



— BUREAU OF —
RECLAMATION

Notice of Funding Opportunity No. R24AS00327

Habitat Monitoring on the San Juan River



Mission Statements

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

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

Synopsis

Federal Agency Name:	Department of the Interior, Bureau of Reclamation, Upper Colorado Regional Office
Funding Opportunity Title:	Habitat Monitoring on the San Juan River
Announcement Type:	Notice of Funding Opportunity (NOFO)
Funding Opportunity Number:	R24AS00327
Assistance Listing:	15.529 Upper Colorado and San Juan River Basin Endangered Fish Recovery
Dates: (See NOFO Sec. D.4)	Application due date: 1 July 2024, 4:00 p.m. Mountain Daylight Time
Eligible Applicants: (See NOFO Sec. C.1)	Applicants eligible to receive financial assistance to fund activities under this NOFO include: State (includes District of Columbia, public institutions of higher education and hospitals), Local (includes State-designated Indian Tribes, excludes institutions of higher education and hospitals, Public nonprofit institution/organization (includes institutions of higher education and hospitals), Federally Recognized Indian Tribal Governments, U.S. Territories and possessions (includes institutions of higher education and hospitals), Individual/Family, Profit organization, Private nonprofit institution/organization (includes institutions of higher education and hospitals). However, for profit organizations are only eligible if they can demonstrate that the costs for this project are not for profit.
Recipient Cost-Share: (See NOFO Sec. C.2)	No cost share is required
Federal Funding Amount: (See NOFO Sec. B.1)	Up to \$1,500,000 per applicant over a period of 5 years
Estimated Number of Agreements to be Awarded: (See NOFO Sec. B.1)	Approximately \$1,500,000 is available under this program over a maximum period of 5 years (no more than \$300,000 per year). One project per application submittal period is expected to be awarded with an option to renew for up to 5 years, contingent on appropriations. Renewal funding is subject to availability of funds, program authority, satisfactory performance, and compliance with award terms and conditions.
Intergovernmental Review: (See NOFO Sec. D.5)	An intergovernmental review may be required for applications submissions from a U.S. state or local government prior to submission Applicants should contact the Single Point of Contact for Executive Order 12372 to determine whether the application is subject to the State intergovernmental review process. A list of states that have elected to participate in the intergovernmental review process is at https://www.whitehouse.gov/wpcontent/uploads/2020/04/SPOC-4-13-20.pdf .

Application Checklist

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

✓	Mandatory Application Components:	Required content	Page
	Mandatory Federal Forms (https://www.grants.gov/forms/forms-repository/sf-424-family): • SF-424: Application for Federal Assistance (Office of Management and Budget [OMB]) • SF-424A: Budget Information - Non-Construction Programs (OMB) • SF-424B: Assurances - Non-Construction Programs (OMB) • OMB Form 4040-0013: Certification Regarding Lobbying	See Sec. D.2.2.1	18
	Technical Proposal	See Sec. D.2.2.1	19
	Detailed Cost Estimate (Project Budget):	See Sec D.2.2.1	20
	Budget proposal (excel spreadsheet)	See Sec. D.2.2.1	21
	Budget narrative		
	Unique Entity Identifier and System for Award Management	See Sec. D.3	24
✓	Recommended Application Components:	Required content	Page
	Required permits	See Sec. D.2.2.4	19
	Overlap or duplication of effort statement	See Sec D.2.2.5	22
	Conflict of interest disclosure statement	See Sec D.2.2.6	22
	Uniform audit reporting statement	See Sec D.2.2.7	23
	SF-LLL: Disclosure of Lobbying Activities (if applicable) (OMB)	See Sec D.2.2.8	23
	Official Resolution	See Sec. D.2.2.9	24
	OMB Form 4040-0019: Project Abstract Summary	See Sec D.2.2.10	24

Acronyms and Abbreviations

AGPS	Airborne Global Positioning System
ASAP	Automated Standard Application for Payments
ArcGIS	Geographic Information System Software Developed and Maintained by Environmental Systems Research Institute, Inc.
ARC	Application Review Committee
ASPRS	American Society for Photogrammetry and Remote Sensing
CE	Categorical Exclusion
CEC	Categorical Exclusion Checklist
CFR	Code of Federal Regulations
CWA	Clean Water Act
Department	U.S. Department of the Interior
EA	Environmental Assessment
EIS	Environmental Impact Statement
ESA	Endangered Species Act
FGDC	Federal Geographic Data Committee
FOIA	Freedom of Information Act
FONSI	Finding of No Significant Impact
FY	Fiscal Year
GIS	Geographic Information System
GSD	Ground Sample Distance
IBC	Interior Business Center
IMU	Inertial Measuring Unit
LiDAR	Light Detection and Ranging
MST	Mountain Standard Time
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NOFO	Notice of Funding Opportunity
NSSDA	National Standard for Spatial Data Accuracy
OMB	Office of Management and Budget
PSC	Product Service Code
Reclamation	Bureau of Reclamation
Recovery Program	San Juan River Basin Recovery Implementation Program
RM	River Mile
SAM	System for Award Management
SF	Standard Form
SPOC	Single Point of Contact
UEI	Unique Entity Identifier
U.S.C.	United States Code
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey

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Section A: Program Description

A.1. Authority

This Notice of Funding Opportunity (NOFO) is issued under the authority of Public Law 106-392 as amended by Public Laws 107-375, 109-183, 111-11, 112-270, 116-9, 117-328, and 118-42. The Public Law authorizes and provides funding to the Bureau of Reclamation (Reclamation) to implement the endangered fish recovery implementation programs for the Upper Colorado and San Juan River Basins.

A.2. Background, Purpose and Program Requirements

The San Juan River Basin Recovery Implementation Program (Recovery Program) was established in 1991 to allow water development to continue within the Basin while still complying with the Endangered Species Act and protecting the endangered Colorado pikeminnow and razorback sucker. The Recovery Program consists of partners who are committed to the recovery of the listed fishes under the Endangered Species Act and includes water users, conservation groups, state, federal and tribal agencies. For further information on the Recovery Program, see <https://coloradoriverrecovery.org/sj/>.

The San Juan River is partially regulated by [Navajo Dam](#). There are several tributaries that flow into the San Juan River between the dam and Lake Powell, but substantial diversions occur from these tributaries limiting the contribution to the flow regime. Operation of Navajo Dam began in 1962 and has resulted in altered flow into the San Juan River with a tendency towards reduced spring flows in some years and supplemented flows in other seasons.

Because frequency and magnitudes of flows are important triggers for various life cycle stages of endangered species, the Recovery Program developed [flow recommendations](#) to guide releases from Navajo Dam. The flow recommendations are designed to meet the conditions required to develop and maintain habitat for Colorado pikeminnow and razorback sucker and provide the necessary hydrologic conditions for the various life stages of endangered and other native fishes. The habitat monitoring that is part of this project will be used to evaluate the effectiveness of flow recommendations and management actions on habitat.

Since 1992, aerial imagery has been collected along the San Juan River between the confluence of the Animas River (River Mile (RM) 180) and the inflow of Lake Powell (the interface between the San Juan River and Lake Powell) to as far downriver as Neskahi Canyon (RM -30). A light detection and ranging (LiDAR) flight was conducted in 2013.

The imagery is used within the Recovery Program to track changes in channel morphology and habitat. Specifically, the number and area of low velocity habitat (backwaters,

embayments), total wetted area (wetted habitat and wetted channels of the river), and island complexes (used as a surrogate for habitat complexity) are quantified (Table 1). This extensive data set allows for tracking changes in habitat and assessing the effectiveness of management actions, implemented flows, and intra- and inter-annual variability in flows. The last analysis was conducted in [2022](#).

Table 1. Definitions of the classifications used to categorize habitat on the San Juan River.

