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Notice of Funding Opportunity No. R23AS00079

Snow Water Supply Forecasting Program FY 2023

U.S. Department of the Interior March 2023

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; 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.

Cover Photo – Tennessee Creek near the confluence of the East Fork Arkansas River.

Synopsis

Federal Agency Name:	Department of the Interior, Bureau of Reclamation, Research and Development Office
Funding Opportunity Title:	Snow Water Supply Forecasting Program
Announcement Type:	Notice of Funding Opportunity (NOFO)
Funding Opportunity Number:	R23AS00079
Assistance Listing:	15.078
Dates: (See NOFO SectionD.4)	Application due date: May 12, 2023 4pm Mountain Daylight Time
Eligible Applicants:(See NOFO SectionC.1)	Eligible applicants are Individuals/entrepreneurs, institutions of higher education, commercial or industrial organizations, private entities, state and local governmental entities, federally funded research and development centers, tribal governments and organizations, and non-profit organizations.
Recipient Cost Share: (See NOFO SectionC.2)	Cost share is not required, but strongly encouraged. Non-federal cost share is a Phase I evaluation criterion.
Federal Funding Amount: (See NOFO Section B.1)	*Minimum Award:* $300,000 Projects must request at minimum, $300,000 in Federal funds to be awarded to the applicant over a 36-month project period. *Maximum Award:* $999,999 Up to $999,999 in Federal funds may be awarded to an applicant over a 36-month project period through this NOFO. The number of awards and the aggregate amount awarded will be based on the quality of the applications received and congressional funding available.
Estimated Number of Agreements to be Awarded: (See NOFO SectionB.1)	Approximately 12 to 20 awards, depending on the amount requested by each applicant**,** quality of the applications received, and the amount of Federal funding available will be awarded under this NOFO.
Intergovernmental Review: (See NOFO SectionD.5)	This NOFO **is not** 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.

Application Checklist

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

✓	What to submit	Required content	Page
	Mandatory Federal Forms: SF-424: Application for Federal Assistance (Office of Management and Budget [OMB]) SF-424A: Budget Information - Non-Construction Programs (OMB) SF-424B: Assurances - Non-Construction Programs (OMB)	See Sec. D.2.2.1	10
	Project Narrative Attachment Form (Technical Proposal and evaluation criteria)	See Sec. D.2.2.2 and E.1	10 26
	Budget Narrative Attachment Form (Project Budget): Budget proposal Funding plan Budget narrative	See Sec D.2.2.3	13 15
✓	**Recommended Application Components:**	**Required content**	**Page**
	Environmental and cultural resources compliance	See Sec. D.2.2.5	17
	Required permits or approvals	See Sec. D.2.2.6	18
	Overlap or duplication of effort statement	See Sec D.2.2.7	18
	Conflict of interest disclosure statement	See Sec D.2.2.8	19
	Uniform audit reporting statement	See Sec D.2.2.9	20
	SF-LLL: Disclosure of Lobbying Activities (if applicable) (OMB)	See section D.2.2.10	20
	Letters of support	See Sec. D.2.2.11	20
	Official Resolution	See Sec. D.2.2.12	20
	OMB Form 4040-0019: Project Abstract Summary (recommended)	See Sec D.2.2.13	21

To facilitate fair and timely reviews by the ARC, 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.

Acronyms and Abbreviations

ASAP	Automated Standard Application for Payments
ARC	Application Review Committee
CE	Categorical Exclusion
CEC	Categorical Exclusion Checklist
CFDA	Catalog of Federal Domestic Assistance
CFR	Code of Federal Regulations
CWA	Clean Water Act
CWMP	Cooperative Watershed Management Program
D&B	Dun & Bradstreet
Department	U.S. Department of the Interior
DUNS	Data Universal Number System
EA	Environmental Assessment
EIN	Employer Identification Number
EIS	Environmental Impact Statement
E.O.	Executive Order
EPA	Environmental Protection Agency
ESA	Endangered Species Act
FAPIIS	Federal Award Performance Integrity Information System
FOIA	Freedom of Information Act
FONSI	Finding of No Significant Impact
FY	fiscal year
IBC	Interior Business Center
MDT*/*MST	Mountain Daylight*/Standard* Time
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NOAA	National Oceanic and Atmospheric Administration

NOFO	Notice of Funding Opportunity
NRCS	Natural Resources Conservation Service
OMB	Office of Management and Budget
P.L.	Public Law
PSC	Product Service Code
Reclamation	Bureau of Reclamation
SAM	System for Award Management
SF	Standard Form
SPOC	Single Point of Contact
UEI	Unique Entity Identifier
U.S.C.	United States Code
USACE	United States Army Corp of Engineers
USDA	United States Department of Agriculture
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey
West	Western United States

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Section A: Funding Opportunity Description

A.1. Authority

A.2. Background and Program Requirements

The United States Department of the Interior (Department), Bureau of Reclamation's (Reclamation) Snow Water Supply Forecasting Program (Program) aims to improve the skill of water supply forecasts via enhancing snow monitoring through the deployment of emerging technologies to complement existing monitoring techniques and networks. This new program was authorized in December 2020 by P.L. 116-260, Sec. 1111, Snow Water Supply Forecasting Program Authorization Act. The program was authorized for FY 2022 - FY 2026.

Reservoir operations and related water management decisions rely on estimates of current and future water availability. These estimates depend on technologies to observe basin conditions such as snowpack. In many Western basins, snowpack and subsequent snowmelt runoff constitutes a significant portion of the annual water supply. Accordingly, monitoring snowpack is of great interest to water managers and water users alike. Traditionally, basin snowpack information is based on a sparse network of observing stations across large watersheds. These networks provide high quality information at station locations but extrapolating that information to an entire watershed is a challenge. This challenge, in large part, motivates the Program.

As such, the NOFO invites proposals from eligible applicants that are invested in and capable of demonstrating emerging or deploying existing snow monitoring technologies and/or use of snow monitoring data to enhance water supply forecast skill. Considering this and the Act's emphasis on partner agency coordination, strong applications will have partnerships with water management and forecasting entities to facilitate transfer of knowledge, foster use of data in forecasts, and evaluate utility of information for informing water management decisions. This supports Department of the Interior priority of addressing the drought crisis by providing water managers the best available information to inform the management of this scarce and critical resource.

