



— BUREAU OF —
RECLAMATION

Notice of Funding Opportunity No. R22AS00165

WaterSMART-Applied Science Grants for Fiscal Year 2022



Mission Statements

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

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

Synopsis

Federal Agency Name:	Department of the Interior, Bureau of Reclamation, Water Resources and Planning Office
Funding Opportunity Title:	WaterSMART: Applied Science Grants
Announcement Type:	Notice of Funding Opportunity (NOFO)
Funding Opportunity Number:	R22AS00165
Catalog of Federal Domestic Assistance (CFDA) Number:	15.557
Dates: (See NOFO Sec. D.4)	Application Due Date: Thursday, April 14, 2022, 4:00 p.m. Mountain Daylight Time (MDT)
Eligible Applicants: (See NOFO Sec. C.1)	Category A: States, Indian tribes, irrigation districts, water districts; state, regional, or local authorities whose members include one or more organizations with water or power delivery authority; and other organizations with water or power delivery authority. All Category A applicants must be located in the Western United States or United States Territories, including Alaska, Arizona, California, Colorado, Hawaii, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wyoming, American Samoa, Guam, the Northern Mariana Islands, the Virgin Islands, and Puerto Rico. Category B: Universities, nonprofit research institutions, and nonprofit organizations that are acting in partnership and with the agreement of an entity described in Category A. All Category B applicants must be in the United States or the specific Territories identified above.
Recipient Cost Share: (See NOFO Sec. C.2)	A non-Federal cost-share of 50 percent or more of total project costs.
Federal Funding Amount: (See NOFO Sec. B.1)	Up to \$200,000 per agreement for a project that can be completed within 2 years.
Estimated Number of Agreements to be Awarded: (See NOFO Sec. B.1)	Approximately 20-30 projects, contingent on appropriations.

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Application Checklist

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

√	What to submit	Required content	Form or format	When to submit
	Mandatory Federal Forms: Application for Federal Financial Assistance Budget Information Assurances	See Sec. D.2.2.1	Standard Form (SF)-424, SF-424A, SF-424B, and SF-LLL forms may be obtained at: www.grants.gov/web/grants/forms/sf-424-family.html	*
	Title page	See Sec. D.2.2.2	Page 15	*
	Table of contents	See Sec. D.2.2.3	Page 15	*
	Technical proposal: Executive summary Project description Project location Evaluation criteria	See Sec. D.2.2.4 See Sec. E.1.	Page 15X Page 31	* *
	Project Budget: Funding plan Budget proposal Budget narrative	 See Sec. D.2.2.10 See Sec. D.2.2.10 See Sec. D.2.2.10	 Page 18 Page 19 Page 20	* * * *
	Environmental and cultural resources compliance	See Sec. D.2.2.7	Page 17	*
	Required permits or approvals	See Sec. D.2.2.8	Page 17	*
	Letters of Funding Commitment	See Sec. D.2.2.98	Page 18	
	Official Resolutions	See Sec. D.2.2.9	Page 23	**
	Unique Entity Identifier and System for Award Management	See Sec. D.3	Page 25	***

* Submit materials with your application.

** Document should be submitted with your application; however, please refer to the applicable section of the NOFO for extended submission date.

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

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Acronyms and Abbreviations

AOR	Authorized Organizational Representative
ARC	Application Review Committee
ASAP	Automated Standard Application for Payments
CE	Categorical Exclusion
CEC	Categorical Exclusion Checklist
CFDA	Catalog of Federal Domestic Assistance
CFR	Code of Federal Regulations
CWA	Clean Water Act
CWMP	Cooperative Watershed Management Program
Department	U.S. Department of the Interior
D&B	Dun & Bradstreet
DUNS	Data Universal Number System
EA	Environmental Assessment
EIN	Employer Identification Number
EIS	Environmental Impact Statement
E.O.	Executive Order
ESA	Endangered Species Act
FAIR	Financial Assistance Interior Regulation
FAPIS	Federal Award Performance Integrity Information System
FGDC	Federal Geospatial Data Committee
FOIA	Freedom of Information Act
FONSI	Finding of No Significant Impact
FY	fiscal year
GIS	Geographic Information System
MDT	Mountain Daylight Time
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NOAA	National Oceanic and Atmospheric Administration
NOFO	Notice of Funding Opportunity
OM&R	operations, maintenance, and replacement
OMB	Office of Management and Budget
P.L.	Public Law
Project	applied science project
Reclamation	Bureau of Reclamation
ROD	Record of Decision
SAM	System of Award Management
SECURE	Science and Engineering to Comprehensively Understand and Responsibly Enhance
UEI	Unique Entity Identifier
U.S.C.	United States Code
USACE	U.S. Army Corps of Engineers
USFWS	U.S. Fish and Wildlife Service
WaterSMART	Sustain and Manage America's Resources for Tomorrow

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Section A. Funding Opportunity Description

A.1. Authority

This Notice of Funding Opportunity (NOFO) is issued under the authority of Section 9509 and 9504(b) of the Science and Engineering to Comprehensively Understand and Responsibly Enhance (SECURE) Water Act, Subtitle F of Title IX of the Omnibus Public Land Management Act of 2009, Public Law (P.L.) 111-11 (42 United States Code [U.S.C.] 10364), as amended.

A.2. Background, Purpose, and Program Requirements

The U.S. Department of the Interior's (Department) WaterSMART (Sustain and Manage America's Resources for Tomorrow) Program provides a framework for Federal leadership and assistance to stretch and secure water supplies for future generations in support of the Department's priorities. Through WaterSMART, the Bureau of Reclamation (Reclamation) leverages Federal and non-Federal funding to support stakeholder efforts to stretch scarce water supplies and avoid conflicts over water.

The WaterSMART Applied Science Grants provide support for priorities identified in Presidential Executive Order (E.O.) 14008: *Tackling the Climate Crisis at Home and Abroad* and aligned with other priorities, such as those identified in E.O. 13985: *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*. Applied science projects (Project) also support the goals of the Interagency Drought Relief Working Group established in March 2021 and the National Drought Resiliency Partnership.

Drought conditions across the Western United States impact a wide range of communities and sectors, including agriculture, cities, Tribes, the environment, recreation, hydropower producers, and others. The West is experiencing its worst drought this century—historic in both duration and severity—threatening to kill crops, spark wildfires, and harm public health. As of December 2021, the [U.S. Drought Monitor](#) indicates that more than 97% of the land in nine of the Western states is in drought conditions, and nearly 62% of the area is experiencing extreme or exceptional drought.

Through WaterSMART Applied Science Grants, Reclamation provides cost-shared financial assistance to States, Indian Tribes, irrigation districts, water districts, or other organizations with water or power delivery authority, universities, nonprofit research institutions, and nonprofit organizations for projects to develop hydrologic information and water management tools and improve modeling and forecasting capabilities.

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Increased access to information and improved modeling and forecasting capabilities will help avoid water conflicts and improve our ability to meet a variety of water management objectives, including: support for water supply reliability, management of water deliveries, water marketing activities, drought management activities, conjunctive use of ground and surface water, water rights administration, ability to meet endangered species requirements, watershed health, conservation and efficiency, and other water management objectives.

This Notice of Funding Opportunity (NOFO) supports projects to develop hydrologic information and water management tools and improve modeling and forecasting capabilities to increase water supply reliability. For further information on the Applied Science Program see <https://www.usbr.gov/watersmart/appliedscience/index.html>.

Applied Science Grants are a component of Reclamation's WaterSMART Basin Study Program. For more information on the WaterSMART Basin Study Program, please see www.usbr.gov/watersmart/bsp/index.html.

A.3. Notice of Funding Opportunity Objective

The objective of this NOFO is to invite eligible non-Federal entities to leverage their money and resources by cost sharing with Reclamation on applied science projects to improve access to and use of hydrologic data as well as to develop and improve water management tools and improve modeling and forecasting capabilities. Results from these projects will be used by water managers to increase water supply reliability, provide flexibility in water operations, and improve water management. Project results must be readily applicable by water managers—resulting in tools and information that can be used to support: water supply reliability, water delivery management, water marketing activities, drought management activities, conjunctive use of ground and surface water, water rights administration, ability to meet endangered species requirements, watershed health, conservation and efficiency, and other water management objectives.