Habitat Type	Definition
Low Velocity Habitat	
<i>Backwater</i>	Typically, a body of water off-channel in an abandoned secondary channel mouth, behind a bar or in a bank indentation, water depth from <10 cm to >1.5 m, no perceptible flow, substrate typically silt or sand and silt. Little or no mixing of backwater and channel water occurs. Visually characterized by the confluence with the main channel facing downstream.
Secondary channel backwaters	As river flows decrease in volume, inflows of ephemeral side channels become disconnected from the main channel of the river, this flow abandonment can result in the formation of backwaters at the downstream confluence with the main channel of the river.
Point bar backwater	Low velocity habitats that occur downstream of alluvial deposits on the inside bend of a river with the outlet facing downstream
Cobble/sandbar backwater associated with main channel	Zero velocity habitats that form on in-stream non-wetted structures with less than 50% vegetation coverage (cobble/sandbar)
Island backwaters	Zero velocity habitats that form on in-stream non-wetted structures with greater than 50% vegetation coverage (islands)
Bank backwater	Zero velocity backwater habitats that are formed on the direct bank of the river, typically found on straighter sections of the river, with parallel orientation to the flow and/or thalweg of the river.
Lateral wash	A body of water with no perceptible flow and little to no mixing of water with the main channel. Formed at the interface of a wash or canyon that connects to the main channel of the river but drains uplands with no upstream connection back to the main channel.
<i>Embayment</i>	Open shoreline depression with similar characteristics (outlined above) to that of a backwater but the outlet faces upstream.
Secondary channel embayment	As river flows decrease in volume, inflows of ephemeral side channels remain connected to the main channel of the river but disconnect from the remainder of the side channel resulting in an upstream facing low velocity embayment.
Point bar embayment	Low velocity habitats that occur on the upstream side of alluvial deposits located on the inside bend of a river.
Cobble/sandbar embayment associated with main channel	Zero velocity embayment habitats that for form on in stream, non-wetted structures with less than 50% vegetation coverage (cobble/sandbar).
Island embayment	Zero velocity embayment habitats that form on any in stream non-wetted structure with greater than 50% vegetation coverage (islands).

Section A. Program Description

Bank embayment	Zero velocity embayment habitats that are formed on the direct bank of the river, typically found on straighter sections of the river, with parallel orientation to the flow and/or thalweg of the river.
Islands	Any in-stream non-wetted structure with at least 50% vegetation coverage.
Cobble/Sandbar	Any in-stream non-wetted structure with less than 50% vegetation coverage.
Total Wetted Area	The summation of all the wetted habitats and wetted channels of the river.

Complex channel reaches (those with high habitat diversity including islands, multi-threaded channels & complex channel margins) are assumed to correlate with increased abundance of native fishes, and backwater and low velocity habitats are more likely to occur in these areas with higher complexity.

Flow targets have seldom been met over the last decade due to prolonged drought which has led to encroachment of non-native vegetation along the river as well as a reduction in the amount of low velocity habitat in the river. The Recovery Program has been investigating the effect of increasing base flows to promote creation of low velocity habitats as a substitute for high spring flows. The habitat monitoring is meant to measure the effect of various management activities (such as the effect of spring releases, elevated baseflows, and habitat creation/restoration) implemented by the Recovery Program.

A.2.1. Project Location

The project area will be on the San Juan River from RM 180 (confluence of the Animas River) downstream to the inflow of Lake Powell at Neskahi Canyon at (RM -30). The exact project area will be determined annually by the Recovery Program.

A.2.2. Tasks

The tasks that are needed as part of this NOFO are capture and processing of high-resolution digital imagery. Ground truthing of data may be required depending on the spring flows. Annual reports and presentations to the Recovery Program including a summary of the data are expected from the recipient. More details related to the tasks are included under section D.2.2.

A.2.3. Schedule

The schedule of activities will be determined by Reclamation and the Recovery Program. Below is an approximate schedule of expected activities.

Task/Milestone/Product	Timeframe
Capture aerial or LiDAR imagery	Between March and November (to be determined annually by Reclamation & the Recovery Program). Specific dates will be provided to the recipient with a minimum of 3-months' notice.

Process and analyze digital imagery	December 31 st following the imagery capture
Attend and present at Annual Reporting Meeting	February (exact dates vary annually)
Draft annual report	March 31 st of the year following data collection
Final report (incorporating edits of Recovery Program & Reclamation)	June 1 st of the year following data collection

A.2.4. Digital Imagery Requirements

Because flow varies annually depending on annual precipitation and water demands, Reclamation and the Recovery Program will determine the timing and extent (between which river miles) of the flights each year. The recipient will be provided with at least 3-months' notice to ensure sufficient time for planning. Projects should incorporate collection of aerial imagery (expected 1-2 times annually with up to 6 total flights) and LiDAR (expected once over a 5-year period).

A.2.4.1. Aerial Imagery

High-resolution aerial imagery of the San Juan River should be obtained using fixed-wing aircraft to achieve a 10-centimeter digital 4 band resolution. The date of the flight each year will be determined in coordination with Reclamation and the Recovery Program. Flows should be recorded at the time of the flight by using the United States Geological Survey (USGS) gage at Four Corners, CO (USGS Station NO. [09371010](#)). Flights may occur between March and November. If flights are flown between September and November, they will only be conducted when flows are between 500 to 1,000 cfs. For flights that occur in spring or summer, flows could range from 300 to 10,000 cfs.

After collection, digital images will be imported and post-processed in the laboratory, and subsequently overlaid on the most current geo-referenced National Agriculture Imagery Program (NAIP) county mosaics for the full extent of the river floodplain boundaries to ensure geographic accuracy. Individual images will be geo-referenced and rectified to produce a collection of geo-referenced, high-resolution (10 cm) images of the San Juan River from the confluence of the Animas River to the inflow of Lake Powell at RM -30. In the first year, 2022 photography and mapping will be used to calibrate photointerpretation. A selection of approximately 10% of the frames will be used to calibrate the procedure and an additional 10% to verify the results prior to full analysis of the first year of aerial videography. This is a one-time task that will be required only in the first year of video interpretation. Once the digital frames have been registered, ArcGIS will be used to digitize the boundaries of the wetted channel, backwaters, embayments and islands. The data will be processed and summarized by river-mile to match existing datasets which will be provided by the Recovery Program's Program Office.

Aerial imagery requirements

Quality

The recipient shall ensure that the quality and accuracy of the aerial photography products produced under this financial assistance agreement adhere to the requirements stated in this agreement. Aerial photography shall be performed in conformity with the requirements National Standard for Spatial Data Accuracy (NSSDA) and Federal Geographic Data Committee (FGDC) STD-008-1999 "Content Standards for Digital Orthoimagery" dated 1999. Recipient proposed exceptions to these standards may be approved by the Grants Officer.

Orthoimagery mosaics and tiled data shall be processed in such a way as to yield a seamless appearance along the entirety of each project. The Recipient will use established industry methods, such as pseudoinvariant features, radiometric control set, image regression, no-change set from scattergrams, histogram matching or other adaptive strategies as appropriate, to radiometrically normalize the imagery while minimizing unnecessary radiometric distortion from original measured reflectance which may adversely affect the spectral classification and extraction of features using automated, semi-automated, and supervised classification techniques. Imagery will be radiometrically corrected for both atmospheric and topographic attenuation to minimize radiometric distortion error resulting from the scattering and diffusion of light by variances in the atmosphere and terrain influences caused by variable reflectance within similar ground cover caused by slope and aspect. Note that atmospheric correction need only to be applied to adaptively reduce variance within the project extent, not eliminate the overall effects of the atmosphere on diffusion. The Recipient shall not apply contrast or spatial enhancements unless otherwise specified except for enhancements required to produce a seamless dataset as described above.