In Phase I, applicants submit technical proposals in the required format and length as specified in Section D.2.1. Application Format and Length as well as with the required content further detailed in Section D.2.2. Application Content. Submission to Phase I is required for Phase II consideration.

Reclamation's application review committee (ARC) will select a set of highly qualified applications from Phase I to move to Phase II of the application process. Submission to Phase I is required for Phase II consideration. If the selected applicants are not present for Phase II, their proposals are automatically disqualified from proceeding further and will be ineligible for an award. Phase II will entail a 30-minute virtual (web meeting) project/proposal "pitch" presentation to a review panel, followed by 20 minutes of question and answer with the review panel. Those selected to advance to Phase II will be notified of the presentation requirements and logistics with a minimum 4 weeks' notice.

A.3. Notice of Funding Opportunity Purpose and Objectives

The objective of the NOFO is to enhance snow information and improve water supply forecasts used by water managers by deploying existing snow monitoring technologies in underserved areas, demonstrating or deploying emerging snow monitoring technologies (or enhancements to existing technologies) that can enhance the characterization of snow conditions, and by improving forecast use of snow information.

A.4. Other Funding Opportunities

WaterSMART: Applied Science Grants - Through WaterSMART, Reclamation provides financial assistance on a competitive basis for Applied Science Grants. Through these grants, Reclamation provides funding to non-Federal entities for the development of tools and information to support water management for multiple uses. Eligible projects include the development of modeling and forecasting tools, hydrologic data platforms, and new data sets.

Section B. Federal Award Information

B.1. Total Funding

It is expected that up to $11.75 million will be available for award through this funding opportunity.

B.2. Expected Award Amount

Minimum Award: $300,000

Maximum Award: $999,999

Projects must request at minimum, $300,000 in Federal funds to be awarded to the applicant over a 36-month project period.

Up to $999,999 in Federal funds may be awarded to an applicant over a 36-month project period through this NOFO. The number of awards and the aggregate amount awarded will be based on the quality of the applications received and congressional funding available. At least $1,500,000 will be awarded to applicants with projects that will directly benefit a Bureau of Reclamation facility (see *Section C.4.1*). See *Section C.2. Cost Sharing Requirements* for cost share information.

B.3. Expected Award Funding and Anticipated Dates

Anticipated award date: August 21, 2023

Reclamation expects to contact potential award recipients and unsuccessful applicants in Spring of 2023.

Anticipated project completion date: August 21, 2026

B.4. Number of Awards

Approximately 12 to 20 awards, depending on the amount requested by each applicant, quality of the applications received, and the amount of Federal funding available will be awarded under this NOFO.

B.5. Type of Award

Project awards will be made through cooperative agreements. Under cooperative agreements, the successful applicant should expect Reclamation to have substantial involvement in the project:

Substantial involvement by Reclamation may include:

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

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

    - Coordination of contributions made by team members from the different partners.
    - Evaluation of successes/failures as each task is undertaken.
    - Suggested changes to tasks to accomplish project goals.
    - Review, input, and comments on draft and final research outcomes, including the final project report.

B.6. Technical Assistance

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

Section C. Eligibility Information

C.1. Eligible Applicants

Individuals/entrepreneurs, commercial or industrial organizations, Private nonprofit institution/organization (includes institutions of higher education and hospitals), Local (includes State-designated Indian Tribes, excludes institutions of higher education and hospitals, Public nonprofit institution/organization (includes institutions of higher education and hospitals), State (includes District of Columbia, public institutions of higher education and hospitals, federally funded research, and development centers

In accordance with P.L. 116-260, Section 1111(e), paragraph (4), Program partners with whom the Secretary enters into cooperative agreements pursuant to paragraph (5) may include water districts, irrigation districts, water associations, universities, State agencies, other Federal agencies, private sector entities, non-governmental organizations, and other entities, as determined by the Secretary.

C.2. Ineligible Applicants

Ineligible applicants include but are not limited to:

- US Federal Agencies
- Applicants outside of the United States

C.3. Cost Sharing or Matching

Non-Federal cost share is not required but is strongly encouraged. Cost sharing may be made through direct cash contributions, third-party in-kind contributions, or combinations thereof. Cost share funding is an evaluation criterion; see *Section E.1. Evaluation Criterion B—Non-Federal Cost Share*. Note that cost share amounts will be verified for projects considered for funding. If the reported cost share cannot be verified, funding for the project may be subject to change or delay. As such, it is strongly recommended that reported cost share complies with requirements and regulations found in this section and its sub-sections.

Other sources of Federal funding may not be counted towards the required cost share. The exception to this requirement is where the Federal statute authorizing a program specifically provides that Federal funds made available for such program can be applied to matching or cost sharing requirements of other Federal programs, such as awards to tribal organizations under P.L. 93-638, as amended. If it is determined that the Federal funding cannot be applied towards the non-Federal cost share, the work associated with the funding may be removed from the proposed project or the Federal funding will be counted toward the Federal cost share for the project. Please identify any other Federal funding received for the Project.

See *Section D.2.2.3. Project Budget* for information on reporting cost share funding in your application. All cost-share contributions must meet the applicable administrative and cost principles criteria established in 2 Code of Federal Regulations (CFR) Part 200.

C.3.1 Cost Share Funding Sources

Cost sharing may be made through direct cash contributions, third-party in-kind contributions, or combinations thereof. Cost share funding is an evaluation criterion; see Section E1 Evaluation Criterion B—Non-Federal Cost Share. Note that cost share amounts will be verified for projects considered for funding. If the reported cost share cannot be verified, funding for the project may be subject to change or delay. As such, it is strongly recommended that reported cost share complies with requirements and regulations found in this section and its sub-sections.

C.3.2 Third-Party In-Kind Contributions

Third-party in-kind contributions may be in the form of equipment, supplies, and other expendable property, as well as the value of services directly benefiting and specifically identifiable to the proposed project. The cost or value of third-party in-kind contributions that have been or will be relied on to satisfy a cost-sharing or matching requirement for another Federal financial assistance agreement, a Federal procurement contract, or any other award of Federal funds may not be relied on to satisfy the cost-share requirement for an award under this NOFO. Applicants should refer to 2 CFR §200.*434 Contributions and donations* for regulations regarding the valuation of third-party in-kind contributions, available at www.ecfr.gov.