A.4. Other Related Funding Opportunities

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

Reclamation provides funding for water management projects through several programs under WaterSMART. Through WaterSMART Grants, Reclamation provides three funding opportunities. The **Water and Energy Efficiency Grants** focus on projects that result in quantifiable and sustained water savings and projects that increase hydropower use. The **Small-Scale Water Efficiency Projects Grants** provide funding for small-scale water management projects (up to \$75,000 in Federal funding for each project) that have been identified through previous planning efforts. Through **Water Marketing Strategy Grants**, Reclamation provides support for entities exploring actions that can be taken to develop or facilitate water marketing or water marketing activities.

Section A. Funding Opportunity Description

Through the **Drought Response Program**, Reclamation provides funding to help build resilience to drought. Through Drought Contingency Planning, Reclamation supports the development of drought contingency plans with participation from a diverse set of stakeholders. Reclamation also provides funding for **Drought Resiliency Projects** supported by an existing drought contingency plan to build long-term resilience to drought.

In addition, through the **Cooperative Watershed Management Program (CWMP)**, Reclamation provides funding to watershed groups to encourage diverse stakeholders to form local solutions to address their watershed management needs. Reclamation provides funding through Phase I of the CWMP for watershed group development, restoration planning, and watershed management project design and through Phase II for the implementation of watershed management projects.

Through the **Title XVI Water Reclamation and Reuse Program**, authorized by P.L. 102-575 in 1992, Reclamation provides financial and technical assistance to local water agencies for water reclamation and reuse research and the planning, design, and construction of water reclamation and reuse projects.

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Section B. Award Information

B.1. Total Funding

Approximately \$1.5 million is available for this NOFO, with per-project limits as described in *Section B.2. Expected Award Amount*. Reclamation will determine the final amount of funding available for award under this NOFO once final fiscal year (FY) 2022 appropriations have been made. This NOFO may be canceled if appropriations are insufficient to support new awards. Applications submitted under this NOFO may also be considered if other funding, including funding under the Bipartisan Infrastructure Law (BIL), P.L. 117-58 becomes available in FY 2022 or subsequently. Any applicants identified for BIL funding would need to meet additional requirements, including Buy American and Wage Rate Requirements (Davis-Bacon Act). Reclamation will work with selected recipients to address these requirements. See *Section F.2.8. Additional Bipartisan Infrastructure Law Requirements* for more information.

B.2. Expected Award Amount

Maximum Award: \$200,000

Minimum Award: \$0

Up to \$200,000 in Federal funds per agreement provided through this NOFO will be available for projects that generally should be completed within 2 years from the date of award. The Federal share (i.e., Reclamation's share in addition to any other sources of Federal funding), of an applied science project shall not exceed 50% of the Project cost.

B.3. Anticipated Announcement and Federal Award Date

Anticipated Award Date: 2/14/2023

Reclamation expects to contact potential award recipients and unsuccessful applicants in the early summer of 2022 (or later if necessary), subject to the timing of final FY 2022 appropriations.

Anticipated Project Completion Date: 2/14/2025

B.4. Number of Awards

Approximately 20 awards, depending on the amount requested by each applicant and the amount of funding available.

B.5. Type of Award

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

- Collaboration and participation with the recipient in managing the project and close oversight of the recipient's activities to ensure that the program objectives are being achieved (e.g., oversight to support appropriate stakeholder involvement, or collaboration with Reclamation on projects involving Reclamation facilities, operations, or data)
- Oversight may include review, input, and approval at key interim stages of the project

Note: The development and administration of an award under this NOFO is not considered substantial involvement.

At the request of the recipient, Reclamation can provide technical assistance after awarding the project. For example, Reclamation staff with expertise in hydrologic modeling, reservoir operations, or the management of hydrologic data could be contracted to assist you with implementing your project if selected for funding. If you would like to receive technical assistance from Reclamation, you must account for these costs in your proposed 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

Applicants eligible to receive an award under this NOFO include:

Category A:

- States, Indian Tribes, irrigation districts, and water districts;
- State, regional, or local authorities, which include one or more organizations with water or power delivery authority as members; and
- Other organizations with water or power delivery authority.

To be eligible, Category A applicants must also be located in one of the following United States or specific Territories: Alaska, Arizona, California, Colorado, Hawaii, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wyoming, American Samoa, Guam, the Northern Mariana Islands, the Virgin Islands, and Puerto Rico.

Category B:

Universities, nonprofit research institutions, federally funded research and development centers, and non-profit entities (including 501[c][3] organizations) that are acting in partnership with and with the agreement of an entity described in Category A. Category B applicants must include with their application a letter from the Category A partner, stating that they commit to participate in the project and agree to the submittal and content of the proposal. A letter of participation must demonstrate that the partner intends to participate in the project in some way, for example, by providing input, feedback, or other support for the project. ***Note: partners do not necessarily need to contribute cost-share funding.***

All Category B applicants must be in the United States or the specific Territories identified above.

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

- Individuals
- Commercial/industrial organizations
- Private entities
- 501(c)(4) Nonprofit organizations
- 501(c)(6) Organizations

C.2. Cost-Sharing Requirement

All cost share contributions must meet the applicable administrative and cost principles criteria established in 2 Code of Federal Regulations (CFR) §200. All CFRs are available at the Electronic Code of Federal Regulations, www.ecfr.gov.

C.2.1. Cost Share Regulations

Applicants must be capable of cost sharing **50** percent or more of the total project costs. The total project cost is defined as the total allowable costs incurred under a Federal award and all required cost share and voluntary committed cost share contributions, including third-party contributions.

C.2.2. Cost-Share Requirements

Cost share may be made through cash, costs contributed by the applicant, or third-party in-kind contributions. 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. Please see *Section D.2.2.10. Project Budget* and *Section D.2.2.11. Official Resolution* for more information regarding the documentation required to verify commitments to meet cost-sharing requirements.

C.2.3. Federal Funding

The Federal share (Reclamation's share in addition to any other sources of Federal funding) for any one proposed Project shall not exceed 50 percent of the total costs. Generally, the non-Federal share of project costs must be expended at the same or greater rate as the Federal share of project costs.

In general, other sources of Federal funding may not be counted towards the required non-Federal 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.*

C.2.4. Third-Party In-Kind Contributions

Third-party in-kind contributions are the value of non-cash contributions of property or services that benefit the federally assisted Project and are contributed by non-Federal third parties without charge. 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.3. Other

Reclamation conducts a review of the [SAM.gov Exclusions database](#) for all applicant entities and their key project personnel prior to award. Reclamation cannot award funds to entities or their key project personnel 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, as their ineligibility condition applies to this Federal program.

C.4. Eligible Projects

Reclamation will provide funding for applied science projects to develop or improve hydrologic information, water management tools, and modeling and forecasting capabilities. Results from these Projects will be used by water managers to increase water supply reliability, provide flexibility in water operations, and improve water management.

C.4.1. Eligibility Requirements

To be eligible, Projects must:

- be completed within 2 years of award
- be designed for use by water managers located in the following States or Territories: Alaska, Arizona, California, Colorado, Hawaii, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wyoming, American Samoa, Guam, the Northern Mariana Islands, the Virgin and Puerto Rico;
- be based on known and available (or “mature”) technologies and may not include the development of new or novel methods or technologies; and
- support one or more of the following water management objectives:
 - water supply reliability,
 - improved management of water deliveries,
 - water marketing activities,
 - drought management activities,
 - conjunctive use of ground and surface water,
 - water rights administration,
 - ability to meet endangered species requirements,
 - watershed health,
 - restore a natural features or use a nature-based feature to reduce water supply and demand imbalances or the risk of drought or flood,
 - conservation and efficiency, or
 - other improvements to water supply reliability.