Imagery will depict seamless match lines where obvious geographic features (rivers, canals, roads, etc.) align. Where multiple raw images depict content of high local relief, the portions of the images with the least topographic distortion will be utilized.

Flight Lines

Aerial photography shall be taken from a suitably equipped fixed-wing or rotary-winged aircraft as determined by the most economical platform which will adequately support the specifications and requirements. The spacing of flight lines shall be such as to ensure full stereoscopic coverage of the area to be mapped within the usable portion of the field of the lens. Unless otherwise specified, the forward overlap between successive photographs shall average 60 percent and not be less than 55 percent or more than 65 percent; side lap between adjoining flight lines shall average 30 percent but not exceed 40 percent or be less than 20 percent.

The Recipient shall insure that on all flights for vertical photography, the centers of the first two and the last two photographs in each line of flight shall fall outside of the boundary of the area covered by the task order in order to ensure full stereoscopic coverage.

All photographic flight lines (likely will involve 55 flight lines and 988 images) shall be flown according to the flight map developed by the Recipient and approved by the Grant Officer's Technical Representative. The Recipient will keep flight lines as straight as possible. Flights shall be oriented over the flight lines as delineated on the flight map and any deviation in which the requested flight line falls outside the center one half (1/2) inch strip of the photographs may be cause for rejection and re-flight at the expense of the Recipient. The position of the first and

last photo of each flight line shall be annotated on the flight map indicating full stereo coverage over the length of the flight line.

Photography Collection Period

Because flow varies annually depending on annual precipitation and water demands, the Reclamation and the Recovery Program will determine the timing and extent (between which river miles) of the flights and provide the recipient with at least 3-months' notice. Aerial photography may be requested for either leaf-on or leaf-off conditions depending on the purpose of the collected imagery. Photography shall be performed when the sun is at least 30 degrees above the geoidal horizon, and weather and lighting conditions are such that raw images will be satisfactory for use in photogrammetric compilation or as may be agreed to by the Recipient and the Grant Officer's Technical Representative. In areas of high local relief within or adjacent to the collection area, higher sun angles may be specified, or adaptive local real horizons may be substituted to reduce shadow and topographic effects which will be captured in the imagery under such relief conditions. Imagery shall be clear and sharp in detail. Imagery shall be free of scratches, dust, and fingerprint artifacts from the sensor or collection platform housing and free from light streaks and lens flare, snow, clouds and cloud shadows, and other blemishes. Imagery shall be taken at such a time as to provide quality exposure minimizing shadows, hot spots, sun spots and glare, especially along shorelines.

Flight Altitude and Ground Sample Distance

Frames shall be exposed from a sufficient altitude to produce the required resultant ground sample distance (GSD). Any deviation from the required GSD that prohibits aerial triangulation or compromises accuracy requirements may be cause for rejection and re-flight at the expense of the Recipient. In areas of varying terrain, discussion with the Grants Officer's Technical Representative should occur to ensure sufficient flight coverage.

Digital Cameras

Digital aerial platform-based cameras and instruments should be capable of capturing images in the panchromatic, color (blue, green, red), or color infrared (reflected near infrared) wavelengths.

Digital cameras should be calibrated to the manufacturer's recommendations and specifications. When digital camera/instrument calibration standards are developed by an independent photogrammetry organization and adopted by the Government, the Recipient shall be required to ensure that their digital aerial camera/instrument systems, for all work undertaken after the adoption of said standards, meet the criteria established under the new calibration standards.

The digital camera should have a minimum of a 3000 x 3000-pixel resolution and be capable of discriminating pixel depth of at least 8-bits. Stereo image capture and storage capability, the ability to capture and assure accurate spatial alignment of requested spectral bands, and capability for real-time orthorectification (resulting from the onboard integration of the Airborne GPS (AGPS) and Inertial Measuring Unit (IMU) with the collection system, processing system, storage system and related hardware infrastructure and software architecture) are digital camera requirements. The image data should be free of noise and errors.

Digital Oblique Cameras

These are digital aerial platform-based cameras and instruments that capture imagery on the ground from both an orthogonal and oblique perspective. In addition to capturing the traditional

orthogonal view, digital oblique cameras should also be able to capture a minimum of four oblique images at 90 degrees from each other along the entire flight path. All cameras and instruments should be able to capture images in the panchromatic and color (blue, green, red) wavelengths; cameras and instruments capturing orthogonal imagery which will be processed into orthomosaics should additionally be able to capture reflected near infrared wavelengths.

Digital cameras should be calibrated to the manufacturer's recommendations and specifications. When digital camera/instrument calibration standards are developed by an independent photogrammetry organization and adopted by the Government, the Recipient shall be required to ensure that their digital aerial camera/instrument systems, for all work undertaken after the adoption of said standards, meet the criteria established under the new calibration standards.

The digital camera should have a minimum of a 3000 x 3000-pixel resolution and be able to discriminate pixel depth of at least 8-bits. Stereo image capture and storage capability, the ability to capture and assure accurate spatial alignment of requested spectral bands, and capability for real-time orthorectification (resulting from the onboard integration of the AGPS and IMU with the collection system, processing system, storage system and related hardware infrastructure and software architecture) are digital camera requirements. The image data should be free of noise and errors.

A.2.4.2. LiDAR imagery

A flight to capture LiDAR imagery will most likely occur once over the next 5 years. The purpose will be to compare the existing data set to the new data to evaluate elevation changes in complexity and width of the main channel, along secondary channels, changes in backwater habitat with flow, vegetation, and sediment.

LiDAR Requirements

Quality

The Recipient shall ensure that the quality and accuracy of the LiDAR products produced under this financial assistance agreement here to the requirements stated in this NOFO. LiDAR shall be performed in conformity with the requirements of the National Standard for Spatial Data Accuracy (NSSDA); additional methodologies may be requested to assess the collected LiDAR accuracy. Recipient proposed exceptions to these standards may be approved by the Grants Officer's Technical Representative.

All requested deliverables will be expected to conform to, or exceed, the American Society for Photogrammetry and Remote Sensing (ASPRS) class for the specified map scale and contour interval. It is likely that horizontal and vertical accuracies based on the NSSDA may be specified at the time of the flight. Minimally, all topographic LiDAR collections shall conform to Quality Level 2 specifications as defined by the USGS.

LiDAR Collection Period

LiDAR data will normally be collected during leaf-off conditions. Exact timing will be determined by Reclamation and the Recovery Program.

Airborne LiDAR density, spacing, and accuracy

LiDAR point collection density and spacing will be specified at the time of the flight, but nominal LiDAR collected point spacing is expected to be 1-5 feet. The absolute horizontal

accuracy of LiDAR points should be 3 feet or better, and the absolute vertical accuracy of LiDAR points should be within plus or minus 0.5-1.0 foot or better of true elevation.

Active LiDAR sensing will be conducted from a sufficient altitude or distance to produce the required resultant vertical and ground resolutions and accuracy.

Topographic LiDAR Systems

Topographic LiDAR systems are primarily based upon three components mounted within an aircraft (fixed wing or helicopter based), designed to work together in the capture and delivery of highly accurate elevation data points. Topographic LiDAR typically uses a near-infrared laser to capture the point coordinates (x, y, z) of terrain features underneath the aircraft flight path. The three primary components of a LiDAR system are the light-pulse emitting scanning laser, an AGPS with required GPS base station(s), and the IMU.

Current LiDAR systems are able to receive up to 5 or more returns from each laser pulse (referred to as multiple return data). Each of these returns may be processed to provide a precise three dimensional “picture” of the bare earth and its surface characteristics. Multiple passes, overlap, or dual mounted LIDAR systems may be required for accurate representation of densely vegetated areas as well as to capture vegetation structure or complex or highly dissected natural terrain or man-made features.