C.4. Other

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.5 Eligible Projects

Sections *C.4.* of the announcement will be reviewed by the Application Review Committee.

Eligible projects include the following or combinations thereof:

- Demonstrating and/or deploying emerging snow monitoring technologies
- Demonstrating and/or deploying improvements to existing snow monitoring technologies

- Deploying existing snow monitoring technologies in underserved areas
- Improving the use of snow monitoring data to enhance the skill of water supply forecasts

Projects should be scoped to quantify benefits to water supply forecasts and water management, as compared to the status quo. Projects should also include plans to assess the long-term technical, practical, and economic feasibility of a technology, including how its use might be expanded/extended to other geographic areas. For the purpose of the NOFO, "emerging technologies" refers to technologies at Technology Readiness Level (TRL[1]) 6-8 and "existing technologies" refers to technologies at TRL 9.

This NOFO is not seeking to award duplicative projects. Duplicative efforts would include having multiple projects apply the same technology in the same river basin. Applying a single technology in multiple river basins is not considered duplicative. At least $1,500,000 will be awarded to applicants with projects that will directly benefit a Reclamation facility. Projects with direct benefits will include applying one or a combination of the 4 bulleted elements above, in a river basin that directly drains to a Reclamation Project.

C.5.1 Ineligible Projects

Projects not eligible for funding under this NOFO include, but are not limited to:

- Projects developing new snow monitoring technologies (i.e., projects at or lower than (TRL[1]) 5 are not eligible).
- Projects deploying snow monitoring technologies outside of the Reclamation 17-State domain (AZ, CA, CO, ID, KS, MT, ND, NE, NM, NV, OK, OR, SD, TX, UT, WA, WY)
- Projects unrelated to snow monitoring or the use of snow data in water supply forecasts
- Projects focused on improving water supply forecasts outside of the Reclamation 17-State domain (AZ, CA, CO, ID, KS, MT, ND, NE, NM, NV, OK, OR, SD, TX, UT, WA, WY)

C.5.2 Length of Projects

Applicants can only request funding for work that is planned through September 2026.

[1] https://www.nasa.gov/directorates/heo/scan/engineering/technology/technology_readiness_level

Section D. Application and Submission Information

D.1. Address to Request Application Package

This document contains all information, forms, and electronic addresses required for submission of an application. If you are unable to access this information electronically, you can request paper copies of any of the documents referenced in this NOFO by emailing the Notice of Funding Opportunity Team staff at sha-dro-fafoa@usbr.gov.

D.2. Content and Form of Application Submission

All applications must conform to the requirements described in this section. Two phases comprise the application process:

Phase I: A technical proposal is required to be submitted in the required format and length as specified in Section D.2.1 Application Format and Length as well as with the required content further detailed in Section D.2.2. Application Content.

Phase II: A set of highly qualified applications from Phase I will be selected by the application review committee (ARC) to move to Phase II of the application process. The criteria described in Section E.1 Technical Proposal: Phase I Evaluation Criteria will be used to make that determination. Phase II applicants are required to prepare a Microsoft PowerPoint presentation for an in-person pitch in front of the ARC at Reclamation's Offices in Denver, Colorado. Phase II might be conducted virtually if needed—subject to travel restrictions and developments associated with the COVID-19 pandemic. Presentations will be evaluated using the criteria described in Section E.2. Presentation: Phase II Evaluation Criteria.

D.2.1 Application Format and Length

The technical proposal and responses to evaluation criteria section of the application shall be limited to a **maximum of eight consecutively numbered pages**. If this section of the application exceeds eight pages, only the first eight pages will be evaluated. Other required application content will not count towards the page limitation. 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 page number limitation. Excess pages will be removed and not considered in the evaluation of the proposed project.

D.2.2 Application Content

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

Mandatory Federal Forms 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 www.grants.gov/web/grants/forms/sf-424-family.html

✓	**Mandatory Application Components:**	**Required content**	**Page**
	Mandatory Federal Forms: • SF-424: Application for Federal Assistance (Office of Management and Budget [OMB]) • SF-424A: Budget Information - Non-Construction Programs (OMB) • SF-424B: Assurances - Non-Construction Programs (OMB)	See Sec. D.2.2.1	10
	Unique Entity Identifier and System for Award Management	See Sec. D.3	21
	Project Narrative Attachment Form (Technical Proposal and evaluation criteria)	See Sec. D.2.2.2 and E.1	10 26
	Budget Narrative Attachment Form (Project Budget): Budget proposal Funding plan Budget narrative	See Sec D.2.2.3	13 15
✓	**Recommended Application Components:**	**Required content**	**Page**
	Environmental and cultural resources compliance	See Sec. D.2.2.5	17
	Required permits or approvals	See Sec. D.2.2.6	18
	Overlap or duplication of effort statement	See Sec D.2.2.7	18
	Conflict of interest disclosure statement	See Sec D.2.2.8	19
	Uniform audit reporting statement	See Sec D.2.2.9	19
	SF-LLL: Disclosure of Lobbying Activities (if applicable) (OMB)	See section D.2.2.10	20
	Letters of support	See Sec. D.2.2.11	20
	Official Resolution	See Sec. D.2.2.12	20
	OMB Form 4040-0019: Project Abstract Summary (recommended)	See Sec D.2.2.13	20
	Summary Slides	See Sec D.2.2.14	21

To facilitate fair and timely reviews by the ARC, 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.*

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

Failure to submit a signed SF-424 with a valid Unique Entity Identifier (UEI) number will result in the elimination of the application from further consideration.

If you request more than $100,000 in Federal funding, you must certify that all statements in 43 CFR Part 18, Appendix A-Certification Regarding Lobbying are true. The Authorized Official's signature on the appropriate SF-424, Application for Federal Assistance form represents the entity's certification of the statements in 43 CFR Part 18, Appendix A.

SF-424A Budget Information – Non-Construction Programs
A fully completed SF-424A Budget Information must be submitted with the application. Failure to submit a SF-424A will result in the elimination of the application from further consideration.

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

SF-424B Assurances for Non-Construction Activities
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.2.2.2 Technical Proposal Content

Submission of a technical proposal is mandatory. Applications that fail to fully disclose this information will be considered ineligible and will not pass initial screening. The technical proposal and evaluation criteria (limited to eight pages) should include the following sections:

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, email address, and telephone of the project manager.