C.4.2. Eligible Projects

Projects must support the types of water management objectives described in the bullets immediately above and may include but are not limited to:

- 1. Projects to enhance modeling capabilities to improve water supply reliability and increase flexibility in water operations.** Modeling tools can improve water supply reliability and flexibility by providing an accurate representation of the physical system and more reliable information about water availability. This information can be used by water managers to help meet constraints or requirements (e.g., endangered species, administrative, or water delivery requirements). Projects may include improvements to the spatial and temporal resolution of a model, improvements to model calibration, enhancements to make a model more interactive and agile so that it can be used to answer specific questions as they arise, or other enhancements to modeling tools. Projects could include improvements to hydrologic models, reservoir operations models, or other types of water management models.
- 2. Projects to improve or adapt forecasting tools and technologies to enhance management of water supplies and reservoir operations.** Reliable forecasts are an important water management tool that can be used to optimize operations and improve water management, manage risks, and inform water allocation strategies, or even water marketing. Projects can include developing or adapting forecasting tools to meet the needs of water managers. Projects may also include adapting existing forecasts to better meet operational needs. Applicants are encouraged to explore whether there are existing data sets and forecast products that may be leveraged. *Note: Applicants must demonstrate how the forecast or data will be used to enhance management of water supplies and reservoir operations, for example, by using the tool in connection with an operations model.*
- 3. Projects to improve access to and use of water resources data or to develop new types of data to inform water management decisions.** The availability of quality assured, quality controlled hydrologic data is critical to inform water management decisions. Eligible projects may include improvements to data acquisition, data analysis, and data delivery. Data acquisition projects may include incorporating or developing new or previously unavailable data, such as remote sensing imagery, hydrologic data acquired using unmanned aerial systems, or paleo reconstructions of naturalized flows, for example. Projects may include developing hydrologic databases or decision support tools that resource managers can use to query or analyze data to improve water management. Projects may also include improved data delivery, such as making data available to a broader audience, or improvements to make data systems compatible with existing systems (e.g., Federal or State databases).

C.5. Required Project Components

Applicants whose projects are selected for funding under this NOFO may be asked to participate in at least one Reclamation-sponsored webinar to discuss application of deliverables to management questions. In most cases, the webinar will be scheduled when the final report is ready to be submitted for Reclamation review. The presentation should inform Reclamation about project accomplishments, the final results of the identified tasks, and any lessons learned. This presentation may be open to the public as a webinar and may be recorded and made available on the WaterSMART website.

C.6. Ineligible Projects

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

- projects to research and/or develop new and novel methods or technologies;
- planning studies, such as feasibility studies, appraisal investigations, water marketing strategies, and drought contingency plans;
- projects to develop or demonstrate tools and technologies supporting water reuse, water recycling, and desalination projects (e.g., projects that are eligible under the Desalination and Water Purification Research funding opportunity);
- projects considered normal operations, maintenance, and replacement (OM&R);
- construction projects to improve water management; and
- projects funded under other Federal grants.

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Section D. Application and Submission Information

D.1. Address to Request Application Package

This document contains all information, forms, and electronic addresses required to obtain the information required to submit 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 Financial Assistance Support Section staff at bor-sha-fafoa@usbr.gov.

D.2. Content and Form of Application Submission

All applications must conform to the requirements set forth below.

D.2.1. Application Format and Length

The technical proposal and evaluation criteria section (defined below) shall be limited to a maximum of **20** consecutively numbered pages. If this section exceeds **20** pages, only the first **20** pages will be evaluated. The font shall be at least 12 points in size and easily readable. Page size shall be 8½ by 11 inches, including charts, maps, and drawings. Margins should be standard 1-inch margins. Oversized pages will not be accepted.

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

D.2.2. Application Content

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

- Mandatory Federal Forms
 - SF-424 Application for Federal Assistance
 - SF-424A Budget Information
 - SF-424B Assurances
 - Project Abstract Summary (Office of Management and Budget [OMB] Number 4040-0019)
 - SF-LLL Disclosure of Lobbying Activities (if applicable)

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

- Title page

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- Table of contents
- Technical proposal and evaluation criteria (limited to **20** pages)
 - Executive summary
 - Technical project description
 - Project location
 - Evaluation criteria
- Project budget
 - Funding plan and letters of funding commitment
 - Budget proposal
 - Budget narrative
- Environmental and cultural resources compliance (as applicable to the project)
- Required permits or approvals (if applicable to the project)
- Letters of support for the project and letters of participation (will not count towards the page limitation)
- Official resolution (will not count towards the page limitation)

It is highly recommended that application packages be structured in the order identified above.

D.2.2.1. Mandatory Federal Forms

The application must include the following standard Federal forms. Questions regarding forms should be referred to the Grants Management Point of Contact under *Section G. Agency Contacts*.

SF-424 Application for Federal Assistance

A fully completed form SF-424 Application for Federal Assistance signed by a person legally authorized to commit the applicant to performance of the Project must be submitted with the application. Failure to submit a properly signed SF-424 may result in the elimination of the application from further consideration.

SF-424 Budget Information

A fully completed SF-424A Budget Information must be submitted with the application. SF-424B Assurances

- 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 properly signed SF-424B may result in the elimination of the application from further consideration.

Project Abstract Summary

A fully completed Project Abstract Summary (OMB Form 4040-0019) must be submitted with the application. The Project Abstract Summary should 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.

SF-LLL Disclosure of Lobbying Activities

A fully completed and signed SF-LLL, Disclosure of Lobbying Activities is required if the applicant has made or agreed to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action.

Note—this form cannot be submitted by a contractor or other entity on behalf of an applicant.

D.2.2.2. Title Page

Provide a brief, informative, and descriptive title for the proposed work that indicates the nature of the project. Include the applicant's name and address and the project manager's name and address, email address, and telephone number.

D.2.2.3. Table of Contents

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

D.2.2.4. Technical Proposal and Evaluation Criteria

The technical proposal and evaluation criteria (20 pages maximum) include:

- (1) Executive summary
- (2) Technical project description
- (3) Project location
- (4) Evaluation criteria

Executive Summary

The executive summary should include:

- The date, applicant name, city, county, and state.
- A one paragraph project summary that specifies the work proposed, including how funds will be used to accomplish specific project activities and briefly identifies how the proposed project contributes to accomplishing the goals of this NOFO.

***Example:** Oklahoma State University, with the support of the Lugert-Altus Irrigation District, the Kansas-Bostwick Irrigation District No. 2, and the Frenchman Cambridge Irrigation District, will incorporate remotely sensed soil moisture data with proven statistical techniques to create seasonal forecasts for rainfall dominated regions of the Great Plains. The project will use remote-sensed soil moisture data, North American Land Data Assimilation System, and NASA's Soil Moisture Active-Passive Satellite. The seasonal forecast tools will inform surface water managers, support improved irrigation water supply management, and enhance the ability of reservoir operators to anticipate and respond to extreme events such as droughts and floods.*

- The length of time and estimated completion date for the proposed project.
- Whether or not the proposed project is located on a Federal facility.

Technical Project Description

The technical project description should describe the work, including specific activities that will be accomplished. As part of this discussion, please address the following:

- **Applicant Category:** Please indicate whether you are a Category A applicant or a Category B applicant. If you are a Category B applicant, briefly explain how you are acting in partnership with a Category A partner. (**Note:** *Category B applicants **must** include a letter from the Category A partner confirming that they are partnering with the applicant and agree to the submittal and content of the proposal. See Section C.1. Eligible Applicants.*)
- **Detailed Project Description:** Provide a more comprehensive description of the technical aspects of your project, including the work to be accomplished and the approach to complete the work. This description should provide detailed information about the project, including your methodology and approach, and any models, data, and tools you are using, and the work to be conducted to complete the project. This section provides an opportunity for the applicant to provide a clear description of the technical nature of the project and the work to be performed and to address any aspect of the project that reviewers may need additional information to understand.
- **Goals:** Discuss the preliminary goals and objectives of the Project.

Please do not include your project schedule and milestones here; that information is requested in response to the Project Implementation criterion as described in *Section E.1.3. Evaluation Criterion C*. In addition, please avoid discussion of the benefits of the project, which are also requested in response to evaluation criteria as described in *Section E.1.1 Evaluation Criterion A*. This section is solely intended to provide an understanding of the technical aspects of the project and the work to be performed. Please note, if the work for which you are requesting funding is a phase of a larger project, please only describe the work that is reflected in the budget and exclude description of other activities or components of the overall project.