Bathymetric LiDAR Systems

Bathymetric LiDAR systems are also based upon three components mounted within an aircraft (fixed wing or helicopter based), designed to work together in the capture and delivery of highly accurate elevation data points. Bathymetric LiDAR typically uses a water penetrating green light to capture the point coordinates (x, y, z) of underwater terrain features along the aircraft flight path, provided the water to be measured is of a sufficient clarity to permit penetration to the bottom. The three primary components of a LiDAR system are the light-pulse emitting scanning laser, an AGPS with required GPS base station(s), and the IMU.

A.2.5. Habitat Analysis Requirements

The habitat monitoring is meant to measure the effect of management activities (measuring the effect of spring releases, elevated baseflows, and habitat creation/restoration, etc.) implemented by the Recovery Program

This is accomplished by documenting abundance and distribution of key habitats (Table 1) and geomorphic features that indicate the response of the river channel and these habitats to antecedent runoff and baseflow conditions and specific management actions. Ultimately, the desired analytical output is to develop flow-habitat relationships that will help the Recovery Program to make recommendations on water use in the San Juan River that would most efficiently and effectively support endangered fish recovery. At a minimum, the data should be processed as polygons in a GIS software mapping program and summarized by the habitat types listed in Table 1 and total wetted area on a river-mile and reach basis to match existing data sets. Once the digital frames have been orthorectified, GIS software will be used to digitize the boundaries of all habitat classifications (see Table 1) into a shapefile. Habitat will be summarized in Excel spreadsheets as the total area in acres and square meters, the count, and average in square meters for each of the habitat types. Shapefiles and Excel spreadsheets of data from previous years can be provided by

the Recovery Program's Program Office for reference and to allow for trend analysis.

A basic analysis should evaluate the abundance and distribution of key habitats and geomorphic features (backwaters, embayments, islands, and total wetted area) to indicate the response of the river channel and habitat to antecedent runoff conditions, flow at mapping, and specific management actions. More comprehensive analyses of habitat and flow relationships are encouraged.

A.3. Objective of Notice of Funding Opportunity

Reclamation's UC Region is requesting applications for monitoring habitats important to Colorado pikeminnow and razorback sucker along the San Juan River from the confluence with the Animas River (RM 180) to the inflow of Lake Powell (RM -30). Successful projects will include and address all of the tasks included in Section A.2.2 and will evaluate effectiveness of management actions in meeting the flow recommendations and their impact on increasing habitat used by various life stages of endangered fish on the San Juan River. The effect of spring runoff and monsoonal activity on habitats important to Colorado pikeminnow and razorback sucker will also be evaluated. Applications for projects should include collection of aerial imagery, LiDAR imagery and conducting spatial analyses of the imagery. The funding opportunity may occur for up to 5 years with decisions made on an annual basis of the flights and data analysis required by Reclamation and the Recovery Program. As such, project applications should be written as a 5-year plan using the guidelines listed under Section A.2.2. Projects that include novel data evaluation to inform recovery of razorback sucker and/or Colorado pikeminnow are encouraged.

Section B. Federal Award Information

B.1. Total Funding

Approximately \$1,500,000 is available for this NOFO over 5 years. With no more than \$300,000 to be available per fiscal year. Reclamation will determine the final amount of Federal funding available for award in fiscal year (FY) 2024 under this NOFO once final FY appropriations have been made and an applicant has been selected. The amount awarded each year will be determined by the needs of Reclamation and the Recovery Program related to the tasks described in section A.2.2. This NOFO may be canceled if appropriations are insufficient to support new awards. Applications submitted under this NOFO may also be considered if other Federal funding becomes available in or after FY 2024.

Through this NOFO, Reclamation plans to award funds to one applicant group (see *Section C.1.3. Applicant Category Guidance* for additional information).

B.2. Expected Award Amount

Maximum Award: \$1,500,000

Minimum Award: \$300,000

The maximum award amount in Federal funds may be awarded to an applicant over the five-year project period, with no more than \$300,000 to be available per fiscal year.

See *Section C.2. Cost Sharing Requirements* for cost share information.

After the initial award, Reclamation will determine what requirements are needed for the following years by April of each year based on the annual work plan developed by the Recovery Program. Reclamation will determine whether the recipient has made sufficient progress in the preceding year to justify the next year of Federal funding (see *Section F.3.4. Sufficiency Report* for additional information).

B.3. Anticipated Award Funding and Dates

Agreements are not effective until fully executed with signature from the Grants Officer. Reclamation may award the maximum award amount in Federal funds to an applicant over the 5-year project period.

Anticipated Award Date: 10/01/2024

Anticipated Project Completion Date: 09/30/2029 (funding will be awarded annually)

Reclamation expects to contact potential award recipients and unsuccessful applicants in Summer 2024, subject to the timing of final FY 2024 appropriations.

B.4. Number of Awards

Award to one entity is anticipated for federal funding under this NOFO.

B.5. Type of Award

Project awards will be made through a cooperative agreement.

The successful applicant should expect Reclamation to have substantial involvement in the project including:

- Providing technical support to assist with the project as it relates to providing data and data quality control.
- Collaborating on the development of the design and questions to be answered.
- Facilitating input from the Recovery Program.
- Collaborating in the management of the project
- Providing review, input, and approval at key interim stages of the project
- Facilitating review of annual reports by the Recovery Program and presentations of results at the annual meeting

B.6. Technical Assistance

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

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

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

Section C. Eligibility Information

C.1 Eligible Applicants

Successful applicants will meet the requirements of this NOFO by proposing a project to evaluate habitat on the San Juan River from the confluence of the Animas River (RM 180) to the inflow of Lake Powell (RM -30) with aerial imagery, LiDAR and spatial analysis.

Applicants eligible to receive financial assistance to fund activities under this NOFO include: State (includes District of Columbia, public institutions of higher education and hospitals), Local (includes State-designated Indian Tribes, excludes institutions of higher education and hospitals), Public nonprofit institution/organization (includes institutions of higher education and hospitals), Federally Recognized Indian Tribal Governments, U.S. Territories and possessions (includes institutions of higher education and hospitals), Individual/Family, Profit organization, Private nonprofit institution/organization (includes institutions of higher education and hospitals). However, applicants are only eligible if they can demonstrate that the costs for this project are not for profit.

Eligible Applicants:

- ☒ 00—State governments
- ☐ 01—County governments
- ☐ 02—City or township governments
- ☐ 04—Special district governments
- ☐ 05—Independent school districts
- ☐ 06—Public and State controlled institutions of higher education
- ☐ 07—Native American Tribal governments (Federally recognized)
- ☐ 08—Public housing authorities/Indian housing authorities
- ☐ 11—Native American Tribal organizations (other than Federally recognized Tribal governments)
- ☐ 12—Nonprofits having a 501(c)(3) status with the IRS, other than institutions of higher education
- ☐ 13—Nonprofits without 501(c)(3) status with the IRS, other than institutions of higher education
- ☐ 20—Private institutions of higher education
- ☐ 21—Individuals
- ☐ 22—For profit organization other than small businesses

☐ 23—Small businesses

☐ *25—Others (see text field entitled “Additional Information on Eligibility” for clarification)

☐ *99—Unrestricted (i.e., open to any type of entity above), subject to any clarification in the text field immediately below.

*** Entity must be nonprofit organizations subject to 26 U.S.C. 501(c)(3) of the tax code.**

C.2 Cost Sharing or Matching

Under this NOFO recipient cost share is not required.

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

C.4 Eligible Projects

The project being proposed is in the Colorado River Basin on the San Juan River between the confluence with the Animas River (RM 180) and the inflow of Lake Powell (RM -30). The project being proposed must be responsive to the NOFO requirements.

