details on each part of the evaluation process.

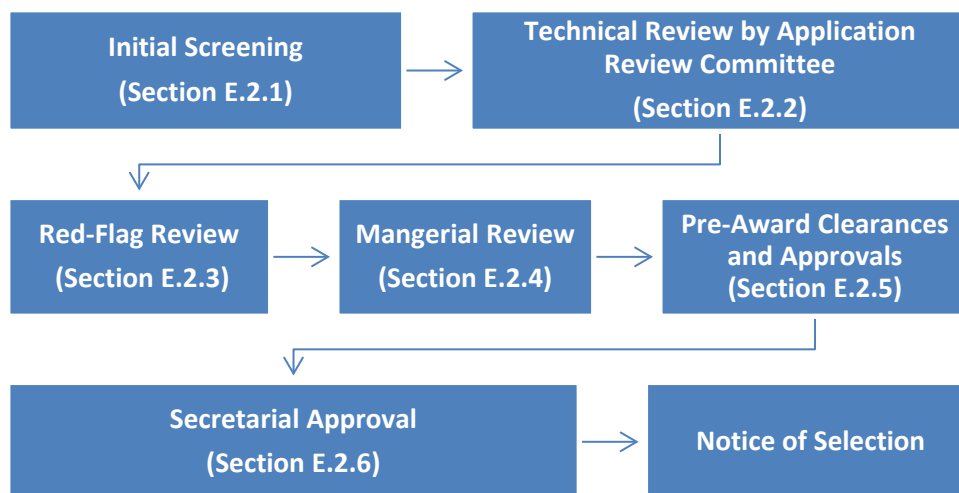


Figure 1. Application review process.

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

E.2.1. Initial Screening

Prior to evaluating the technical merit of a proposed project, all application packages will be subject to an initial screening process by the Program's contracting office(s) to confirm the overall completeness and compliance with the requirements of the NOFO. As a part of this process, applications will be screened to ensure that:

- The application meets the completeness and eligibility requirements stated in this NOFO.
- The proposed project meets the Federal funding limitations (Section B.2).
- The application addresses an eligible project at an eligible location as stated in this NOFO (Section C.4).
- The proposed project can be completed within the duration required by the NOFO (Section C.6).

- The application meets the content requirements of the NOFO package, including submission of the mandatory Federal forms, a technical proposal with all required parts, responses to the evaluation criteria, budget proposal, budget narrative, etc. (Section D.
- The applicant is registered with SAM and has a Unique Entity Identifier, as stated in this NOFO (this may be completed up to 30 days after the application deadline) (Section D.3).
- The applicant is registered in the ASAP system (Section F.2.1).

Reclamation reserves the right to remove an application from consideration if it does not pass all initial screening criteria listed above. If an application is removed from consideration, the applicant will be notified.

Note: Applicants are strongly encouraged to use the application checklist (page iv) to confirm that application is complete prior to submission.

E.2.2. Technical Review by Application Review Committee

Application packages that pass the initial screening process will be sent to an Application Review Committee (ARC) for technical review. The review committee will be made up of experts in relevant disciplines selected from across Reclamation and the Service, as well as other experts in fisheries management. Application packages will also be provided to the SDM leads for their review. The SDM leads will provide feedback to, and answer questions of, the ARC members in order to best evaluate proposals relative to the DSM modeling needs. The goal of the ARC is to score and rank the applications and to determine which applications best meet the technical requirements of the NOFO and provide the most benefit to the fish species listed in this NOFO.

The ARCs will use the evaluation criteria from Section E.1 Technical Proposal: Evaluation Criteria to rank and score applications within each category. During ARC review, Reclamation and/or the Service may contact applicants to request clarification on the information provided, if necessary.

Note: applications may propose projects that address more than one fish type and more than one location.

E.2.3. Red-Flag Review

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

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

E.2.4. Managerial Review

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

E.2.5. Pre-Award Clearances and Approvals

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

E.2.5.1. Environmental Review

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

E.2.5.2. Budget Analysis and Business Evaluation

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

- Allowability, allocability, and reasonableness of proposed costs.
- Financial strength and stability of the applicant.
- Past performance, including satisfactory compliance with all terms and conditions of previous awards, such as environmental compliance issues, reporting requirements, proper procurement of supplies and services, and audit compliance.
- Adequacy of personnel practices, procurement procedures, and accounting policies and procedures, as established by applicable Office of Management and Budget circulars.