Project Location

Provide specific information regarding the proposed applied science project's geographic area of focus (for example, the proposed project may focus on a particular watershed or basin, county, State, Territory, or other region. Include a map showing the geographic location of the project area in one of the following formats:

1. Shapefile (.shp)
2. KMZ/KML (.kmz or .kml) aka Google Earth File
3. PDF map (.pdf)

D.2.2.5. Data Management Practices

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.

D.2.2.6. Evaluation Criteria

See *Section E.1. Evaluation Criteria* for additional details, including a detailed description of each criterion and subcriterion and points associated with each.

The evaluation criteria portion of your application should thoroughly address each criterion and subcriterion in the order presented to assist in the complete and accurate evaluation of your proposal.

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

D.2.2.7. Environmental and Cultural Resources Compliance (as applicable to the project)

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

D.2.2.8. Required Permits or Approvals

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

Note that improvements to Federal facilities that are implemented through any project awarded funding through this 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, §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 with the requirement that the development will not impact or impair project operations or efficiency.

D.2.2.9. Overlap or Duplication of Effort Statement

Applicants must 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 is or is not in any way duplicative of 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.2.2.10. Project Budget

The project budget includes:

- (1) Funding plan and letters of funding commitment
- (2) Budget proposal
- (3) Budget narrative

Funding Plan and Letters of Funding Commitment

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

Project funding provided by a source other than the applicant shall be supported with letters of funding commitment from these additional sources. Letters of funding commitment shall identify:

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

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

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

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 contribution for the project, including:

- Any monetary contributions by the applicant towards the cost-share requirement and source of funds (e.g., reserve account, tax revenue, and/or assessments)
- Any costs that will be contributed by the applicant
- Any third-party in-kind costs (i.e., goods and services provided by a third party)
- Any cash requested or received from other non-Federal entities

Section D. Application and Submission Information

- 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

Budget Proposal

The total project cost is the sum of all allowable items of costs, including all required cost sharing and voluntary committed cost sharing, including third-party contributions, that are necessary to complete the project. Please include the following chart (Table 1) to summarize all funding sources. Denote in-kind contributions with an asterisk (*).

Table 1.—Summary of Non-Federal and Federal Funding Sources

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

The budget proposal should include detailed information on the categories listed below and must clearly identify *all* cost items, *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	\$

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 CFR §200.317 through §200.326 before developing their budget proposal. If you have any questions regarding your budget proposal or eligible costs, please contact the grants management specialist identified in *Section G. Agency Contacts*.

It is also strongly advised that applicants use the budget proposal format shown in Table 2 or a similar format that provides this information. It is also strongly advised that applicants use the budget proposal format shown in Table 3 or a similar format that provides this information. If selected for award, successful applicants must submit detailed supporting documentation for all budgeted costs.

Table 3.—Sample Budget Proposal Format

BUDGET ITEM DESCRIPTION	COMPUTATION		Quantity Type	TOTAL COST
	\$/Unit	Quantity		
Salaries and Wages				
Employee 1				\$
Employee 2				\$
Employee 3				\$
Fringe Benefits				
Full-Time Employees				\$
Part-Time Employees				\$
Equipment				
Item A				\$
Item B				\$
Item C				\$
Supplies and Materials				
Item A				\$
Item B				\$
Contractual/Construction				
Contractor A				\$
Contractor B				
Third-Party In-Kind Contributions				
Contributor A				\$
Contributor B				\$
Other				
Other				\$
TOTAL DIRECT COSTS				\$
Indirect Costs				
Type of rate	percentage	\$base		\$
TOTAL ESTIMATED PROJECT COSTS				\$

Budget Narrative

Submission of a budget narrative is mandatory. An award will not be made to any applicant who fails to fully disclose this information. The budget narrative provides a discussion of, or explanation for, items included in the budget proposal. The types of information to describe in the narrative include, but are not limited to, those listed in the following subsections. Costs, including the valuation of third-party in-kind contributions, must comply with the applicable cost principles contained in 2 CFR §200.

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Salaries and Wages

Indicate the project manager and other key personnel by name and title. The project manager must be an applicant's employee or board member. Other personnel should be indicated by title alone. For all positions, indicate salaries and wages, estimated hours or percent of time, and rate of compensation. The labor rates must identify the direct labor rate separate from the fringe rate or fringe cost for each position. All labor estimates must be allocated to specific tasks as outlined in the applicant's technical project description. Labor rates and proposed hours shall be displayed for each task.

The budget proposal and narrative should include estimated hours for compliance with reporting requirements, including the final financial and performance reports. Please see *Section F.3. Reporting Requirements and Distribution* information on types and frequency of reports required.

Generally, salaries of administrative and/or clerical personnel will be included as a portion of the stated indirect costs. If these salaries can be adequately documented as direct costs, they should be included in this section; however, a justification should be included in the budget narrative.

Fringe Benefits

Identify the rates/amounts, what costs are included in this category, and the basis of the rate computations. Federally approved rate agreements are acceptable for compliance with this item.

Travel

Identify the purpose of each anticipated trip, destination, number of persons traveling, length of stay, and all travel costs including airfare (basis for rate used), per diem, lodging, and miscellaneous travel expenses. For local travel, include mileage and rate of compensation. *Note: travel costs incurred by contractors should not be included in this section but can be included in the contract cost estimate.*

Equipment

If equipment will be purchased, itemize all equipment valued at or greater than \$5,000. For each item, identify why it is needed for the completion of the project and how the equipment was priced. *Note: if the value is less than \$5,000, the item should be included under materials and supplies.*

If equipment is being rented, specify the number of hours and the hourly rate. Local rental rates are only accepted for equipment actually being rented or leased. If the applicant intends to use their own equipment for the purposes of the project, the proposed usage rates should fall within the equipment usage rates outlined by the United States Army Corps of Engineers (USACE) within their Construction Equipment Ownership and Operating Expense Schedule (EP 1110-1-8) at <https://www.usace.army.mil/Cost-Engineering/EP1110-1-8/>. *Note: If the equipment will be furnished and installed under a construction contract, the equipment should be included in the construction contract cost estimate.*

Materials and Supplies

Itemize supplies by major category, unit price, quantity, and purpose, such as whether the items are needed for office use, research, or construction. Identify how these costs were estimated (e.g., quotes, past experience, engineering estimates, or other methodology). *Note: If the materials/supplies will be furnished and installed under a contract, the equipment should be identified as a contractual cost in the budget proposal.*

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Contractual

Identify all work that will be accomplished by subrecipients, consultants, or contractors, including a breakdown of all tasks to be completed, and a detailed budget estimate of time, rates, supplies, and materials that will be required for each task. For each proposed contract, identify the procurement method that will be used to select the consultant or contractor and the basis for selection. Please note that all contracts with an anticipated value of \$10,000 or more must use a competitive procurement method. Only contracts for architectural/engineering services can be awarded using a qualifications-based procurement method. If a qualifications-based procurement method is used, profit must be negotiated as a separate element of the contract price. See 2 CFR §200.317 through §200.327 for additional information regarding procurements, including required contract content.

Third-Party In-Kind Contributions

Identify all work that will be accomplished by third-party contributors, including a breakdown of all tasks to be completed, and a detailed budget estimate of time, rates, supplies, and materials that will be required for each task. Third-party in-kind contributions, including contracts, must comply with all applicable administrative and cost principles criteria, established in 2 CFR §200 and all other requirements of this NOFO.

Environmental and Regulatory Compliance Costs (as applicable to the project)

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

Depending on the potential impacts of the project, Reclamation may be able to complete its compliance activities without additional cost to the recipient. Where environmental or cultural resources compliance requires significant participation by Reclamation, costs incurred by Reclamation will be added as a line item to the budget during development of the financial assistance agreement and cost shared accordingly (i.e., withheld from the Federal award amount). Any costs to the recipient associated with compliance will be identified during the process of developing a final project budget for inclusion in the financial assistance agreement.

Other Expenses

Any other expenses not included in the above categories shall be listed in this category, along with a description of the item and why it is necessary. No profit or fee will be allowed.