C.5 Ineligible Projects

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

- Totals more than \$1.5 million in funding.
- Requires more than 5 years for completion (Reclamation does not allow agreements longer than 5 years).
- Creates undue financial risk for Reclamation.
- Has had an applicant or entity that has shown poor historical performance on past habitat projects, based on risk assessment criteria.

Section D. Application and Submission Information

D.1. Address to Request Application Package

This NOFO includes all information, documents, and electronic addresses needed to submit an application through grants.gov. All required application forms are available on the “Packages” tab for this funding opportunity on grants.gov. If the applicant is unable to access this information electronically, the Financial Assistance staff may provide paper copies of any documents referenced in this NOFO via an email request from the applicant to Financial Assistance Operations Staff at amanderson@usbr.gov.

D.2. Content and Form of Application Submission

All applications must conform to the requirements described in this section. Failure to submit all mandatory forms will result in the elimination of the application from further consideration.

D.2.1. Application Format and Length

The total technical proposal and criteria section (defined below) shall be limited to a maximum of 25 consecutively numbered pages. If this section exceeds 25 pages, only the first 25 pages will be evaluated. The font shall be at least 12 points in size and easily readable. Page size shall be 8½ by 11 inches, including charts, maps, and drawings. Margins should be standard 1-inch margins. Oversized pages will not be accepted.

Applications will be prescreened for compliance to the above page number limitation. Project applications exceeding 25 pages excluding appendices, will be removed and not considered in the evaluation of the proposed project.

D.2.2. Application Content

All applicants must submit the following mandatory federal forms for the application to be considered:

- Standard Form (SF)-424, Application for Federal Assistance.
- SF-424A Budget Information – Non-Construction Programs,
- SF424B: Assurances – Non-Construction Programs
- OMB 4040-0013 Certification Regarding Lobbying

Forms must be signed by an authorized representative of the entity applying. These forms are available at <https://www.grants.gov/forms/forms-repository/sf-424-family>.

- Project Application (limited to 25 pages excluding appendices to include (all are required)
 - Project Summary
 - Project proposed for funding
 - Project costs and funding plan

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

D.2.2.1. Mandatory Federal Forms

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

SF-424 Application for Federal Assistance.

Applicants must submit the [Standard Form \(SF\)-424, Application for Federal Assistance](#). The SF-424 must be complete, signed and dated. Reclamation will consider any applications that fail to include an SF-424 with a valid unique entity identifier (UEI) number by the submission deadline as ineligible and will result in the elimination of the application from further consideration.

SF-424A Budget Information Form.

Applicants must submit and complete the [SF-424A, Budget Information—Non-Construction Programs](#), as applicable to the project.

SF-424B Assurances Form.

A person legally authorized to commit the applicant to performance of the project must sign the [SF-424B, Assurances—Non-Construction Programs](#), and submit the appropriate form with the application.

OMB 4040-0013 Certification Regarding Lobbying

A fully completed and signed Certification Regarding Lobbying is required if you request more than \$100,000 in Federal funding. In signing this form, you must certify that all statements in 43 Code of Federal Regulations (CFR) Part 18 (<https://www.ecfr.gov>), Certification Regarding Lobbying are true (click download pdf at <https://www.grants.gov/forms/form-items-description/fid/255>). The Authorized Official's signature represents the entity's certification of the statements in 43 CFR Part 18 on the form.

Proposal Content

Submission of a technical proposal is mandatory. Applications that fail to fully disclose this information will be considered ineligible and will not pass initial screening.

The following sections are required components of the technical proposal.

Technical Proposal

Project proposal should be 25 pages or less. Pages should be numbered. Project summary, figures, tables, maps, curriculum vitae, and required standard forms do not count toward the 25-page limit, and applicants are encouraged to use appendices as appropriate.

Title Page

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

Table of Contents

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

Project description

A detailed description of the proposed project which describes the work, including specific activities that will be accomplished should be included. This section provides an opportunity for you to provide a clear description of the technical nature of the project and to address any aspect of the project that reviewers may need additional information to understand. Specifically, this section should describe how the applicant will complete the habitat monitoring. Applicants should include the steps necessary to monitor backwaters, embayments, islands and total wetted area on the San Juan River. The monitoring has typically been related to evaluating the effectiveness of the [flow recommendations](#) developed by the program. However, projects that are designed to evaluate other questions related to the endangered fish habitat are encouraged. [Reports](#) detailing previous efforts are available for reference.

Innovative ideas to evaluate the change in these habitat types are encouraged. The project should include options to conduct flights at different times of the year to answer different questions related to flow and habitat availability, and logistics for regular flights and a flight to collect LiDAR data.

The description must be detailed enough for reviewers to make a clear connection between the activities and the proposed project costs. Provide a detailed description of the methods that will be used to complete each activity.

The proposal should be developed as a 5-year plan which includes capture of aerial imagery for 6 flights over 4 years, LiDAR imagery captured one year, and annual processing and analysis of the imagery (including aerial imagery that was previously captured in 2023) and reporting. The need for the specific tasks will be determined on an annual basis by Reclamation and the Recovery Program and will not necessarily include all of the tasks. Thus, the tasks should be described and budgeted independently to allow flexibility. A competitive proposal should include a clear plan and well-described methods of how to complete the following tasks:

Task 1. Obtain high-resolution digital imagery of the San Juan River.

The objective of this task is to obtain high resolution digital imagery on the San Juan River from RM 180 at the confluence of the Animas River to the inflow of Lake Powell at RM - 30 (Neskahi Canyon). This should consist of options to capture aerial imagery and LiDAR data (See Section A.2.4 below for specific requirements on imagery. Several flights (up to 6) to capture aerial imagery and 1 flight to capture LiDAR are anticipated over the next 5 years). The output should be orthorectified imagery that can be input into the mapping program ArcGIS or another compatible geographic information systems (GIS) software platform.

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Task 2. Process and analyze digital imagery.

Once the digital frames have been orthorectified, GIS software will be used to digitize the boundaries of all habitat classifications (see Table 1) into a shapefile. See Section A.2.5 below for specific requirements for habitat analysis. Shapefiles and Excel spreadsheets of data from previous years can be requested from the Recovery Program's Program Office for reference and to allow for trend analysis. A summary of the different habitat types will also be reported as described in Task 4 below.

Task 3. Verify habitat categories by ground truthing.

The purpose of this task is to conduct field verification of the digital imagery and habitat classifications at a flow similar to when the imagery was collected. All secondary channels, main channel splits, island splits, cobble/sand bar splits and other mapped habitat features noted in the digital imagery will be confirmed on the ground. This may only be necessary in the first year and when spring runoff flows are high, and changes are expected to the channel.

Task 4. Prepare an annual report and presentation for Recovery Program.

Annual report

The applicant will submit an annual report to Reclamation and the Recovery Program which will be reviewed by the Recovery Program's Biology Committee. The Biology Committee will provide comments and suggested edits on the draft report and the selected applicant will be expected to revise or respond to those comments/edits in the final report. See Section A.2.3 for the schedule of the report.

The report will include flow at mapping (i.e., flow discharge when the digital imagery was collected), distribution, and abundance (area and density) of backwaters, embayments, and total wetted area in response to antecedent runoff conditions and other management actions. The report will examine the relationships between hydrology (especially recent antecedent hydrology conditions prior to image capture and mapping) and habitat conditions (density and area) throughout the river. Trend analysis will be performed on all habitat types (Table 1) mapped to assess trend with time and flow at mapping. This includes the count and area (in acres and m²) for each habitat type by river mile.

Presentation

The Recovery Program holds an annual meeting every February to review results from the previous year. The selected applicant will be expected to attend the meeting in person and present a summary of the findings from the year. The meetings are typically held in Durango, Colorado but may be in Albuquerque, New Mexico, or another location within the San Juan River Basin.