E.2.6. Secretary Approval

After approval by the Program's management, applications will be sent to the Secretary for final review. At this stage, applications are reviewed at the Congressional level.

E.3. Federal Award Performance Integrity

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

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

Section F. Federal Award Administration Information

F.1. Federal Award Notices

Successful applicants will receive by electronic mail, a notice of selection signed by a Reclamation or Service 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 or the Service 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. The lead Federal agency is responsible for determining the appropriate level of NEPA compliance. Further, lead Federal agency is responsible to ensure that findings under NEPA, and consultations, as appropriate, will support Reclamation and/or the Service’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 or the Service 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 or the Service, the lead Federal agency will add costs anticipated to be incurred 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 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 are complete and Reclamation or the Service 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. Wage Rate Requirements (Davis-Bacon Act) (if applicable)

Section 41101 of the Bipartisan Infrastructure Law requires that all laborers and mechanics employed by contractors or subcontractor in the performance of construction, alteration, or repair work on a project assisted in whole or in part by funding made available under the Bipartisan Infrastructure Law (P.L. 117-58) shall be paid wages at rates not less than those prevailing on similar projects in the locality, as determined by the Secretary of Labor in accordance with Subchapter IV of Chapter 31 of Title 40, United States Code (commonly referred to as the Davis-Bacon Act).

F.2.8. Buy America Domestic Procurement Preference

Buy America Preference. Recipients of an award of Federal financial assistance from a program for infrastructure are hereby notified that none of the funds provided under this award may be used for an infrastructure project 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 that meets or exceeds this standard has been established under applicable law or regulation for determining the minimum amount of domestic content of the manufactured product; 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 construction material standards are listed below.

Incorporation into an infrastructure project. 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.

Categorization of articles, materials, and supplies. An article, material, or supply should only be classified into one of the following categories: (i) Iron or steel products; (ii) 15 Manufactured products; (iii) Construction materials; or (iv) Section 70917(c) materials. An article, material, or supply should not be considered to fall into multiple categories. In some cases, an article, material, or supply may not fall under any of the categories listed in this paragraph. The classification of an article, material, or supply as falling into one of the categories listed in this paragraph must be made based on its status at the time it is brought to the work site for incorporation into an infrastructure project. In general, the work site is the location of the infrastructure project at which the iron, steel, manufactured products, and construction materials will be incorporated.

Application of the Buy America Preference by category. An article, material, or supply incorporated into an infrastructure project must meet the Buy America Preference for only the single category in which it is classified.

Determining the cost of components for manufactured products. In determining whether the cost of components for manufactured products is greater than 55 percent of the total cost of all components, use the following instructions:

- (a) For components purchased by the manufacturer, the acquisition cost, including transportation costs to the place of incorporation into the manufactured product (whether or not such costs are paid to a domestic firm), and any applicable duty (whether or not a duty-free entry certificate is issued); or

- (b) For components manufactured by the manufacturer, all costs associated with the manufacture of the component, including transportation costs as described in paragraph (a), plus allocable overhead costs, but excluding profit. Cost of components does not include any costs associated with the manufacture of the manufactured product.

Construction material standards. The Buy America Preference applies to the following construction materials incorporated into infrastructure projects. Each construction material is followed by a standard for the material to be considered “produced in the United States.” Except as specifically provided, only a single standard should be applied to a single construction material.