Indirect Costs

Indirect costs that will be incurred during the development or construction of a Project, which will not otherwise be recovered, may be included as part of the applicant’s Project budget. Show the proposed rate, cost base, and proposed amount for allowable indirect costs based on the applicable cost principles for the recipient’s organization. It is not acceptable to simply incorporate indirect rates within other direct cost line items.

If the applicant has never received a Federal negotiated indirect cost rate, the budget may include a *de minimis* rate of up to 10 percent of modified total direct costs. For further information on modified total direct costs, refer to 2 CFR§200.68.

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If the applicant does not have a federally approved indirect cost rate agreement and is proposing a rate greater than the *de minimis* 10 percent rate, include the computational basis for the indirect expense pool and corresponding allocation base for each rate. Information on “Preparing and Submitting Indirect Cost Proposals” is available from the Department’s Interior Business Center, Office of Indirect Cost Services, at www.doi.gov/ibc/services/finance/indirect-cost-services. If the proposed project is selected for award, the recipient will be required to submit an indirect cost rate proposal with their cognizant agency within 3 months of award.

Total Costs

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

D.2.2.11. Letters of Support and Letters of Participation

Please include letters from interested stakeholders supporting the proposed project. Letters of support should explain the need for the tool and how stakeholders will benefit from the applied science 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 proposed project.

Category B Applicants, including universities, non-profit research institutes, and federally sponsored research institutes, are **required** to include one letter of participation by a partner that meets the eligibility requirements for Category A applicants, as explained in *Section C1. Eligible Applicants*. The letter of participation must demonstrate that the partner intends to participate in the project in some way, for example, by providing input, feedback, or other support (this does not necessarily need to include the contribution of cost-share funding by the partner). To ensure your proposal is accurately reviewed, please attach the letter of participation (if applicable) as an appendix to the application.

Note: applications submitted by Category B applications that do not include a letter of participation will not be reviewed.

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, 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, and
- 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 30 days after the application deadline.

D.2.2.13. Conflict of Interest Disclosure

Per the [Financial Assistance Interior Regulation \(FAIR\), 2 CFR §1402.112](#), applicants must state in their application if any actual or potential conflict of interest exists at the time of submission.

(a) Applicability.

(1) 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.

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

(b) Notification.

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

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

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

(d) 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.

(e) Enforcement. Failure to resolve conflicts of interest in a manner that satisfies the government may be cause for termination of the award. Failure to make required disclosures may result in any of the remedies described in 2 CFR §200.338, Remedies for noncompliance, including suspension or debarment (see also 2 CFR §180).

D.2.2.14. 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 the applicant'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 governments, 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.2.2.15. Certification Regarding Lobbying

Applicants requesting more than \$100,000 in Federal funding must certify to the statements in [43 CFR Part 18, Appendix A-Certification Regarding Lobbying](#). If this application requests more than \$100,000 in Federal funds, the Authorized Official's signature on the appropriate SF-424, Application for Federal Assistance form also represents the entity's certification of the statements in 43 CFR Part 18, Appendix A.

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

D.3.1. Identifier and System for Award Management Registration in SAM.gov

Identifier and System for Award Management (SAM.gov) Registration: This requirement does not apply to individuals applying for funds as an individual (i.e., unrelated to any business or nonprofit organization that you may own, operate, or work within), or any entity with an exception to bypass SAM.gov registration with prior approval from the funding bureau or office in accordance with bureau or office policy. All other applicants are required to register in SAM.gov prior to submitting a Federal award application and obtain a [Unique Entity Identifier](#) (UEI) which will replace Data Universal Numbering System (DUNS) number from Dun & Bradstreet (D&B) in April 2022.

A Federal award may not be made to an applicant that has not completed the SAM.gov registration. If an applicant selected for funding has not completed their SAM.gov registration by the time the program is ready to make an award, the program may determine the applicant is not qualified to receive an award. Applicants registering in SAM.gov prior to April 2022 may still be required to obtain a DUNS number prior to completing the registration process within SAM.gov. Federal award recipients must also continue to maintain an active SAM.gov registration with current information through the life of their Federal award(s). See the "Submission Requirements" section of this document below for more information on SAM.gov registration. **There is no cost to register with Dun & Bradstreet or SAM.gov.** There are third-party vendors who will charge a fee in exchange for registering entities with Dun & Bradstreet and SAM.gov; **please be aware you can register and request help for free.**

D.3.2. Obtain a DUNS and UEI Number

In April 2022, the Federal Government will stop requiring DUNS numbers. At that point, entities doing business with the government will use the UEI created in SAM.gov in place of a DUNS number. A UEI will be assigned to entities upon registering with SAM.

If an entity is applying for federal financial assistance prior to April 2022, a DUNS number may still be required as part of the SAM registration process. A DUNS Number can be requested through the Dun & Bradstreet website. The official website address is <https://fedgov.dnb.com/webform/>. For technical difficulties, go to www.dnb.com/govtduns. Please ensure that you are able to receive emails from SAMHelp@dnb.com. The Grants.gov "Obtain a DUNS Number" webpage also provides detailed instructions. Once assigned a DUNS number, your organization must maintain up-to-date information with Dun & Bradstreet. Applicants must enter their DUNS number in the "Organizational DUNS" field on the SF-424, Application for Federal Assistance form (version 3).

D.3.3. Register with the System for Award Management

Register on the [SAM.gov](https://sam.gov) website. “Help” tab on the website contains User Guides and other information to assist you with registration. The [Grants.gov Register with SAM page](https://www.grants.gov/register-with-sam) 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.

Reclamation will not make a Federal award to an applicant until the applicant has complied with all applicable unique entity identifier and SAM requirements and, if an applicant has not fully complied with the requirements by the time the Reclamation is ready to make an award, Reclamation may determine that the applicant is not qualified to receive a Federal award and use that determination as a basis for making a Federal award to another applicant.

D.4. Submission Date and Time

Due Date for Applications: Wednesday, April 14, 2022, at 4:00 p.m. Mountain Daylight Time (MDT)

Application Due Date Explanation. Applications must be submitted (not postmarked by) no later than: April 14, 2022, 4:00 p.m. Mountain Daylight Time (MDT). Electronic and Physical Proposals received after the application deadline will not be considered unless it can be determined that the delay was caused by Reclamation mishandling or technical issues with the [Grants.gov](https://www.grants.gov) application system. Please note that difficulties related to an applicant’s Grants.gov profile (e.g., incorrect organizational representative), uploading documents to Grants.gov, or an applicant’s SAM registration are not considered technical issues with the Grants.gov system.

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. Following awards of funding, Reclamation will post all successful applications on the Reclamation website, www.usbr.gov/watersmart, after conducting any redactions determined necessary by Reclamation, in consultation with the recipient.

D.4.1. Application Delivery Instructions

The applications may be submitted electronically through Grants.gov (www.grants.gov) or a hard copy may be submitted to either one of the following addresses. We strongly encourage you to use grants.gov to submit your proposal if possible. Under no circumstances will applications received through any method other than those identified here (such as email or fax) be considered eligible for award.

By mail or United States Postal Service overnight services:

Bureau of Reclamation
Financial Assistance Operations Section
Attn: NOFO Team

Section D. Application and Submission Information

P.O. Box 25007, MS 84-27133
Denver, CO 80225

All other express delivery:

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

By courier services:

Bureau of Reclamation
Attn: NOFO Team
Denver Federal Center
Bldg. 67, Rm. 152
6th Avenue and Kipling Street
Denver, CO 80225

D.4.2. Instructions for Submission of Project Application

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

D.4.2.1. Application Delivery Instructions

Please follow these instructions to submit your application by mail, express delivery, or courier services.

- Applicants should submit one copy of all application documents for hardcopy submissions. Only use a binder clip for documents submitted. Do not staple or otherwise bind application documents.
- Hard copy applications may be submitted by mail, express delivery, or courier services to the addresses identified in this NOFO.
- Materials arriving separately will not be included in the application package and may result in the application being rejected or not funded (e.g., letters of support and letters of participation for Category B applicants must be included with the applications). This does not apply to funding commitment letters or official resolutions.
- Faxed and emailed copies of application documents will not be accepted.
- Do not include a cover letter or company literature/brochure with the application. All pertinent information must be included in the application package.