Table of Contents: List all major sections of the proposal in the table of contents.

Technical Proposal and Responses to Evaluation Criteria (limited to 8 pages):
Submission of a technical proposal is mandatory. Applications that fail to fully submit a technical proposal will be considered ineligible and will not pass initial screening. The technical proposal and evaluation criteria must be submitted, and it should (limited to **8** pages) include:

- Executive summary
- Project Location
- Motivation / Problem statement
- Prior work and results
- Technical approach and project activities
- Work plan and schedule (Gantt chart or similar)
- Quality assurance/quality control (QA/QC) plan
- Responses to evaluation criteria

<u>**Executive Summary**</u>

- Include the date, applicant name, city, county, and state.
- In one paragraph, state the problem/motivation for the project and how the proposed work addresses it.
- In one paragraph, summarize the project. Specify the work proposed, including how funds will be used to accomplish specific project activities and briefly identify how the proposed project contributes to accomplishing the goals and objectives of this NOFO. Also include information on how project impacts/benefits will be assessed and what expansion/extension of the work to other regions might entail.
- State the length of time and estimated completion date for the proposed project.
- Identify the proposed project location(s) including any field sites.

Project Location

Provide specific information on the geographic location of the area in which the watershed group will work including a map showing the geographic location. For example, {watershed area} is located in {state and county} approximately {distance} miles {direction, e.g., northeast} of {nearest town}. If applicable, identify Reclamation facilities in area. If you are selected for funding, Reclamation may request additional detail regarding your project location.

Motivation/Problem Statement

Describe the motivation for the proposed project or the problem to be addressed by the proposed project, including why current approaches or technologies are insufficient and how the proposed approach or technology improves on current shortcomings. Include information on water management decisions or activities that aim to be improved by this work and how those benefits/improvements will be assessed/quantified. Describe how the proposed work aligns with one or more of the objectives shown in *Section A.2. Objectives of this Notice of Funding Opportunity.*

Prior work and results

Describe previous work, technology development, and/or technology deployment that supports/substantiates the proposed project. Identify relevant experience of key project team members for the proposed work. Identify the current technology readiness level (TRL) of the proposed technology (using the TRL definitions in *Section E.1.4. Evaluation Criterion D—Readiness Level)*.

Technical approach and project activities

Describe the technical approach of the project. Include enough detail on the proposed technology or approach to permit a comprehensive evaluation of the proposal. The applicant should identify potential challenges that may be faced throughout the proposed project activities, and mitigation strategies for these challenges. Describe in detail the tasks to be conducted, including the development of the final technical report. For each task, describe planned activities and expected outcomes and milestones. Provide the location(s) of activities for each task. As applicable, the applicant may provide figures or diagrams to support the description the proposed project and activities.

Work Plan and Schedule

Provide a work plan based on the technical approach and project activities. The 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 should be included in the work plan. The final report will be posted publicly.

Quality Assurance and Quality Control (QA/QC) Plan

Identify the proposed QA/QC protocols to be used throughout the project, including but not limited to data checks, peer review, instrument calibration, etc.

Responses to Evaluation Criteria

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

The responses to evaluation criteria portion of your application should clearly describe how the proposed project addresses each criterion (in the order presented) to assist in the complete and accurate evaluation of your application. It is not necessary to repeat information provided in other sections of the proposal. Rather than repeating information, provide a reference to other sections of the proposal.

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

D.2.2.3 Project Budget

The project budget must be submitted, and it should include:

(1) Funding plan and letters of support

(2) Budget proposal

(3) Budget narrative

Please note that the costs for preparing and applying in response to this NOFO, including the development of data necessary to support the proposal, are not eligible Project costs under this NOFO, nor are they eligible for cost-share contributions, and must not be included in the Project budget.

Funding Plan and Letters of Commitment

Describe how the non-Federal cost share of project will be obtained. Reclamation will use this information when making a determination of financial capability. Project funding provided by a source other than the applicant should be supported with letters of commitment from these additional sources 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

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

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

Note: Applicants are not required to have non-Federal cost-share funding secured for the entire Project at the time of award. Applicants must demonstrate sufficient evidence that non-Federal cost share for the initial Federal obligation will be available at the time of award and must describe a plan and schedule for securing the remaining non-Federal cost-share funding for the Project.

Please identify the sources of the non-Federal cost-share contributions for the Project, including:

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

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

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

Please include the following chart (Table 1) to summarize all funding sources. Denote in-kind contributions with an asterisk (*).

Budget Proposal

Submission of a budget proposal is mandatory. The total project cost is the sum of all allowable items of costs, including all required cost sharing and voluntary committed cost sharing, including third-party contributions, that are necessary to complete the project. Please include the following chart (Table 1) 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.

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

Table 1. —Summary of Non-Federal and Federal funding sources

FUNDING SOURCES	AMOUNT
Non-Federal Entities	
1.	
2.	
3.	
Non-Federal Subtotal	
REQESTED RECLAMATION FUNDING	

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

Table 2. —Total project cost table

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	**$**

Budget Narrative

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

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 may elect 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 proposal includes any project costs that may be incurred prior to award. For each cost, describe:

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

Failure to submit a budget narrative 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 Grants Officer will review the proposed pre-award costs to determine if they are consistent with program objectives and are allowable in accordance with the authorizing legislation. Proposed pre-award costs must also be compliant with all applicable administrative and cost principles criteria established in 2 CFR Part 200 and all other requirements of this NOFO. **In no case will costs incurred prior to a recipient's notification of selection be considered for inclusion in the proposed project budget.**

Please note that the costs for preparing and submitting an application in response to this NOFO, including the development of data necessary to support the proposal, are not eligible project costs under this NOFO and must not be included in the project budget.
In addition, please ensure that the budget proposal includes any project costs that may be incurred prior to award. For each cost, describe:

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

D.2.2.5 Environmental and Cultural Resources Compliance

To allow Reclamation to assess the probable environmental and cultural resources impacts and costs associated with each application, all applicants must respond to the following list of questions focusing on the National Environmental Policy Act (NEPA), National Historic Preservation Act (NHPA), and Endangered Species Act (ESA) requirements. Please answer the following questions to the best of your knowledge. If any question is not applicable to the Project, please explain why. The application should include the answers to:

- Will the proposed Project impact the surrounding environment (e.g., soil [dust], air, water [quality and quantity], animal habitat)? Please briefly describe all earth-disturbing work and any work that will affect the air, water, or animal habitat in the Project area. Please also explain the impacts of such work on the surrounding environment and any steps that could be taken to minimize the impacts.