- (1) Non-ferrous metals. All manufacturing processes, from initial smelting or melting through final shaping, coating, and assembly, occurred in the United States.
- (2) Plastic and polymer-based products. All manufacturing processes, from initial combination of constituent plastic or polymer-based inputs, or, where applicable, constituent composite materials, until the item is in its final form, occurred in the United States.
- (3) Glass. All manufacturing processes, from initial batching and melting of raw materials through annealing, cooling, and cutting, occurred in the United States.
- (4) Fiber optic cable (including drop cable). All manufacturing processes, from the initial ribboning (if applicable), through buffering, fiber stranding and jacketing, occurred in the United States. All manufacturing processes also include the standards for glass and optical fiber, but not for non-ferrous metals, plastic and polymer-based products, or any others.
- (5) Optical fiber. All manufacturing processes, from the initial preform fabrication stage through the completion of the draw, occurred in the United States.
- (6) Lumber. All manufacturing processes, from initial debarking through treatment and planing, occurred in the United States.
- (7) Drywall. All manufacturing processes, from initial blending of mined or synthetic gypsum plaster and additives through cutting and drying of sandwiched panels, occurred in the United States.
- (8) Engineered wood. All manufacturing processes from the initial combination of constituent materials until the wood product is in its final form, occurred in the United States.

Waivers

When necessary, recipients may apply for, and the agency may grant, a waiver from these requirements. Information on the process for requesting a waiver from these requirements can be found at <https://www.doi.gov/grants/buyamerica>.

When DOI has determined that one of the following exceptions applies, the awarding official may waive the application of the Buy America Preference in any case in which the agency determines that:

- (1) applying the Buy America Preference would be inconsistent with the public interest;
- (2) 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; or
- (3) 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.

A request to waive the application of the Buy America Preference must be in writing. The agency will provide instructions on the format, contents, and supporting materials required for any waiver request. Waiver requests are subject to public comment periods of no less than 15 days and must be reviewed by the Office of Management and Budget (OMB) Made in America Office.

There may be instances where an award qualifies, in whole or in part, for an existing waiver described at the Approved DOI General Applicability Waivers website located at <https://www.doi.gov/grants/BuyAmerica/GeneralApplicabilityWaivers>.

Definitions

“Buy America Preference” means the “domestic content procurement preference” set forth in section 70914 of the Build America, Buy America Act, which requires the head of each Federal agency to ensure that none of the funds made available for a Federal award for an infrastructure project may be obligated unless all of the iron, steel, manufactured products, and construction materials incorporated into the project are produced in the United States.

“Construction materials” means articles, materials, or supplies that consist of only one of the items listed in paragraph (1) of this definition, except as provided in paragraph (2) of this definition. To the extent one of the items listed in paragraph (1) contains as inputs other items listed in paragraph (1), it is nonetheless a construction material.

(1) The listed items are:

- (i) Non-ferrous metals;
- (ii) Plastic and polymer-based products (including polyvinylchloride, composite building materials, and polymers used in fiber optic cables);
- (iii) Glass (including optic glass);
- (iv) Fiber optic cable (including drop cable);

- (v) Optical fiber;
- (vi) Lumber;
- (vii) Engineered wood; and
- (viii) Drywall.

- (2) Minor additions of articles, materials, supplies, or binding agents to a construction material do not change the categorization of the construction material.

“Infrastructure” means public infrastructure projects in the United States, which includes, at a minimum, the structures, facilities, and equipment for 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; and structures, facilities, and equipment that generate, transport, and distribute energy including electric vehicle (EV) charging.

“Infrastructure project” means any activity related to the construction, alteration, maintenance, or repair of infrastructure in the United States regardless of whether infrastructure is the primary purpose of the project. See also paragraphs (c) and (d) of 2 CFR 184.4.

“Iron or steel products” means articles, materials, or supplies that consist wholly or predominantly of iron or steel or a combination of both.

“Manufactured products” means:

- (1) Articles, materials, or supplies that have been:
 - (i) Processed into a specific form and shape; or
 - (ii) Combined with other articles, materials, or supplies to create a product with different properties than the individual articles, materials, or supplies.
- (2) If an item is classified as an iron or steel product, a construction material, or a Section 70917(c) material under 2 CFR 184.4(e) and the definitions set forth in 2 CFR 184.3, then it is not a manufactured product. However, an article, material, or supply classified as a manufactured product under 2 CFR 184.4(e) and paragraph (1) of this definition may include components that are construction materials, iron or steel products, or Section 70917(c) materials.