NEPA compliance

Reclamation will complete the compliance that is necessary to comply with National Environmental Policy Act (NEPA).

Compliance with National Environmental Policy Act (NEPA), Endangered Species Act (ESA), and National Historic Preservation Act (NHPA) will be required for all funded projects. Further, monitoring, measurement, or other field work may be required to complete environmental and

Section D. Application and Submission Information

cultural resources compliance, with some of the field work also requiring individual compliance. provided by the applicant.

Required Permits

Federal, state, tribal, and/or county permits or approvals may be required to implement the proposed project. In the application, state whether the project will require any permits or approvals and explain the plan and schedule for obtaining these permits or approvals.

If a proposal includes improvements to Federal facilities, Reclamation may also require additional reviews and approvals prior to implementation to ensure the Bureau can approve any necessary easements, land use authorizations, or special permits consistent with the requirements of [43 CFR §429](#) and that the development will not impact or impair project operations or efficiency.

Experience & Technical Qualifications of Staff Undertaking the Project

Provide a brief description of the applicant organization and all participating entities and/or individuals. Identify which of the proposed activities each agency, organization, group, or individual is responsible for conducting or managing.

The applicant should identify past habitat projects of a similar nature completed or underway by the applicant, project manager, or entity. Past project should include dates, brief description, and status.

Provide brief (1-page) curricula vitae for key personnel, identifying their qualifications to meet the project objectives. To prevent unnecessary transmission of Personally Identifiable Information, *do NOT include Social Security numbers, the names of family members, or any other personal or sensitive information including marital status, religion, or physical characteristics in the description of key personnel qualifications. The curricula vitae does not count towards the total page count.*

Describe the staff levels and expertise, the number of staff hours, and the schedule for completing each task.

Literature Cited (if applicable)

Include this section as an addendum if need and not within the text of the proposal.

Detailed Cost Estimate

Applicants must include an itemized Budget. An example budget spreadsheet and budget narrative are attached to this application package.

Budget Proposal

Using the table in Attachment B of the application, provide a detailed cost estimate for labor, contracting, and supplies and equipment. Indirect costs, such as overhead, may be included in the cost estimate as well. Costs should be broken into major categories, e.g., labor, equipment, flights, supplies, etc. This should be structured to allow for selection of flights, spatial analyses, other data collection independently. If contractors will be obtained to complete certain parts of the project such as flights, a detailed line-item breakdown explaining the services should be provided in the budget narrative.

Budget Narrative

Submission of a budget narrative is mandatory. The budget narrative provides a discussion of, or explanation for, items included in Section B of the SF-424A (personnel, fringe benefits, travel, equipment, supplies, contractual, indirect costs). Costs, including the valuation of third-party in-kind contributions, must comply with the applicable cost principles contained in 2 CFR Part §200, available at the Electronic CFR (www.ecfr.gov).

D.2.2.2. Pre-Award Costs

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

If the proposed project is selected, the awarding Reclamation Grants Officer will review the proposed pre-award costs to determine if they are consistent with program objectives and are allowable in accordance with the authorizing legislation. Eligible pre-award costs associated with the proposed project must be **incurred after the posting date of this funding opportunity**. Proposed pre-award costs must also be compliant with all applicable administrative and cost principles criteria established in 2 CFR Part 200 and all other requirements of this NOFO.

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

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

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

D.2.2.3. Environmental and Cultural Resources Compliance

Reclamation will complete any environmental and cultural resources compliance that is necessary for this project.

D.2.2.4. Required Permits or Approvals

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.

D.2.2.5. Overlap or Duplication of Effort Statement

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

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

D.2.2.6. Conflict of Interest Disclosure Statement

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

Applicability

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

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

Notification

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

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

Restrictions on Lobbying

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

Review Procedures

The Financial Assistance Officer will examine each conflict-of-interest disclosure on the basis of its particular facts and the nature of the proposed grant or cooperative agreement and will

determine whether a significant potential conflict exists and, if it does, develop an appropriate means for resolving it.

Enforcement

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

D.2.2.7. Uniform Audit Reporting Statement

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

D.2.2.8. SF-LLL Disclosure of Lobbying Activities (if applicable)

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

D.2.2.9. Official Resolution

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

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

An official resolution meeting the requirements set forth above is mandatory. If you are unable to submit the official resolution by the application deadline because of the timing of board meetings or other justifiable reasons, the official resolution may be submitted to amanderson@usbr.gov up

to 5 days after the application deadline. This resolution does not count towards the 25- page maximum.

D.2.2.10. Project Abstract Summary (Optional form)

The applicant may complete and submit the [Project Abstract Summary form](#) with the application package. This must include:

- funding opportunity number, (R24AS00327)
- goals and objectives of the proposed project,
- summary of project activities,
- performance goals including milestones and expected outcomes, and
- the intended beneficiaries, and any subrecipient activities, if known.

Reclamation will transmit this information to USASpending.gov and be viewable by the public.

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

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

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

Meeting the requirements set forth above is mandatory.

D.3.1. Register with the System for Award Management

Applicants must register on the SAM.gov website. Click “Help” to find user guides and other information to assist with registration. The [Grants.gov “Register with SAM” page](#) also provides detailed instructions. Applicants can contact the supporting [Federal Service Desk](#) for help registering in SAM. Once registered, SAM.gov will assign the applicant a UEI. Applicants must renew and revalidate SAM.gov registration at least once every 12 months from the previous date of registration. Applicants are strongly encouraged to revalidate registration as often as needed to ensure their information is up to date and reflects changes that may have been made to the Internal Revenue Service’s information.

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

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NOTE: An applicant's SAM.gov registration process may take 6 weeks or more to complete, so please allow sufficient time to ensure applications are submitted before the closing date. Failure to submit on time because an applicant did not complete registration in SAM.gov or Grants.gov will result in the application submission being found ineligible.

D.3.2. Obtain a UEI Number

Applicants must provide a valid unique entity identifier as part of the application. Applicants are required to register in SAM.gov prior to submitting a Federal award application and obtain a UEI. A UEI will be assigned to entities upon registering with SAM.

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

Applicants must continue to maintain an active SAM registration with current information at all times during which applicants have an active Federal award, application, or plan under consideration by Reclamation. Reclamation may not make a Federal award until the applicant has complied with all applicable UEI and SAM requirements and, if the applicants has not fully complied with the requirements by the time Reclamation is ready to make a Federal 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.3.4. Current Responsibilities/Qualifications Information

Before awarding a grant in excess of the simplified acquisition threshold, Reclamation is required to review the SAM.gov database and consider all information about the applicant that is in the designated integrity and performance system accessible through SAM (see 41 U.S.C. §2313).

Optionally, applicants may review information in the designated integrity and performance systems accessible through SAM and comment on any information that a Federal awarding agency previously entered and that is currently in the designated integrity and performance system. Reclamation will consider any comments in making a judgement about the applicant's integrity, business ethics, and record of performance under Federal awards when completing the review of risk as described in 2 CFR §200.206, "Federal awarding agency review of risk posed by applicants."

D.4. Submission Date and Time

Applications must be submitted electronically through grants.gov. Grants.gov automatically generates an electronic date and time stamp in the system upon receiving the application. Grants.gov sends an acknowledgement of receipt with the date and time stamp and a unique Grants.gov application tracking number to the applicant's authorized representative by email. This email from Grants.gov serves as proof of timely submission.

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The applicant may submit a paper application if approved by the Reclamation Grants Officer and if the applicant is found to be under exigent circumstances (e.g., Federally declared disaster area). Applications sent by mail without prior approval will be rejected and deemed ineligible.