D.4.2.2. Instructions for Submission of Project Application

If the applicant chooses to submit an electronic application, it must be submitted through Grants.gov. Reclamation encourages applicants to submit their applications for funding electronically through the URL: www.grants.gov/applicants/apply-for-grants.html. Applicant resource documents and a full set of instructions for registering with Grants.gov and completing and submitting applications online are available at: www.grants.gov/applicants/apply-for-grants.html.

- Please note that submission of an application electronically requires prior registration through Grants.gov, which may take 7 to 21 days. Please see registration instructions at <http://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 (AOR).*
- Applicants have experienced significant delays when attempting to submit applications through Grants.gov. If you plan to submit your application through Grants.gov, you are encouraged to submit your application several days prior to the application deadline. **If you are a properly registered Grants.gov applicant and encounter problems with the Grants.gov application submission process, you must contact the [Grants.gov Help Desk](#) to obtain a case number. This case number will provide evidence of your attempt to submit an application prior to the submission deadline.**

Regardless of the delivery method used, you must ensure that your proposal arrives by the date and time deadline stated in this NOFO. Applications received after this date and time due to weather or express delivery/courier performance will not be considered for award. Late applications will not be considered unless it is determined that the delay was caused by Reclamation mishandling or 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.4.2.3. Acknowledgement of Application Receipt

If an application is submitted by mail, express delivery, or courier, Reclamation will notify you via email that your application was received.

If an application is submitted through Grants.gov, you will receive an email acknowledging receipt of the application from Grants.gov. In addition, Reclamation will notify you via email that your application was successfully downloaded from Grants.gov.

Notification will be sent to the points of contact identified on the applicant's SF-424 Application for Federal Assistance.

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. Pre-Award Costs

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 §200 and all other requirements of this NOFO. **In no case will costs incurred prior to July 1, 2022, 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, as well as costs to prepare and publish academic journal articles 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.6.2. Indirect Costs

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 OMB. If the Department of the Interior is your organization’s cognizant agency, the Interior Business Center (IBC) will negotiate your indirect cost rate. Contact the IBC by phone 916-930-3803 or email at ICS@ibc.doi.gov. Visit their website <https://ibc.doi.gov/ICS/icrna>, for information regarding email submission forms.

Organizations must have an active Federal award before they can submit an indirect cost rate proposal to their cognizant agency. Failure to establish an approved rate during the award period renders all costs otherwise allocable as indirect costs unallowable under the award. Recipients may not shift unallowable indirect costs to another Federal award unless specifically authorized to do so by legislation.

D.7. 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 prior to award. All recipients with active financial assistance agreements with Reclamation must be enrolled in ASAP under the appropriate Agency Location Code(s) and the DUNS Number prior to the award of funds. Recipients with multiple DUNS Numbers must separately enroll within ASAP for each unique DUNS Number and/or Agency. All of the information on the enrollment process for recipients, including the enrollment initiation form, will be sent to you by ASAP staff if selected for award.

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

Section E. Application Review Information

E.1. Evaluation Criteria

The evaluation criteria portion of your application should be addressed in the technical proposal section. Applications should thoroughly address each criterion and any sub-criterion in the order presented below to assist in complete and accurate evaluation of your proposal.

Applications will be evaluated against the evaluation criteria listed in Table 4 and described in the subsections. 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. *Note: Projects may be prioritized to ensure balance among project types and to ensure that the projects funded address the NOFO goals.*

Table 4. Evaluation Criteria

Evaluation Criteria: Scoring Summary	Points:
A. Project Benefits	40
B. Need for Project and Applicability of Project Results	20
C. Project Implementation	20
D. Dissemination of Results	10
E. Presidential and Department of the Interior Priorities	10
Total	100

The following evaluation criteria will be used by the Application Review Committee (ARC) to rank proposals submitted under this NOFO. ***It is suggested that applicants copy and paste the evaluation criteria and sub-criteria immediately below into their applications to ensure that all necessary information is adequately addressed.***

Note: Projects may be prioritized to ensure balance among the program task areas and to ensure that the projects address the goals and objectives of this NOFO.

E.1.1. Evaluation Criterion A—Benefits to Water Supply Reliability (40 points)

Up to **40 points** may be awarded based on the ***benefits*** that are expected to result from implementing the proposed project. This criterion considers a variety of benefits, including how the project will support better management of water deliveries, water marketing and drought management activities, and improved ability to meet water administration or endangered species requirements, among other water management objectives. **Please respond and provide support for your responses to each of the following sub-criteria.**

Describe how your project will benefit water supply reliability:

1. Describe in detail the ***water management issue(s)*** that are occurring within your project area that your project will address. Describe the severity of the water management issues to be addressed with supporting details. For example, will your project address water supply shortfalls or uncertainties, the need to meet competing demands for water, complications arising from drought, conflicts over water, or other water management issues?
2. Explain ***how*** your project will address the water management issues identified in your response to the preceding bullets and provide support for your response. For example, will your project improve water management by supporting:
 - a. water supply reliability,
 - b. management of water deliveries,
 - c. water marketing activities,
 - d. drought management activities,
 - e. conjunctive use of ground and surface water,
 - f. water rights administration,
 - g. ability to meet endangered species requirements,
 - h. watershed health,
 - i. restore a natural features or use a nature-based feature to reduce water supply and demand imbalances or the risk of drought or flood,
 - j. conservation and efficiency, or
 - k. other improvements to water supply reliability?

In your response, be sure to explain ***how*** your project will improve any of the above.

3. Describe ***to what extent*** your project will improve water management. Describe the significance or magnitude of the benefits of your project, either quantitatively or qualitatively, in improving water management, with supported details.
4. Explain how your project ***complements*** other similar efforts in the area where the project is located. Will your project complement or add value to other, similar efforts in the area, rather than duplicate or complicate those efforts? Are there other similar efforts in the area that have used a similar methodology successfully which can be complimented? Applicants should make a reasonable effort to explore and briefly describe related ongoing projects. Consider efforts by any Federal, State, local agency, or non-governmental organizations.

E.1.2. Evaluation Criterion B—Need for Project and Applicability of Project Results (20 points)

Up to **20 points** may be awarded based on the extent to which the project will result in readily useful applied science tools or information that meet an existing need and are highly likely to be used by water resource managers in the West. Applicants that demonstrate a clear need for the project, have committed partners, and can explain how the project results will be applied will receive the most points under this criterion.

Please respond and provide support for your responses to each of the following sub-criteria.

Explain how your project will result in readily useful applied science tools that meet an existing need:

Will the project result in an applied science tool(s) or information that is readily applicable, and highly likely to be used by water resource managers in the West?

- Explain **who** has expressed the **need** and describe **how** and **where the need** for the project was identified (even if the applicant is the primary beneficiary of the project). For example, was the need identified as part of a prior water resources planning effort, determined through the course of normal operations, or raised by stakeholders? Provide support for your response (e.g., identify the entities that have expressed a need or cite planning or other documents expressing a need for the project).
- Who will be involved in the project as project partners? What will each partner or stakeholder's role in the project be? How will project partners and stakeholder be engaged in the project and at what stages? If you are a Category B applicant, be sure to explain how your Category A partners will be engaged in the project.
- Will the results of your project inform water resource management actions and decisions *immediately* upon completion of the project, or will additional work be required?
- If applicable, will the results of your project be *transferrable* to other users and locations? Note: not all water management solutions are transferrable.