“Predominantly of iron or steel or a combination of both” means that the cost of the iron and steel content exceeds 50 percent of the total cost of all its components. The cost of iron and steel is the cost of the iron or steel mill products (such as bar, billet, slab, wire, plate, or sheet), castings, or forgings utilized in the manufacture of the product and a good faith estimate of the cost of iron or steel components.

“Section 70917(c) materials” means cement and cementitious materials; aggregates such as stone, sand, or gravel; or aggregate binding agents or additives. See Section 70917(c) of the Build America, Buy America Act.

F.2.9. 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. Sufficiency Report

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

F.3.5. 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, digital, 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.

Section G. Federal Awarding Agency Contacts(s)

Organizations or individuals interested in submitting applications in response to this NOFO may direct questions to the Reclamation personnel identified below. *Please include the NOFO number R24AS00329 in the subject.*

G.1. Reclamation Financial Assistance Contact

Questions regarding application and submission information and award administration may be submitted to the attention of Mr. Steven Larson, Grants Officer, as follows:

By mail: Bureau of Reclamation
Financial Assistance Branch
Attn: Mr. Steven Larson
Mail Code: CGB-3800
2800 Cottage Way, E-1815
Sacramento, CA 95825

By email: snlarson@usbr.gov
By phone: (916) 978-5693

G.2. Reclamation Program Coordinator Contacts

Questions regarding application and project eligibility for applications related to Chinook salmon, *O. mykiss*, and sturgeon may be submitted to the attention of Ms. Jenna Paul, Civil Engineer, CVPIA, as follows:

By mail: Bureau of Reclamation
Bay Delta Office
Attn: Ms. Jenna Paul
801 I Street, Suite 140
Sacramento, CA 95814-2536

By email: jpaul@usbr.gov
By phone: (279) 219-6343

Questions regarding application and project eligibility for applications related to Delta smelt may be submitted to the attention of Mr. Brian Mahardja, Fish Biologist, Bay Delta Office as follows:

By mail: Bureau of Reclamation
Bay Delta Office
Attn: Mr. Brian Mahardja
801 I Street, Suite 140
Sacramento, CA 95814-2536

By email: bmahardja@usbr.gov

By phone: (279) 234-1568

G.3. Service Program Coordinator Contact

Questions regarding this NOFO and project-related services provided by the U.S. Fish & Wildlife Service may be submitted to the attention of Mr. Steve Whiteman, CVPIA Co-Administrator, as follows:

By mail: US Fish & Wildlife Service
Regional Office Building
Attn: Mr. Steve Whiteman
2800 Cottage Way
Sacramento CA 95825

By email: steve_whiteman@fws.gov

By phone: 916-978-6190

Section H. Other Information

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

H.1. Environmental and Cultural Resource Considerations

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

- Will the proposed project impact the surrounding environment (e.g., soil [dust], air, water [quality and quantity], animal habitat)? Please briefly describe all earth-disturbing work and any work that will affect the air, water, or animal habitat in the project area. Please also explain the impacts of such work on the surrounding environment and any steps that could be taken to minimize the impacts, as well as any other past, present, or reasonably foreseeable future developments that you are aware of that will affect these same resources in the surrounding area.
- Are you aware of any species listed or proposed to be listed as a Federal threatened or endangered species, or designated critical habitat in the project area? If so, would they be affected by any activities associated with the proposed project?
- Are there wetlands or other surface waters inside the project boundaries that potentially fall under CWA jurisdiction as “Waters of the United States”? If so, please describe and estimate any impacts the proposed project may have.
- When was the water delivery system constructed?
- Will the proposed project result in any modification of or effects to, individual features of an irrigation system (e.g., headgates, canals, or flumes)? If so, state when those features were constructed and describe the nature and timing of any extensive alterations or modifications to those features completed previously.
- Are any buildings, structures, or features in the project area listed or eligible for listing on the National Register of Historic Places? A cultural resources specialist at your local Reclamation office or the State Historic Preservation Office can assist in answering this question.
- Are there any known archeological sites in the proposed project area?
- Will the proposed project have a disproportionately high and adverse effect on communities with environmental justice concerns (as discussed in Executive Order 14096)?