- Are you aware of any species listed or proposed to be listed as a Federal threatened or endangered species, or designated critical habitat in the Project area? If so, would they be affected by any activities associated with the proposed Project?

- Are there wetlands or other surface waters inside the Project boundaries that potentially fall under Clean Water Act (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 proposed 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 low income or minority populations?

- Will the proposed Project limit access to and ceremonial use of Indian sacred sites or result in other impacts on tribal lands?

- Will the proposed Project contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area?

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

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

D.2.2.6 Required Permits or Approvals

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

Note that improvements to Federal facilities that are implemented through any Project awarded funding through this NOFO must comply with additional requirements. The Federal government will continue to hold title to the Federal facility and any improvement that is integral to the existing operations of that facility. Please see P.L. 111-11, Section 9504(a)(3)(B). Reclamation may also require additional reviews and approvals prior to award to ensure that any necessary easements, land use authorizations, or special permits can be approved consistent with the requirements of 43 CFR §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.

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.

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.

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.

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.

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 fiscal year 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 fiscal year. If your organization was required to submit a Single Audit report for the most recently closed fiscal year, provide the Employer Identification Number (EIN) associated with that report and state if it is available through the Federal Audit Clearinghouse website.

D.2.2.10 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.2.2.11 Letters of Support

Please include letters from interested stakeholders supporting the Project. To ensure your proposal is accurately reviewed, please attach all letters of support/ partnership letters as an appendix. *(Note: This will not count against the application page limit.)* **Letters of support received after the application deadline for this NOFO will not be considered in the evaluation of the proposal.**

D.2.2.12 Official Resolution

Include an official resolution adopted by the applicant's board of directors or governing body, or, for State government entities, a signed statement from 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
- The capability of the applicant to provide the amount of funding and/or in-kind contributions specified in the funding plan
- That the applicant will work with Reclamation to meet established deadlines for entering into a grant or cooperative agreement

An official resolution meeting the requirements set forth above is mandatory. If the applicant is unable to submit the official resolution by the application deadline because of the timing of board meetings or other justifiable reasons, the official resolution may be submitted to bor-sha-fafoa@usbr.gov up to 60 days after the application deadline.

D.2.2.13 Project Abstract Summary

A fully completed OMB Form 4040-0019: Project Abstract Summary 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.2.2.14 Summary Slides

Please include no more than two Microsoft PowerPoint slides summarizing the proposed project. The slides must be submitted in pdf format and will be used during the evaluation process. The summary slides don't need to follow any template—but must have the following information:

- Project title, Project Manager, and their institution/company if applicable
- A technology summary (briefly summarize any snow monitoring and/or forecasting technologies part of the proposed work)
- Summary of key tasks/activities
- Anticipated impact/benefit of the proposed work to water management decision making/activities
- Any key graphics (picture, illustration, charts, and/or tables)
- Requested Reclamation funds and any proposed non-Federal cost share (if applicable)

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

Each applicant (unless the applicant is an individual or Federal awarding agency that is excepted from those requirements under 2 CFR 25.110 (b) or (c), or has an exception approved by the Federal awarding agency under 2 CFR 25.110 (d) 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 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 UEU 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 Dates and Times

Phase I application due date: May 12, 2023, at 4:00 p.m. MDT.
Phase II for selected participants: June 20, 2023, virtually using Microsoft Teams or a similar web meeting platform.

Submission to Phase I is required for Phase II consideration. If the applicant selected for Phase II is not present for Phase II, the proposal is automatically disqualified from proceeding further and will be ineligible for an award.

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

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

D.4.1 Application Delivery Instructions

Applications may be submitted electronically through 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 Submission of Project Application

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

D.4.2.1 Application Submissions

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

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, you will receive an email acknowledgement when your application is successfully downloaded from Grants.gov.

D.5. Intergovernmental Review

This NOFO is not subject to E.O. 12372, "Intergovernmental Review of Federal Programs."

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.

Section E: Application Review Information

E.1. Technical Proposal: Phase I Evaluation Criteria

Applications should thoroughly address each criterion and any sub criterion in the order presented below. Copy and paste the below criteria into applications to ensure that all criteria are addressed. Applications will be evaluated directly 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.

Phase 1 Evaluation Criteria: Scoring Summary	***Maximum Points***
A. Technical merit	*40*
B. Non-Federal cost share	*20*
C. Impact/benefit of proposed work	*15*
D. Tech transfer plan to forecast agency	*10*
E. Alignment with program objectives	*10*
F. Schedule/workplan and QA/QC	*5*
Total	*100*

Evaluation Criterion A: Technical merit (40 points)
Proposals will be evaluated based on the ability of the described approach to achieve the proposals primary objectives, as described by the motivation or problem statement, and the objectives of the Program. This section should be used to describe the technical merit of the approach including strategies, expertise, methods, materials, and procedures that will ensure project success. Responses should address 1) how this approach will meet the objective and 2) why this is the best available approach.

Evaluation Criterion B: Non-Federal Cost Share (20 points)
Non-Federal cost share points will be awarded for voluntarily committed non-Federal cost share. A breakdown of these points by percentage of cost share for the total cost of the project is below.

Note: projects selected for award will have reported cost-share amounts verified. If reported cost share is found to be ineligible, there may be impacts to award amount and timing. Accordingly, please ensure reported cost share amounts are accurate and eligible. See Section C2 for guidance.

Project Non-Federal Cost Share Percentage	***Points***
0%	0
1% - 10%	3
11% - 20%	6
21% - 30%	9
31-40%	12
41-49%	16
>= 50%	20

Evaluation Criterion C: Impact/benefit of the proposed work (15 points)

Describe how the proposed work is expected to result in enhanced snow monitoring and/or water supply forecast skill and the water management decisions/activities that are expected to benefit/improve as a result. Elaborate on any specific water management challenges that the proposed work aims to address. Describe how the proposed work could be expanded/extended to other geographic areas. Describe or cite past work/literature to support the anticipated benefits. Describe how these benefits will be assessed/verified, including establishment of a without tech baseline and any quantitative metrics to be used. As applicable, specify any project partner water management and/or forecasting agencies.