E.1.3. Evaluation Criterion C—Project Implementation (20 points)

Up to **20 points** may be awarded based upon the extent to which the applicant is capable of proceeding with the project upon entering into a financial assistance agreement. Applicants that describe a detailed work plan (e.g., estimated schedule that shows the stages and duration of the proposed work and identifies major tasks, milestones, and dates) and a budget that is appropriate for the work proposed and has a reasonable level of detail will receive the most points under this criterion. Your responses to the following sub-criteria should reflect an understanding of the tasks required to complete the project within the required 2-year timeframe. **Please respond and provide support for your responses to each of the following sub-criteria.**

Describe your project implementation plan:

1. Briefly describe and provide support for the approach and methodology that will be used to meet the objectives of the project. You do not need to repeat the full technical project description included in *Section D.2.2.4* under the Technical Project Description. However, you should provide support for your chosen methodology, including use of any specific models, data, or tools.
2. Describe the work plan for implementing the proposed scope of work. Such plans may include, but are not limited to:
 - a. an estimated project schedule that shows the stages and duration of the proposed work,
 - b. milestones for each major task,

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- c. start and end dates for each task and milestones, and
 - d. costs for each task
3. Provide a summary description of the *products* that are anticipated to result from the project. These may include data, metadata, digital or electronic products, reports, and publications.
Note: using a table to list anticipated products is suggested.
4. Identify staff with appropriate credentials and experience and describe their qualifications. Describe the process and criteria that will be used to select appropriate staff members for any positions that have not yet been filled. Describe any plans to request additional technical assistance from Reclamation or via a contract. Please answer the following:
 - a. Have the project team members accomplished projects similar in scope to the proposed project in the past either as a lead or team member?
 - b. Is the project team capable of proceeding with tasks within the proposed project immediately upon entering into a financial assistance agreement? If not, please explain the reason for any anticipated delay.

E.1.4. Evaluation Criterion D—Dissemination of Results (10 Points)

Up to **10** points may be awarded for proposals that can articulate how the results will be disseminated, transferred, and communicated directly with partners and resource managers within the Western United States. **Please respond and provide support for your responses to each of the following sub-criteria.** *Note: All applicants whose projects are selected for funding will be expected to participate in at least one Reclamation-sponsored webinar to disseminate deliverable(s) and discuss ways to apply deliverables to management questions. Under this criterion, proposals will be evaluated based on other efforts, beyond the required webinar, that they will take to disseminate the results of their project.*

Explain how project results will be disseminated, including:

Describe how the tools, frameworks, or analyses developed under the proposed scope of work will be disseminated, communicated, or made available to water resources managers who may be interested in the results.

- If the applicant is the primary beneficiary of the project, explain how the project results will be communicated internally, and to interested stakeholders and interested water resources managers in the area, if appropriate.
- If the applicant is not the primary beneficiary of the project (e.g., universities or research institutes), describe how project results will be communicated to project partners and interested water resources managers in the area.
- Describe how the project results will be shared with other water managers in the West that could use the information to support water management objectives.

E.1.5. Evaluation Criterion E—Presidential and Department of the Interior Priorities (10 points)

Up to **10 points** may be awarded based on the extent that the project demonstrates support for the Biden-Harris Administration’s priorities, including E.O. 14008 “Tackling the Climate Crisis at Home and Abroad”, E.O. 13985 “Advancing Racial Equity and Support for Underserved Communities Through the Federal Government”, and the President’s memorandum, *Tribal Consultation and Strengthening Nation-to-Nation Relationships*. Points will be allocated based on the degree to which the project supports the priorities listed, and whether the connection to the priority(ies) is well supported in the application. **Without repeating benefits already described in previous criteria, describe in detail how the proposed project supports a priority(ies) below.**

E.1.5.1. Sub-criterion No. E1. Climate Change

Points will be awarded based on the extent the project will reduce climate pollution; increase resilience to the impacts of climate change; protect public health; and conserve our lands, waters, oceans, and biodiversity. Address the following as relevant to your Project:

Combating the Climate Crisis: E.O. 14008 “Tackling the Climate Crisis at Home and Abroad”, focuses on increasing resilience to climate change and supporting climate- resilient development. For additional information on the impacts of climate change throughout the western United States, see: <https://www.usbr.gov/climate/secure/docs/2021secure/2021SECUREReport.pdf>. Please describe how the project will address climate change, including the following:

1. Please provide specific details and examples on how the project will address the impacts of climate change and help combat the climate crisis.
2. Does this proposed project strengthen water supply sustainability to increase resilience to climate change?
3. Does the proposed project contribute to climate change resiliency in other ways not described above?

E.1.5.2. Sub-criterion No. E2. Disadvantaged or Underserved Communities

E.O. 14008: *Tackling the Climate Crisis at Home and Abroad* directs Federal agencies to assess potential benefits to disadvantaged communities as part of funding allocation processes.

E.O. 13985: *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government* also includes consideration of investment in underserved communities, consistent with other program requirements.

E.O. 13985 defines an underserved community to include populations sharing a particular characteristic, as well as geographic communities, that have been systematically denied a full opportunity to participate in aspects of economic, social, and civic life, and provides examples of such communities. See each Executive Order for additional information.

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Points will be awarded based on the extent to which your Project serves economically disadvantaged or underserved communities in rural or urban areas.

1. Please describe in detail how the community is disadvantaged or underserved based on a combination of variables that may include the following:
 - Low income, high and/or persistent poverty
 - High unemployment and underemployment
 - Racial and ethnic residential segregation, particularly where the segregation stems from discrimination by government entities
 - Linguistic isolation
 - High housing cost burden and substandard housing
 - Distressed neighborhoods
 - High transportation cost burden and/or low transportation access
 - Disproportionate environmental stressor burden and high cumulative impacts
 - Limited water and sanitation access and affordability
 - Disproportionate impacts from climate change
 - High energy cost burden and low energy access
 - Jobs lost through energy transition
 - Access to healthcare
2. Please describe how and the extent to which the proposed project will serve or benefit a disadvantaged or historically underserved community. Please focus on any project benefits described in response to other sections of these evaluation criteria.

E.1.5.3. Sub-criterion No. E.3. Tribal Benefits

Points will be awarded based on the extent to which the Project will honor the Federal government's commitments to Tribal Nations.

Does the proposed project directly serve and/or benefit a Tribe? Will the project improve water management for an Indian Tribe?

Does the proposed project support Tribal resilience to climate change and drought impacts or provide other Tribal benefits such as improved public health and safety by addressing water quality, new water supplies, or economic growth opportunities?

E.2. Review and Selection Process

The Federal government reserves the right to reject any and all applications that do not meet the requirements or objectives of this NOFO. Awards will be made for projects most advantageous to the Federal Government. 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:

1. The applicant meets the eligibility requirements stated in this NOFO.
2. The applicant meets the UEI and SAM registration requirements stated in this NOFO (this may be completed up to 30 days after the application deadline).
3. The application meets the content requirements of the NOFO package, including submission of a technical proposal, including responses to the evaluation criteria, a funding plan, budget proposal, and budget narrative.
4. The application contains a properly executed SF-424, Application for Financial Assistance, form SF-424B, Assurances Non-Construction Programs, and a completed SF-424A, Budget Information Construction Programs.
5. The application includes an official resolution, adopted by the applicant's board of directors, governing body, or appropriate authorized official (this may be submitted up to 30 days after the application deadline).
6. The application and funding plan meets or exceeds the minimum non-Federal cost-share requirements identified in this NOFO.

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

E.2.2. Application Review Committee

Evaluation criteria will comprise the total evaluation weight as stated in the *Section E.1. Evaluation Criteria*. Application Review Information. Applications will be scored against the evaluation criteria by an Application Review Committee (ARC) made up of experts in relevant disciplines selected from across Reclamation. The ARC will also review the application to ensure that the project meets the description of eligible projects and meets the objective of this NOFO.

Prior to and during the 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

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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 completing the Managerial Review, Reclamation will notify applicants whose proposals have been selected for award consideration.

E.2.5. Pre-Award Clearances and Approvals

The following pre-award clearances and approvals must be obtained before an award of funding is made. If the results of all pre-award reviews and clearances are satisfactory, an award of funding will be made once the agreement is finalized (approximately 1 to 3 months from the date of initial selection). If the results of pre-award reviews and clearances are unsatisfactory, consideration of funding for the project may be withdrawn.

E.2.5.1. Cultural and Environmental Review

Reclamation will forward all proposals that include ground-disturbing activities 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, planning and design does not involve ground-disturbing activities and may proceed prior to completion of the environmental and cultural review. The financial assistance agreement will describe how compliance will be carried out and how the costs will be paid. Ground disturbing activities may not occur until this second level of environmental analysis is completed.