- Will the proposed project limit access to, and ceremonial use of, Indian sacred sites or result in other impacts on tribal lands?
- Will the proposed project contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area?

H.1.1. National Environmental Policy Act

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

Some projects may fit within a **Categorical Exclusion (CE)** (i.e., one of the established categories of activities that generally do not have significant impacts on the environment). If a project fits within a CE, Reclamation will assess whether extraordinary circumstances (i.e., reasons that the CE cannot be applied) exist. Use of a CE can involve simple identification of an applicable **Department CE** and assessment for extraordinary circumstances, or documentation of a **Reclamation CE** using a **Categorical Exclusion Checklist (CEC)**. That process can take anywhere from 1 day to about 30 days, depending upon the specific situation.

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

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

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

Reclamation has the sole discretion to determine what level of environmental NEPA compliance is required. If another Federal agency is involved, Reclamation will coordinate to determine the appropriate level of compliance. You are encouraged to contact your regional or area Reclamation office. See www.usbr.gov/main/offices.html with questions regarding NEPA

compliance issues. You may also contact the Program Coordinator for further information (see *Section G. Agency Contacts*).

H.1.2. National Historic Preservation Act

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

If a proposal is initially selected for a potential award, the successful applicant will work with Reclamation and/or the Service to complete the Section 106 process. Compliance can be accomplished in several ways, depending on how complex the issues are, including:

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

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

H.2. Endangered Species Act

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

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

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

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

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

Section I. References

- Bureau of Reclamation (USBR). 2019. Reinitiation of Consultation on the Coordinated Long-Term Operation of the Central Valley Project and State Water Project. Final Biological Assessment.
- Bureau of Reclamation and U.S. Fish and Wildlife Service. 2020. Near-term Restoration Strategy for the Central Valley Project Improvement Act Fish Resource Area FY2021–FY2025. Prepared for the Bureau of Reclamation and U.S. Fish and Wildlife Service. Sacramento, California. 100 pages.
- California Natural Resources Agency. 2016. Delta Smelt Resiliency Strategy.
- Peterson, J.T. and Duarte, A. (2020), Decision analysis for greater insights into the development and evaluation of Chinook salmon restoration strategies in California's Central Valley. *Restor Ecol*, 28: 1596-1609. <https://doi.org/10.1111/rec.13244>
- Rose K.A., Kimmerer W.J., Edwards K.P., Bennett W.A. 2013. Individual-based modeling of delta smelt population dynamics in the upper San Francisco estuary: I. model description and baseline results. *Trans Am Fish Soc.* 142(5):1238–1259. <https://doi.org/10.1080/00028487.2013.799518>
- Science Integration Team. 2020. Data Guidance for CVPIA Funded and/or Authorized Work (2020). Prepared for the Bureau of Reclamation and U.S. Fish and Wildlife Service. Sacramento, California. 11 pages.
- Smith W.E. and Nobriga M.L. 2023. A bioenergetics-based index of habitat suitability: Spatial dynamics of foraging constraints and food limitation for a rare estuarine fish. *Trans Am Fish Soc.* 152(5):650-671. <https://doi.org/10.1002/tafs.10427>
- United States Fish and Wildlife Service (USFWS). 1993. Endangered and threatened wildlife and plants; final rule, determination of threatened status of the delta smelt. *Federal Register* 58: 12854-12864.
- United States Fish and Wildlife Service (USFWS). 1994. Endangered and Threatened Wildlife and Plants; Critical Habitat Determination for the Delta Smelt. *Federal Register* 59: 65256-65278.
- United States Fish and Wildlife Service (USFWS). 1996. Recovery Plan for the Sacramento–San Joaquin Delta Native Fishes, November 26. Portland, Oregon. Available at: http://ecos.fws.gov/docs/recovery_plan/961126.pdf.
- United States Fish and Wildlife Service (USFWS). 2019. Biological Opinion: For the Reinitiation of Consultation on the Coordinated Operations of the Central Valley Project and State Water Project.