Evaluation Criterion D. Tech transfer plan to forecast agency

Describe how the proposed work has a plan to work with an operational forecasting agency/agencies to incorporate outcomes of the proposed work into operational forecasts used by water managers. Provide an overview of how such an extension will occur, including required technical and financial resources, potential challenges, and how those challenges might be overcome. Based on technology transfer experience, describe how the project will assess technical, practical, and economic feasibility of technology expansion/adoption. Points will be awarded on the basis of: (1) technical rigor/detail of the proposed plan, (2) level of engagement of operational forecasting agency/agencies and (3) the likelihood of successful technology transfer based on the proposed plan.

Evaluation Criterion E: Alignment with Program Objectives (15 points)

Describe how the proposed work aligns with one or more of the below listed program objectives (see also Section A.2.):

The program aims to enhance snow information and improve water supply forecasts used by water managers through the following objectives:

- Enhance snow information by deploying existing snow monitoring technologies in underserved areas
- Enhance snow information by demonstrating or deploying emerging snow monitoring technologies or improvements to existing technologies ~~s~~
- Improve water supply forecast skill through improved use of snow information

Clearly identify which objective(s) are supported by the proposed project. Points will be allocated based on the degree to which the proposed work supports one or more of the stated objectives, and not the number of objectives identified. It is not necessary to address objectives that are not applicable to your proposed work.

Evaluation Criterion F. Schedule/workplan and QA/QC

Provide a schedule with tasks and milestones that concisely summarizes the elements of the proposed work. It is suggested that applications use a Gantt chart or similar visual depiction of this information. Be sure to include activities up through the completion of the final report. Also provide information on quality assurance / quality control practices that will be employed to ensure the technical/scientific integrity of the work. Points will be awarded based on (1) the quality and feasibility of the proposed schedule/workplan and (2) the extent to which appropriate QA/QC measures are included.

E.1.1. Presentation: Phase II Evaluation Criteria

Phase II Evaluation Criteria: Scoring Summary	***Maximum Points***
A. Impact/Benefits of proposed work	*25*
B. Alignment with program objectives	*25*
C. Tech transfer plan to forecast agency	*25*
D. Schedule/workplan and QA/QC	*25*
Total	*100*

Phase II provides the opportunity to provide more in-depth information where your presentations will be evaluated directly against the evaluation criteria listed above. Descriptions of each criterion are provided above in Section E.1. Technical Proposal: Phase I Evaluation Criteria.

E.2. Review and Selection Process

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

E.2.1 Initial Screening

All application packages will be screened to ensure that:

- The applicant meets the completeness and eligibility requirements stated in this NOFO.
- The applicant meets the unique entity identifier and SAM registration requirements stated in this NOFO.
- The application meets the content requirements of the NOFO package, including submission of a technical proposal, responses to the evaluation criteria, budget proposal, and budget narrative.
- The application contains properly executed mandatory forms SF-424, Application for Financial Assistance and SF-424B/D, Assurances Form, a completed SF-424A/C, and Budget Information Form.

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

E.2.2 Application Review Committee

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

Applications will be scored against the evaluation criteria by an ARC, made up of experts in relevant disciplines selected from across Reclamation and other Federal agencies. The ARC will also review the application to ensure that the proposed project meets the description of eligible projects and the requirements of this NOFO.

The ARC will make recommendations for a select group of applications to proceed to Phase II. The ARC will provide comments and feedback to the selected group of applications that will be moving forward to Phase II. These applicants will have an opportunity to review the comments in preparation for their phase II presentation.

Each applicant will have 30 minutes to present their proposal and address the comments to the ARC. After the presentation there will be a 20-minute Question and Answer (Q&A) session where the ARC will have the ability to ask questions, the information gathered from the Q&A session will be used for the evaluation of the proposal. The ARC will then score all presentations against the evaluation criteria in *Section E.2. Presentation: Phase II Evaluation Criteria* and make a final recommendation.

Submission to Phase I is required for Phase II consideration. If the applicant is not present for Phase II, the proposal is automatically disqualified from proceeding further and will be ineligible for an award.

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

E.2.3 Red Flag Review

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

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

E.2.4 Managerial Review

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

E.2.5. Pre-Award clearances and approvals

The following pre-award clearances and approvals must be obtained before an award of funding is made. If the results of all pre-award reviews and clearances are satisfactory, an award of funding will be made once the agreement is finalized. 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 and Cultural Review

If the project includes ground-disturbing activities (e.g., installation of a stream gage, biological or water quality monitoring), Reclamation will forward the proposal to the appropriate Reclamation regional or area office for completion of environmental compliance. 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 may not occur until environmental compliance is complete and a Notice to Proceed is issued by the awarding Reclamation Grants Officer.

Note: Any construction costs incurred prior to the completion of environmental and cultural compliance are not eligible for reimbursement and cannot be used to meet the non-Federal cost share requirement.

E.2.5.2 Budget Analysis and Business Evaluation

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

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

E.3. Federal Award Performance Integrity System

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

Applicants, at their option, may review information in the designated integrity and performance systems accessible through SAM and comment on any information about itself that a Federal awarding agency previously entered and is currently in the designated integrity and performance system accessible through SAM. Reclamation will consider any comments by applicants, in addition to the other information in FAPIIS, in making a judgment about the applicants’ 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.

E.4. Anticipated Announcement and Federal Award Dates

Reclamation expects to contact applicants moving to Phase II and unsuccessful applicants from Phase I in May 2023. The potential award recipients and unsuccessful applicants from Phase II should expect to be contacted in June 2023 or slightly later if necessary. Financial assistance agreements will be awarded to applicants that successfully pass all pre-award reviews and clearances.

Section F. Federal Award Administration Information

F.1. Federal Award Notices

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

F.2. Administrative and National Policy Requirements

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

F.2.1. 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 DUNS Number prior to the award of funds. If a recipient has multiple UEIs, they must separately enroll within the system for each unique UEI 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 system staff if selected for award.