The applicant may request an exemption from the required electronic application submission due to exigent circumstances, by submitting an email request to the Reclamation Grants Officer for approval. Applicants may email exemption requests to amanderson@usbr.gov. All emailed exemption requests must include the following information:

1. the NOFO Number and the language: “Exigent Circumstances Request for Fiscal Year (FY) [insert year]” in the subject line of the email,
2. the NOFO title and number,
3. the application due date of the specified NOFO,
4. the Assistance Listing number,
5. the name of the applicant organization and UEI number(s),
6. the authorized organizational representative name and contact information (phone and email address),
7. the name and email of the point of contact regarding matters involving the application, and
8. the exigent circumstances justification to prevent an electronic application submission.

The Grants Officer must receive exigent circumstances requests no later than 2 weeks or 14 days before the application due date listed within the NOFO. Reclamation will acknowledge requests for exemption from required electronic application submission with a written approval or disapproval via email from the Grants Officer within 7 business days.

Unless the applicant has received an approved exemption, applicants must use grants.gov to submit proposals. Under no circumstances will Reclamation consider applications received through any other method (such as e-mail or fax) as eligible for award.

Applicant resource documents and a full set of instructions for registering with grants.gov and completing and submitting applications online are available on [grants.gov](https://www.grants.gov). Application submission requires prior registration through grants.gov, which may take up to 21 days. In addition, please note the grants.gov system only accepts applications submitted by individuals that are registered and active in SAM as both a user and an Authorized Organizational Representative. Applicants have experienced significant delays when attempting to submit applications through grants.gov.

D.4.1.1. Applications Submission

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

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

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Applicants have experienced significant delays when attempting to submit applications through Grants.gov. Applicants are encouraged to submit applications several days prior to the application deadline. If you are a properly registered Grants.gov applicant and encounter problems with the Grants.gov application submission process, you must contact the Grants.gov Intergovernmental Review

This NOFO may be subject to Executive Order 12372, “Intergovernmental Review of Federal Programs.” A list of states that have elected to participate in the intergovernmental review process are listed on the Office of Management and Budget’s website, <https://www.whitehouse.gov/wp-content/uploads/2020/04/SPOC-4-13-20.pdf>.

Applicants in these states must contact their state's Single Point of Contact (SPOC) to find out about and comply with the state's process under Executive Order 12372. The names and addresses of the SPOCs are also listed on the Office of Management and Budget's website, <https://www.whitehouse.gov/wp-content/uploads/2020/04/SPOC-4-13-20.pdf>.

D.4.2. Due Date for Applications

Due Date for Applications: 07/01/2024

Electronically submitted applications must be submitted no later than 5:00 p.m., MT, on the listed application due dates.

D.5. Funding Restrictions

D.5.1. Indirect Costs

You may include indirect costs that will be incurred during the development of the Project, which will not otherwise be recovered, as part of your Project budget. Show the proposed rate, cost base, and proposed amount for allowable indirect costs based on the applicable cost principles for your organization. It is not acceptable to simply incorporate indirect rates within other direct cost line items.

If you have never received a Federal negotiated indirect cost rate, your budget may include a *de minimis* rate of up to 10 percent of modified total direct costs. For further information on modified total direct costs, refer to 2 CFR§200.1.

If you do not have a federally approved indirect cost rate agreement and propose 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 (IBC), Office of Indirect Cost Services, at <https://ibc.doi.gov/ICS/icrna>.

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

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IBC will negotiate your indirect cost rate. Contact the IBC by phone 916-930-3803 or email at ICS@ibc.doi.gov. Visit their website <https://ibc.doi.gov/ICS/icrna>, for information regarding email submission forms.

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

Section E. Application Review Information

E.1. Evaluation Criteria

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

Evaluation Criteria Scoring Summary		Possible Points:
A. Past Performance		20
B. Experience of applicant’s key personnel		25
1. Demonstrate experience of applicant’s personnel and collaborators		
2. Experience working on similar projects		
C. Cost		20
D. Feasibility of Achieving Stated Objectives		35
1. How well proposal addresses program priorities and requested proposal elements		
2. Capacity of the applicant to implement the project		
3. Well defined methods and clear, detailed project plan		
4. Project includes methods for evaluating flow habitat relationships		
	Total	100

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

E.1.1. Evaluation Criterion A. Past Performance (0-20 points)

The applicant will provide a history of past contracts, especially federal grants and contracts, which have been completed or are in progress that are related to this type of work. Past customers will be contacted to evaluate the applicant's at completing high quality work.

E.1.2. Evaluation Criterion B. Experience of Applicant's Key Personnel (0-25 points)

E.1.2.1. Evaluation Sub-criterion No. B1 - Experience of applicant's personnel and collaborators

The applicant will be evaluated to the extent that they demonstrate they have the capability and capacity to do the proposed work and the qualifications of the principal investigators are submitted.

E.1.2.2. Evaluation Sub-criterion No. B2 - Experience working on similar projects

The applicant will list examples of past work on similar projects that are similar in scope and show experience working on the San Juan River or similar river systems that demonstrate experience monitoring habitat.

E.1.3. Evaluation Criterion C. Cost (0-20 points)

This includes the overall cost of the project as well as the proportion of the budget dedicated to the individual categories as listed in the excel spreadsheet.

E.1.4. Evaluation Criterion E. Feasibility of Achieving Stated Objectives (0-35 points) The Offeror will be evaluated to the extent that they demonstrate the feasibility of achieving stated objectives in the specified timetable by submitting a reasonable schedule of milestones

E.1.4.1. Sub-criterion No. E1—How well proposal addresses program priorities and requested proposal elements

E.1.4.2. Sub-criterion No. E2 - Capacity of the applicant to implement the project

The applicant will be evaluated based on a proposal that is clear, well organized, and concise.

E.1.4.3. Sub-criterion No. E3—Well defined methods and clear, detailed project plan

The applicant will be evaluated based on the sampling design, methods, and overall lay out of the monitoring plan. The applicant will demonstrate in the proposal how they will integrate all available and relevant information into the reports.

E.1.4.4. Sub-criterion No. E4 – Project includes methods for evaluating flow-habitat relationships

Applicants that include methods for evaluating flow relationships to habitat will be rated higher than projects that do not include this component.

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. Award selection may be made to maintain balance among the eligible projects listed in this NOFO. The evaluation process will be comprised of the steps described in the following subsections.

E.2.1. First Level Threshold Screening

The Grants Officer will screen applications to ensure they meet basic eligibility requirements.

The Grants Officer will screen all application packages to ensure that:

- the application meets the completeness, eligibility, and timeliness requirements stated in this NOFO,
- the applicant meets the UEI and SAM registration requirements stated in this NOFO,
- the application meets the content requirements of the NOFO package, including submission of a technical proposal and budget narrative, and
- the application contains executed mandatory forms SF-424 forms,
- Project Proposal/Narrative page limitation

A complete application must include all requirements described in the above bullets. Applications must satisfy basic eligibility screening requirements to be considered for further review. The Grants Officer reserves the right to remove an application from funding consideration during the initial screening if it is not submitted on time, does not include the appropriate SF-424 forms, does not include a technical proposal, or does not include a budget narrative. In that event, the Grants Officer will send a notification of elimination to the applicant. If an application is missing other information, Reclamation may reach out to request that information within a specified timeframe.

E.2.2. Application Review Committee

An Application Review Committee (ARC), made up of experts in relevant disciplines selected from across Reclamation, will review the technical merit of the application. Evaluation criteria will comprise the total evaluation weight as stated in the paragraph E.1., “Technical Proposal: Evaluation Criteria,” of this NOFO.

Reclamation will score applications the evaluation criteria and the ARC will also review the application to ensure that the project is eligible and meets the objective of this NOFO.

During 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. Additionally, the Red-Flag Review will address several of the determinations listed in paragraph A.4., “Program Requirements” of this NOFO.