APPENDIX A

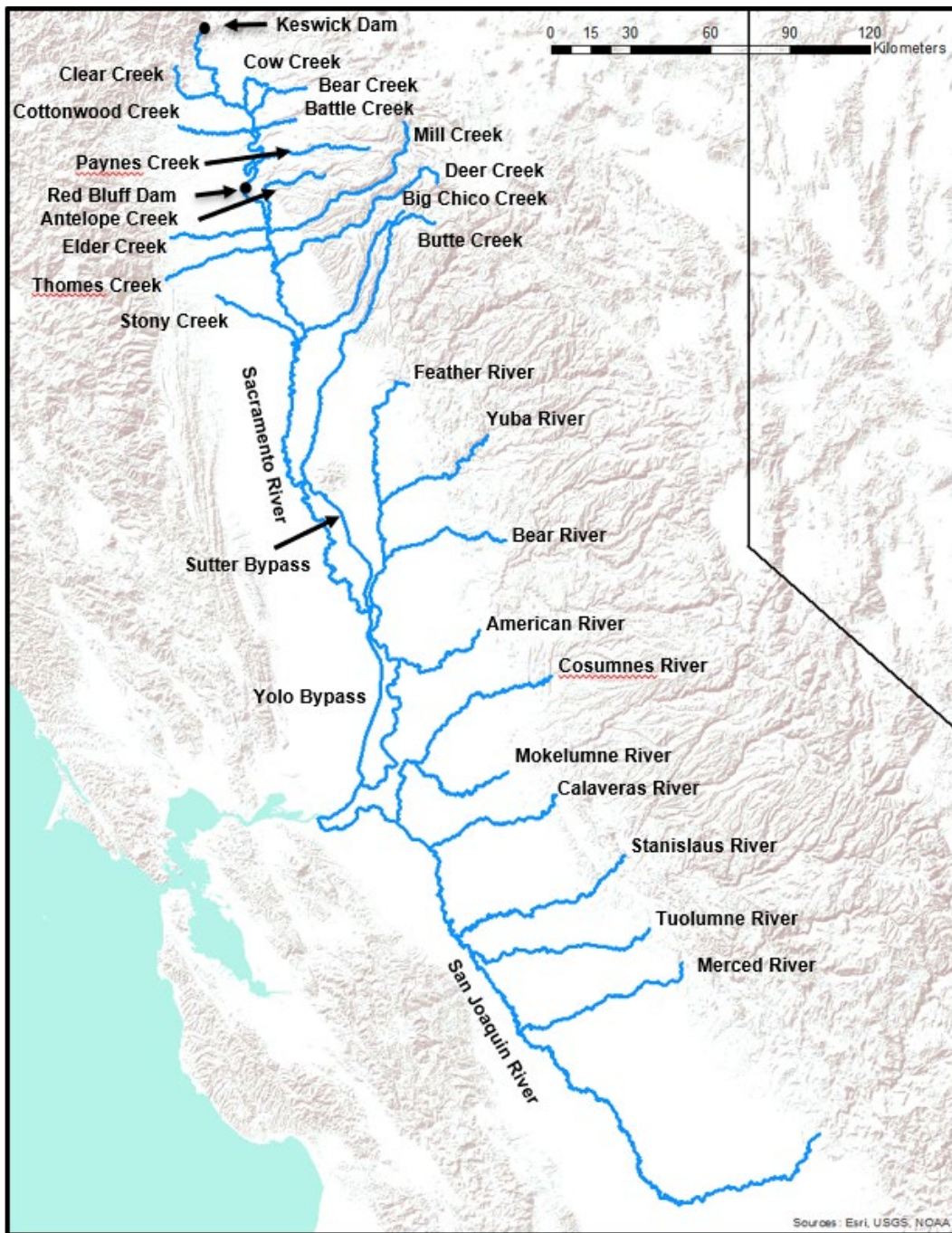


Figure 2. Map of Central Valley project rivers and streams. Adapted from *Decision analysis for greater insights into the development and evaluation of Chinook salmon restoration strategies in California's Central Valley*, by J.T. Peterson and A. Duarte, *Restoration Ecology*, 28(6), p. 1598. Copyright [2020] U.S. Government.