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

F.2.2 Environmental and Cultural Resources Compliance

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

Reclamation will be the lead Federal agency for NEPA compliance and will be responsible for evaluating technical information and ensuring that natural resources, cultural, and socioeconomic concerns are appropriately addressed. As the lead agency, Reclamation is solely responsible for determining the appropriate level of NEPA compliance. Further, Reclamation is responsible to ensure that findings under NEPA, and consultations, as appropriate, will support Reclamation's decision on whether to fund a project. Environmental and cultural resources compliance costs are considered project costs. These costs will be considered in the ranking of applications. Depending on the potential impacts of the project, Reclamation may be able to complete its compliance activities without additional cost to the successful applicant. Where environmental or cultural resources compliance requires significant participation by Reclamation, Reclamation will add costs anticipated to be incurred by Reclamation as a line item to the budget during development of the financial assistance agreement and cost shared accordingly. Any costs to the successful applicant associated with compliance will be identified during the process of developing a final project budget for inclusion in the financial assistance agreement.

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

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

F.2.3 Approvals and Permits

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

F.2.4 Geospatial Data and Data Tools

All geospatial data collected for or produced through the use of the Department of the Interior financial assistance funds are required to meet all relevant standards established by the Federal Geospatial Data Committee (FGDC) as authorized by Geospatial Data Act of 2018, P.L. 115-254, Subtitle F – Geospatial Data, §751-759C, codified at 43 U.S.C. §2801–2811. the Department 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 successful applicant 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 Real property, 2 CFR §200.311

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

F.2.6. 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.2.7 Buy America Domestic Procurement Preference

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

Recipients of an award of Federal financial assistance are hereby notified that none of the funds provided under this award may be used for a project for infrastructure unless:

1. All iron and steel used in the project are produced in the United States – this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States.

2. All manufactured products used in the project are produced in the United States – this means that the manufactured product was manufactured in the United Sates, and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation.
3. All construction materials are manufactured in the United States – this means that all manufacturing processes for the construction materials occurred in the United States.

The Buy America preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. As such, it does not apply to tools, equipment, or 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, used at or within the finished infrastructure project but are not an integral part of the structure or permanently affixed to the infrastructure project.

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

Waivers

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

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

There may be instances in which an award qualifies, in whole or in part, for an existing DOI general applicability waiver as described at www.doi.gov/grants/BuyAmerica/GeneralApplicabilityWaivers. If the specific financial assistance agreement, infrastructure project, or non-domestic materials meet the criteria of an existing general applicability waiver within the limitations defined within the waiver, the recipient is not required to request a separate waiver for non-domestic materials.

If a general applicability waiver does not already apply, and a recipient believes that one of the above circumstances applies to an award, a request to waive the application of the domestic content procurement preference may be submitted to the financial assistance Awarding Officer in writing. The waiver request shall not include any Privacy Act information, sensitive data, or proprietary information. Waiver requests will be posted to www.doi.gov/grants/buyamerica and are subject to public comment periods of no less than 15 days. Waiver requests will also be reviewed by the Made in America Office. Waiver requests shall include the following information:

1. Type of waiver requested (non-availability, unreasonable cost, or public interest).
2. Requesting entity and UEI submitting the request.
3. DOI bureau or office that issued the award.
4. Federal financial assistance listing name and number (reference block 2 on DOI Notice of Award)
5. Financial assistance title of project (reference block 8 on DOI Notice of Award).
6. Federal Award Identification Number (FAIN).
7. Federal funding amount (reference block 11.m. on DOI Notice of Award).
8. Total cost of infrastructure expenditures (includes Federal and non-Federal funds to the extent known).
9. Infrastructure project description(s) and location(s) (to the extent known).
10. List of iron or steel item(s), manufactured goods, and construction material(s) the recipients seeks to waive from Buy America requirements. Include the name, cost, countries of origin (if known), and relevant Product Service Code (PSC) or North American Industry Classification System (NAICS) code for each.
11. A certification that the recipient made a good faith effort to solicit bids for domestic products supported by the terms included in requests for proposals, contracts, and nonproprietary communications with the prime contractor.
12. A statement of waiver justification, including a description of efforts made (e.g., market research, industry outreach) by the recipient, in an attempt to avoid the need for a waiver. Such a justification may cite, if applicable, the absence of any Buy America-compliant bids received in response to a solicitation.
13. Anticipated impact if no waiver is issued.

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

Questions pertaining to waivers should be directed to the financial assistance Awarding Officer.

Definitions

"Construction materials" include an article, material, or supply that is or consists primarily of non-ferrous metals, plastic and polymer-based products (including polyvinylchloride, composite building materials, and polymers used in fiber optic cables), glass (including optic glass), lumber, or drywall.

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

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

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

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

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

In accordance with provisions of Public Law 95-134, Title V, § 501 (1977) (codified at 48 U.S.C. 1469a), as amended by Public Law 96-205, Title V, § 601, DOI has determined that any requirement for local matching funds to be provided by insular governmental entities shall be waived, notwithstanding any other provision of law. Any matching funds otherwise required by law to be provided by government entities of an insular area are waived.

The areas defined by Public Law 95-134, Title V, § 501 (1977), as amended (48 U.S.C. § 1469a), include the Virgin Islands, Guam, American Samoa, and the islands formerly referred to as the "Trust Territory of the Pacific Islands": the Commonwealth of the Northern Mariana Islands, the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau.

F.3. Reporting Requirements and Distribution

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

F.3.1 Financial Reports

Recipients will be required to submit a fully completed SF-425 Federal Financial Report form on at least an annual basis along with the final performance report. The SF-425 must be signed by a person legally authorized to obligate the successful applicant. The latest reporting forms are available at https://www.grants.gov/web/grants/forms/post-award-reporting-forms.html.

F.3.2 Interim Performance Reports

The specific terms and conditions pertaining to the reporting requirements will be included in the financial assistance agreement.

Interim performance reports submitted on at least a semi-annual basis, that include the following information:

- A comparison of actual accomplishments to the milestones established by the financial assistance agreement for the period.
- The reasons why established milestones were not met, if applicable.
- The status of milestones from the previous reporting period that were not met, if applicable.
- Whether the Project is on schedule and within the original cost estimate.
- Any additional pertinent information or issues related to the status of the Project.
- Photographs documenting the Project are also appreciated. *Note: Reclamation may print photos with appropriate credit to the applicant.*

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:

- A brief description of the components of the Project and the work completed, including each element of the scope of work and the work completed at each stage of the Project

- The goals and objectives of the Project and whether each of these was met, the reasons why goals and objectives were not met (if appropriate), and any problems, delays encountered in completing the Project, and whether or not the Project was completed within cost
- Future tracking of Project benefits
- A description of how the Project demonstrates collaboration, stakeholder involvement or the formation of partnerships, if applicable
- Any other pertinent issues involving the Project

Please note that final reports are public documents and may be made available on Reclamation's website, www.usbr.gov.