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.

However, in most cases, the award will be made contingent on completion of environmental compliance. The financial assistance agreement will describe how compliance will be carried out and how the costs will be paid. Ground-disturbing activities may not occur until this second level of environmental analysis is completed and a notice to proceed is issued.

Even in cases where environmental compliance work has been completed previously or is being completed by another Federal agency, Reclamation must still review and adopt such environmental compliance and issue a notice to proceed before ground-disturbing activities may be initiated.

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 OMB circular.

E.3. Federal Award Performance Integrity Information 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 themselves that a Federal awarding agency previously entered and that is currently in the designated integrity and performance system accessible through SAM. Reclamation will consider any comments by the applicant, in addition to the other information in FAPIIS, in making a judgment about the applicant's integrity, business ethics, and record of performance under Federal awards when completing the review of risk posed by applicants as described in 2 CFR §200.205 Federal awarding agency review of risk posed by applicants.

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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. Environmental and Cultural Resources Compliance

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

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

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

Under no circumstances may an applicant begin any ground-disturbing activities (e.g., grading, clearing, and other preliminary activities) on a project before environmental and cultural resources compliance is complete and a Reclamation Grants Officer 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.2.2. Approvals and Permits

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

F.2.3. 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. Interior requires fully compliant metadata on all Geographic Information Systems files developed for financial assistance projects. If a funded financial assistance project involves acquiring or collecting geospatial data, the recipient is required to search [GeoPlatform.gov](https://www.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 GIS platforms.

F.2.4. Intangible Property (2 CFR §200.315)

Title to intangible property acquired under a Federal award vests upon acquisition in the non-Federal entity (see §200.59 *Intangible Property* [of this CFR]). The non-Federal entity must use that property for the originally authorized purpose and must not encumber the property without approval of the Federal awarding agency. When no longer needed for the originally authorized purpose, disposition of the intangible property must occur in accordance with the provisions in §200.313(e) *Equipment* (of this CFR).

The non-Federal entity may copyright any work that is subject to copyright and was developed, or for which ownership was acquired, under a Federal award. The Federal awarding agency reserves a royalty-free, nonexclusive, and irrevocable right to reproduce, publish, or otherwise use the work for Federal purposes, and to authorize others to do so.

The non-Federal entity is subject to applicable regulations governing patents and inventions, including government wide regulations issued by the Department of Commerce at 37 CFR §401, *Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Awards, Contracts and Cooperative Agreements*.

The Federal government has the right to:

- obtain, reproduce, publish, or otherwise use the data produced under a Federal award and
- authorize others to receive, reproduce, publish, or otherwise use such data for Federal purposes.

F.2.5. Data Availability

Per the Financial Assistance Interior Regulation (FAIR), 2 CFR §1402.315:

- a. 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.
- b. 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.2.6. Freedom of Information Act

In response to a FOIA request for research data relating to published research findings produced under a Federal award that were used by the Federal government in developing an agency action that has the force and effect of law, the Federal awarding agency must request, and the non-Federal entity must provide, within a reasonable time, the research data so that the data 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 USC §552[a][4][A]).

Published research findings means 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.

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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.2.7. 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.2.8. Additional Bipartisan Infrastructure Law Requirements

Wage Rate Requirements (Davis-Bacon Act)—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).

Application of Buy America Preference—Section 70914 of the Bipartisan Infrastructure Law requires that, unless a waiver is approved, funding made available for Federal financial assistance programs for infrastructure under the Law may only be obligated to projects where all of the iron, steel, and manufactured goods used in the project are produced in the United States.

F.3. Reporting Requirements and Distribution

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

F.3.1. Financial Reports

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

F.3.2. Interim Performance Reports

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

Interim performance reports submitted on at least a 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

F.3.3. Final Performance Report

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

- Whether the project objectives and goals were met
- Discussion of the benefits achieved by the project, including information and/or calculations supporting the benefits
- How the project demonstrates collaboration, if applicable
- Photographs documenting the project are also appreciated

Note: Reclamation may print photos with appropriate credit to the applicant. Also, final reports are public documents and may be made available on Reclamation's website or as requested.

F.4. Disclosures

F.4.1. Conflict of Interest

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. Recipients may not have a former Federal

employee as a key project official, or in any other substantial role related to their award, whose participation put them out of compliance with the legal authorities addressing post-Government employment restrictions. See [U.S. Office of Government Ethics website](#) for more information on these restrictions. Reclamation will examine each conflict of interest disclosure based on its particular facts and the nature of the project and will determine if a significant potential conflict exists. If it does, Reclamation will work with the recipient to determine an appropriate resolution. Failure to disclose and resolve conflicts of interest in a manner that satisfies Reclamation may result in any of the remedies described in 2 CFR §200.338 *Remedies for noncompliance*, including termination of the award.

F.4.2. Review Procedures

Reclamation will examine each conflict of interest disclosure based on its particular facts and the nature of the project and will determine if a significant potential conflict exists. If it does, Reclamation will work with the recipient to determine an appropriate resolution. Failure to disclose and resolve conflicts of interest in a manner that satisfies Reclamation may result in any of the remedies described in 2 CFR §200.338 *Remedies for noncompliance*, including termination of the award.

F.4.3. 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. Releasing Applications

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

Section G. Agency Contacts

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

G.1. Financial Assistance Contact

Questions regarding application and submission information and award administration may be submitted to bor-sha-fafoa@usbr.gov.

G.2. Reclamation Program Coordinator Contact

Questions regarding applicant and project eligibility and application review may be submitted to the attention of Ms. Avra Morgan, Program Analyst, as follows:

By mail: Bureau of Reclamation
Water Resources and Planning Division
Attn: Ms. Avra Morgan
P.O. Box 25007, 86-63000
Denver, CO 80225

By email: aomorgan@usbr.gov

By phone: 303-445-2906

G.3. Application System Technical Support

For Grants.gov technical registration and submission, downloading forms and application packages, contact:

Name: Grants.gov Customer Support

Telephone: 1-800-518-4726

Email: Support@grants.gov

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Section H. Other Information

The following is a brief overview of NEPA, NHPA, and ESA. This information is only relevant to proposals that include measurement, monitoring, and field work. While these statutes are not the only environmental laws that may apply, they are the Federal laws that most frequently do apply. Compliance with all applicable environmental laws will be initiated by Reclamation concurrently, immediately following the initial recommendation to award a financial assistance agreement under this NOFO. The descriptions below are intended to provide you with information about the environmental compliance issues that may apply to your projects 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.2. Background on Federal Environmental and Cultural Resource Laws

H.2.1. National Environmental Policy Act

NEPA requires Federal agencies such as Reclamation to evaluate, during the decision-making process, the potential environmental effects of a proposed action and any reasonable mitigation measures. Before Reclamation can make a decision to fund an award under this 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 (e.g., 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 (e.g., 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 (ROD)**. 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 compliance is required. If another Federal agency is involved, Reclamation will coordinate to determine the appropriate level of compliance. You are encouraged to contact your regional or area Reclamation office. See www.usbr.gov/main/offices.html with questions regarding NEPA compliance issues. You may also contact the Program Coordinator for further information (see *Section G. Agency Contacts*).

H.2.2. National Historic Preservation Act

To comply with Section 106 of the NHPA, Reclamation must consider whether a proposed project has the **potential to cause effects to historic properties**, before it can complete an award under this 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 1 month.
- If Reclamation determines that the proposed project could have effects on historic properties, a multi-step process, involving consultation with the State Historic Preservation Officer and other entities, will follow. Depending on the nature of the project and impacts to cultural resources, consultation can be complex and time consuming. The process includes:
 - A determination as to whether additional information is necessary.
 - Evaluation of the significance of identified cultural resources.
 - Assessment of the effect of the project on historic properties.
 - A determination as to whether the project would have an adverse effect and evaluation of alternatives or modifications to avoid, minimize, or mitigate the effects.
 - A Memorandum of Agreement is then used to record and implement any necessary measures. At a minimum, completion of the multi-step Section 106 process takes about 2 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 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.2.3. Endangered Species Act

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

Before Reclamation can approve funding for the implementation of 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 1 day to 1 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.