Reclamation may consider any positive or negative past performance by the applicant and any partners in previous working relationships with Reclamation, including whether the applicant is making significant progress toward the completion of any outstanding financial assistance agreements and whether the applicant is in compliance with all reporting requirements associated with previously funded projects.

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

E.2.4. Managerial Review

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

E.2.5. Pre-Award Clearances and Approvals

The applicant must obtain the following pre-award clearances and approvals before an award of funding is made. If the results of all pre-award reviews and clearances are satisfactory, Reclamation will make an award of funding 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, Reclamation may withdraw consideration of funding for the project.

E.2.5.1. 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 Reclamation 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 circulars

E.3. Federal Award Performance Integrity

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

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

Section F. Federal Award Administration Information

F.1. Federal Award Notices

Awards are based on the application submitted to, and approved by, Reclamation and are subject to the terms and conditions incorporated into the Notice of Award either by direct citation or by reference to the following: Federal regulations, program legislation or regulation, and special award terms and conditions. *The duration of an agreement is based on the period of performance as stated on the project proposal.*

The certifying Grants Management Officer will notify the recipient via email with a fully executed and signed Notice of Award with the required terms and conditions. Recipient acceptance of a Federal award from Reclamation carries with it the responsibility to be aware of and compliance with all terms and conditions applicable to the award. Recipients indicate their acceptance of the Federal award by starting work, drawing down funds, or accepting the award via electronic means. Awards cannot be finalized, until the recipient completes enrollment in the Department of the Treasury, [Automated Standard Application for Payments \(ASAP\) System](#).

F.2. Administrative and National Policy Requirements

See the “[DOI Standard Terms and Conditions](#)” for the administrative and national policy requirements applicable to Reclamation and Department awards.

F.2.1. Automated Standard Application for Payments Registration

The ASAP staff will send the information on the enrollment process for recipients, including the enrollment initiation form, to the recipient if selected for an award. All applicants must be willing to process payments through the system. Completion of registration is mandatory before recipients can receive payments. All recipients with active financial assistance agreements with Reclamation must be enrolled in the ASAP system under the appropriate Agency Location Code(s) and UEI number prior to the award of funds. If a recipient has multiple UEI numbers, they must separately enroll within ASAP for each unique UEI number and/or bureau.

Note that if the applicant’s entity is currently enrolled in the ASAP system with a bureau *other* than Reclamation, they must enroll specifically with Reclamation in order to process payments. If the applicant’s organization is not enrolled in ASAP, contact the Grants Officer in the Federal Awarding Agency Contacts of 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, Pub. L. 115-254, Subtitle F – Geospatial Data, §§ 751-759C, codified at 43 U.S.C. §§ 2801–2811. Interior requires fully compliant metadata on all Geographic Information Systems files developed for financial assistance projects. If a funded financial assistance project involves acquiring or collecting geospatial data, the recipient is required to search GeoPlatform.gov to determine that no existing Federal, State, local or private data meet the Government’s needs and are available at no cost before acquiring or collecting additional geospatial data.

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

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

Title to intangible property acquired under a Federal award vests upon acquisition in the non-Federal entity (see §200.1 Intangible Property). The non-Federal entity must use that property for the originally authorized purpose and must not encumber the property without approval of the Federal awarding agency. When no longer needed for the originally authorized purpose, disposition of the intangible property must occur in accordance with the provisions in §200.313(e) Equipment (of this CFR).

The non-Federal entity may copyright any work that is subject to copyright and was developed, or for which ownership was acquired, under a Federal award. However, per 2 CFR 200.315 (b) the Federal awarding agency reserves a royalty-free, nonexclusive, and irrevocable right to reproduce, publish, or otherwise use the work for Federal purposes, and to authorize others to do so.

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

F.2.5. Real Property, 2 CFR §200.311

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

authorized purpose, the non-Federal entity must obtain disposition instructions from Reclamation. As required by 2 CFR §200.330 *Reporting on real property*, recipients will be required to submit reports on the status of real property acquired or improved under a financial assistance agreement issued under this NOFO.

F.3. Reporting Requirements and Distribution

If 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

All recipients must use the [SF-425, Federal Financial Report](#), form for financial reporting. Recipients must submit a fully completed SF-425 form on a regular schedule as determined by Reclamation and indicated in the grant agreement document; this schedule is typically semi-annually or quarterly. A person legally authorized to obligate the recipient must sign the SF-425.

F.3.2. Interim Performance Reports

The financial assistance agreement will include specific terms and conditions pertaining to reporting requirements.

Recipients will submit interim performance reports on a schedule determined by Reclamation (typically semi-annually or quarterly, listed in the grant agreement document). While the recipient may provide additional detail, these reports must—at a minimum—include the following information:

- a comparison of actual accomplishments to the milestones established by the financial assistance agreement for the period,
- the reasons why the project did not meet established milestones, if applicable,
- the status of milestones not met from the previous reporting period, 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, and
- photographs documenting the project (appreciated, although not required). Note: Reclamation may print photos with appropriate credit to the applicant.

F.3.3. Final Performance Report

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

a brief description of the components of the project and the work completed, including each element of the scope of work and the work completed at each stage of the project,

- the goals and objectives of the project and whether each of these was met; the reasons why goals and objectives were not met (if appropriate); and any problems, delays encountered in completing the project, and if the project was completed within cost,

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- future tracking of project benefits,
- a description of how the project demonstrates collaboration, stakeholder involvement or the formation of partnerships, if applicable, and
- any other pertinent issues involving the project.

Please note that final reports are public documents and may be made available on Reclamation's website. Reclamation may print photos with appropriate credit to the applicant.

F.3.4. Real Property Reports

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

F.4.1 Conflict of Interest Disclosures

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

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 §200.339](#) for noncompliance, including termination of the award.

F.3.5. Other Mandatory Disclosures

The non-Federal entity or applicant for a Federal award must disclose, in a timely manner and 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](#) for noncompliance, including suspension or debarment.

F.4. Data Availability (2 CFR §1402.315)

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

The Federal Government has the right to:

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

F.4.1. 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 they can be made available to the public through the procedures established under the FOIA. If the Federal awarding agency obtains the research data solely in response to a FOIA request, the Federal awarding agency may charge the requester a reasonable fee equaling the full incremental cost of obtaining the research data. This fee should reflect costs incurred by the Federal agency and the non-Federal entity. This fee is in addition to any fees the Federal awarding agency may assess under the FOIA ([5 U.S.C. 552\(a\)\(4\)\(A\)](#)).

Definitions

Published research findings:

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

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

F.5. Recipient Service Delivery Option

2 CFR Part 200 does not prohibit recipients of Federal financial assistance from imposing uninterrupted service delivery requirements on subrecipients. Under 2 CFR§200.319(b)(1) it is reasonable for a recipient or subrecipient, acting in accordance with its own sound business judgment, to include uninterrupted service delivery requirements in its contracts under Federal financial assistance awards, as necessary, and when otherwise consistent with Federal law. This is a case-by-case determination made by the recipient or subrecipient based on the particular project or services in question.

Section G. Federal Awarding Agency Contact(s)

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

G.1. Reclamation Financial Assistance Contact

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

Autumn Anderson

Grants Officer

(801) 524-3609

amanderson@usbr.gov

Note that staff availability on the day of the NOFO closing will be limited. Please include the NOFO number **R24AS00327** in the subject line of your email.

G.2. Reclamation Financial Assistance Contact

Questions regarding applicant and project eligibility and application review may be submitted to the attention of Kerri Pedersen, Biologist.

By mail: Bureau of Reclamation
Upper Colorado Regional Office, Adaptive Management Group
Attn: Kerri Pedersen
125 S. State St, Suite 8100
Salt Lake City, UT 84138

By e-mail: kpetersen@usbr.gov