F.4. Disclosures

F.4.1. Conflict of Interest Disclosures

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

F.4.2. Other Mandatory Disclosures

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

F.5. Data Availability (2 CFR §1402.315)

All data, methodology, factual inputs, models, analyses, technical information, reports, conclusions, valuation products or other scientific assessments in any medium or form, including textual, numerical, graphic, cartographic, narrative, or audiovisual, resulting from a financial

assistance agreement is available for use by the Department of the Interior, including being available in a manner that is sufficient for independent verification.
The Federal Government has the right to:

1. Obtain, reproduce, publish, or otherwise use the data, methodology, factual inputs, models, analyses, technical information, reports, conclusions, or other scientific assessments, produced under a Federal award; and

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

F.5.1 Freedom of Information Act

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

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

Published research findings mean when:

- Research findings are published in a peer-reviewed scientific or technical journal; or

- A Federal agency publicly and officially cites the research findings in support of an agency action that has the force and effect of law. "Used by the Federal government in developing an agency action that has the force and effect of law" is defined as when an agency publicly and officially cites the research findings in support of an agency action that has the force and effect of law.

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

Research data also does not include:

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

F.5.2 Releasing Applications

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

Section G. Federal Awarding Agency Contact(s)

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

G.1. Reclamation Financial Assistance Contact

Questions regarding application and submission information and award administration may be submitted to:

Name: Christina Munoz
Email: bor-sha-fafoa@usbr.gov
Phone: 720-614-2192

Please include the NOFO number R23AS00079 in the subject correspondence. Staff availability will be limited on the day of the NOFO closing.

G.2. Reclamation Program Coordinator Contact

Questions regarding applicant and project eligibility and application review may be submitted to the attention of Kenneth Nowak, R&D Office Program Manager, as follows:

By mail: Bureau of Reclamation
Research and Development Office
Attn: Kenneth Nowak
P.O. Box 25007, MS 86-69100
Denver, CO 80225

By e-mail: knowak@usbr.gov

By phone: 303-445-2197

G3. Application System Technical Support

Name: Grants.gov Customer Support
Telephone: 1-800-518-4726
Email: Support@grants.gov

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 to the Project, 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 Project and to help you budget appropriately for the associated compliance costs.

H.1. Environmental and Cultural Resource Considerations

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

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

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

H.1.1 National Environmental Policy Act

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

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

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

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

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

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

H.1.2. National Historic Preservation Act

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

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

- If Reclamation determines that the proposed project does not have the potential to cause effects to historic properties then Reclamation will document its findings and the Section 106 process will be concluded. This can take anywhere from a couple of days to one month.

- If Reclamation determines that the proposed project could have effects on historic properties, a multi-step process, involving consultation with the State Historic Preservation Officer and other entities, will follow. Depending on the nature of the project and impacts to cultural resources, consultation can be complex and time consuming. The process includes:

    - Determining whether additional information is necessary
    - Evaluating the significance of identified cultural resources
    - Assessing the effect of the Project on historic properties
    - Determining whether the Project would have an adverse effect and evaluation of alternatives or modifications to avoid, minimize, or mitigate the effects

A Memorandum of Agreement is then used to record and implement any necessary measures. At a minimum, completion of the multi-step Section 106 process takes about two months.

- Among the types of historic properties that might be affected by projects proposed under this NOFO are **historic irrigation systems** and **archaeological sites.** An irrigation system or a component of an irrigation system (e.g., a canal or headgate) is more likely to qualify as historic if it is more than 50 years old, if it is the oldest (or an early) system/component in the surrounding area, and if the system/component has not been significantly altered or modernized. In general, proposed projects that involve ground disturbance, or the alteration of existing older structures, are more likely to have the potential to affect cultural resources. However, the level of cultural resources compliance required, and the associated cost, depends on a case-by-case review of the circumstances presented by each proposal.

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

H.2. Endangered Species Act

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

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

- If Reclamation can determine that there are no endangered or threatened species or designated critical habitat in the project area, then the ESA review is complete and no further compliance measures are required. This process can take anywhere from one day to one month.

- If Reclamation determines that endangered or threatened species may be affected by the project, then a **Biological Assessment** must be prepared by Reclamation. The Biological Assessment is used to help determine whether a proposed action may affect a listed species or its designated critical habitat. The Biological Assessment may result in a determination that a proposed action **is not likely to adversely affect** any endangered or threatened species. If the USFWS/NOAA Fisheries Service concurs in writing, then no further consultation is required and the ESA compliance is complete. Depending on the scope and complexity of the proposed action, preparation of a Biological Assessment can range from days to weeks or even months. The USFWS/NOAA Fisheries Service generally respond to requests for concurrence within 30 days.

- If it is determined that the project **is likely to adversely affect listed species**, further consultation (**formal consultation**) with USFWS or NOAA Fisheries Service is required to comply with the ESA. The process includes the creation of a **Biological Opinion** by the USFWS/NOAA Fisheries Service, including a determination of whether the project would **jeopardize** listed species and, if so, whether any **reasonable and prudent** alternatives to the proposed project are necessary to avoid jeopardy. Nondiscretionary **reasonable and prudent measures** and **terms and conditions** to minimize the impact of incidental take may also be included. Under the timeframes established in the ESA regulations, the Biological Opinion is issued within 135 days from the date that formal consultation was initiated, unless an extension of time is agreed upon.

The time, cost, and extent of the work necessary to comply with the ESA depends upon whether endangered or threatened species are present in the project area and, if so, whether the project might have effects on those species significant enough to require formal consultation.
ESA compliance is often conducted parallel to the NEPA compliance process and, as in the case of a CEC, documented simultaneously. The best source of information concerning the compliance with the ESA in a particular project area is the local Reclamation environmental staff that can be helpful in determining the presence of listed species and possible effects that would require consultation with the USFWS or NOAA Fisheries Service. Contact your regional or area Reclamation office, www.usbr.gov/main/offices.html with questions regarding ESA compliance issues.